



CITY COUNCIL ACTION

Council Meeting Date: March 11, 2024

Item No: 24-098

Responsible Dept: Legal

Action Requested: Ordinance

Map/Lot: N/A

Title, Ordinance

Amending Chapter 223, Property Maintenance, Section 223-12, to Clarify That the Director of Community and Economic Development has Authority to Sign Administrative Consent Agreements on Behalf of the City.

Summary

This ordinance amendment, if passed, would revise the City’s Vacant Buildings Ordinance to permit the Director of Community and Economic Development to sign administrative consent agreements on behalf of the City.

Under the current ordinance, there is no City official designated to sign administrative consent agreements. A City official must be specifically designated in order to have authority to sign administrative consent agreements on behalf of municipalities under Maine state law. In order to make enforcement of the Vacant Buildings Ordinance more efficient, this amendment will authorize the Director of Community and Economic Development to sign administrative consent agreements on behalf of the City to resolve violations of the Vacant Buildings Ordinance without court involvement. In the absence of the Director of Community and Economic Development, the City Solicitor and the City Manager will be given this authority.

The proposed amendment would also clarify that the City may enforce violations of the Vacant Buildings ordinance in court.

This proposed amendment was unanimously recommended at the March 4, 2024 Government Operations Committee meeting.

Committee Action

Committee: Government Operations

Meeting Date:

Action:

For:

Against:

Staff Comments & Approvals

City Manager

City Solicitor

Finance Director

Introduced for: First Reading and Referral



CITY COUNCIL ORDINANCE

Date:

Assigned to Councilor: Schaefer

ORDINANCE, Amending Chapter 223, Property Maintenance, Section 223-12, to Clarify That the Director of Community and Economic Development has Authority to Sign Administrative Consent Agreements on Behalf of the City

WHEREAS, at present, the Vacant Building Ordinance does not designate any city official to sign administrative consent agreements on behalf of the City to resolve violations without court involvement; and

WHEREAS, enforcement of the Vacant Buildings ordinance would be more efficient and effective if the Director of Community and Economic Development and, in her absence, the City Solicitor or the City Manager, were authorized to sign administrative consent agreements on behalf of the City to resolve violations of the Vacant Buildings ordinance out of court; and

WHEREAS, the proposed ordinance revision would also clarify that the City may enforce violations of the Ordinance in court;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BANGOR AS FOLLOWS, THAT

Chapter 223 of the Code of the City of Bangor is amended as follows:

§ 223-12 Violations and penalties.

Any person who is found to be in violation of any provision or requirement of this article shall be subject to a civil penalty and the enforcement provisions as set forth in 30-A M.R.S.A. § 4452. Each violation of a separate provision or requirement, and each day of violation, shall constitute a separate offense. The Director of Community and Economic Development is authorized to sign administrative consent agreements on behalf of the City to resolve violations of this Article. In the absence of said Director, the City Solicitor or the City Manager have the authority to sign administrative consent agreements on behalf of the City. The City may also enforce violations of this Article in court.

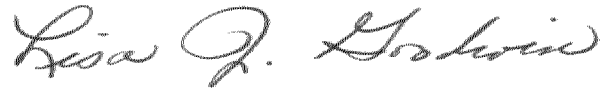
Additions are underlined, deletions struck through.

IN CITY COUNCIL

MARCH 11, 2024

COrd 24-098

First Reading



CITY CLERK

IN CITY COUNCIL

MARCH 25, 2026

COrd 24-098

Motion made and seconded for Passage

Vote: 8-0

Councilors Voting Yes: Deane, Fish, Fournier, Leonard, Schaefer, Tremble, Yacoubagha, Pelletier

Councilors Voting No: None

Passed

Brandon Powell

DEPUTY CITY CLERK