

CITY OF UTICA
Department of Legislation
Common Council

April 15, 2026

Sponsored by: Councilmembers LoMedico, Colosimo-Testa

ORDINANCE ADDING ARTICLE XII OF CHAPTER 2-6 OF THE UTICA CITY CODE OF ORDINANCES

ORDAINED, that Chapter 2-6, Article XI entitled “Vacant Building Registry” of the Code of Ordinances is amended to read as follows:

Article XI Vacant Building Registry

Sec. 2-6-400 Legislative findings and purpose.

It is the finding of the Common Council that vacant buildings, by nature of their vacancy, impose disproportionate costs on the neighborhoods in which they are located and on the City of Utica at large. The purpose of this article is to provide City personnel with the knowledge they need to mitigate these costs and incentivize the owners of vacant buildings to rehabilitate and return them to occupancy.

Sec. 2-6-401 Definitions.

Unless otherwise expressly stated, the following terms shall, for the purpose of this article, have the meanings indicated in this section:

CHIEF BUILDING OFFICER

The person so designated by the Mayor, who is generally the Commissioner of Codes, or, in the absence of such Commissioner, the Chief Building Inspector for the City of Utica.

ENFORCEMENT OFFICER

A duly authorized representative of the Department of Codes Department.

OWNER

Those shown to be the owner or owners on the records of the City of Utica Department of Assessment, those identified as the owner or owners on a vacant building registration form, a mortgagor in possession, assignee of rents, receiver, executor, trustee, lease, or other person, firm or corporation in control of the premises. Any such person shall have a joint and several obligations for compliance with the provisions of this article.

VACANT BUILDING

Any building in which no occupant lawfully resides or no tenant is in lawful possession, or any building otherwise not being used for any lawful occupancy. For purposes of this article, buildings **temporarily** unoccupied **for a period of less than six (6) months** due to the temporary absence of the lawful owner shall not be considered vacant. The determination of whether a building is vacant will be made by the Codes Department, Fire Department, Police Department or any combination thereof.

A vacant building where no code violations exist and which is unoccupied for less than 120 days is exempt from registration under either of the following circumstances;

1. Where the vacant building is the primary residence of, and owned by, a natural person; or
2. Where the vacant building is owned by a natural person and where a registered New York State licensed real estate agent has been retained to actively market the building

Sec. 2-6-402 Vacant building registration.

A. An owner of a vacant building shall register such building with the Codes Department immediately and renew said registration annually thereafter until the building is no longer vacant.

B. The registration shall be submitted on forms provided by the Codes Department and shall include the following information supplied by an owner:

- (1) The property addresses;
- (2) The Tax Map identification (section, block and lot) number associated with the parcel improved by the building or structure;
- (3) The names, addresses, email addresses, and telephone numbers of all current owners. Registrants are responsible for giving updated information as needed;
- (4) The name, address, email address and telephone number of a person who resides in Oneida County or an adjoining county and who has the authority to act on the owner's behalf regarding the property in the event of an emergency;
- (5) The names and addresses of all known lienholders and all other parties with an ownership interest in the building and a statement indicating whether the property is the subject of any mortgage or tax foreclosure;
- (6) A statement as to whether the owner intends or owners intend to rehabilitate and reoccupy the building or, if not, a statement as to how the owner intends or owners intend to dispose of the property;
- (7) If the owner is a corporate entity, including, but not limited to, a corporation, limited liability corporation, professional limited liability company, or limited liability partnership, the name, address, email, and telephone number of an agent responsible for

maintenance of the property, **AND** at least one active officer, partner and/or member of such entity, the registered address for the entity, and the state on which the entity is registered; and

(8) Proof of property insurance. This requirement may be waived by the Chief Building Official upon a showing by the applicant that such insurance is not available for the subject property.

C. As a condition of registration, all applicable laws and codes shall be complied with by the owner. The owner shall notify the enforcement officer of any changes in information supplied as part of the vacant building registration within 30 days of the change.

D. A new owner shall register or reregister a vacant building with the enforcement officer within 30 days of any transfer of an ownership interest in a vacant building.

E. Vacant building registration fees.

(1) The owner of a vacant building shall pay an annual fee as set forth in Subsection (e)(2) of this section for the period the building remains a vacant building. The owner will pay the fee when put on the registry and subsequently the fee will be due and owed on January 1st of each following year while the building is on the registry

(2) Fee schedule.

a. For residential buildings of one to three units:

1. For years 1-5: \$100.

2. For each subsequent year: \$200.

b. For residential buildings of four to six units, and mixed commercial and residential buildings of two or three residential units:

1. For years 1-5: \$150.

2. For each subsequent year: \$300.

c. For residential buildings of seven or more units, and mixed commercial and residential buildings of four or more units:

1. For years 1-5: \$200.

2. For each subsequent year: \$400.

d. For nonresidential buildings, the greater of:

1. For years 1-5: \$200 or \$0.05 per square foot.

2. For each subsequent year: \$400 or \$0.20 per square foot.

e. The vacant building shall be registered prior to the issuance of a building permit, with the exception of a demolition permit.

F. The Vacant Building Registry fee shall be the responsibility of the owner of the property and shall be paid by such person. The expense incurred shall be a lien against the real property and shall be assessed and levied as provided in this section.

1. The person responsible for paying the fee shall be notified of the amount of such cost by first-class mail sent to his/her address as shown on the assessor's records. The notice shall include a statement of determination of vacancy, the date of determination and cost of said fee. The notice shall also inform the person responsible of his right to appeal the determination and fee as provided in this section. The enforcing officer shall send a copy of the notice to the comptroller, who shall be responsible for collection of same. If the person responsible fails to pay the total amount due within 30 days after the mailing of said notice, then a late charge of \$10 shall be assessed and added to the charge. If payment of a charge is delinquent as of March 20 following the incurring of the fee, then the comptroller shall cause the charge to be added to the next City tax bill and collected and enforced in the same manner as provided by law for the collection of taxes by the City. Prior to adding the charge to the City tax bill, there shall be imposed, an addition to the amount due, an additional administrative charge in the amount \$10.

2. Any objection to the fee shall be made within 30 days after the mailing of the notice as provided in Subsection F. Such objection shall be in writing and filed with the Commissioner. The person responsible shall have an opportunity to present objections to the Commissioner either by personal appearance or in writing and the time to pay same without penalty shall be extended during the pendency of the appeal. The Commissioner shall determine the merits of the objection and notify the applicant and the comptroller in writing of the determination.

G. The enforcement officer shall document any property-specific engineering reports, written statements from community organizations, other interested parties or community residents regarding the condition, history, problems, status, or building influence of a vacant building. The enforcement officer shall also document any property-specific reports from the Police Department and Fire Department indicating vacant property status.

Sec. 2-6-404 Power to repair or abate violations.

Where an owner or responsible party fails to maintain a vacant building or premises in compliance with any lawful standard, after notice and opportunity to be heard to such owner or responsible party, the Chief Building Official may correct the violation and pursue reimbursement for the cost of abatement under any authority available by law, including, but not limited to, Utica City Code § § [2-6-100](#), 2-22-7, New York State Property Maintenance Code § 108.2, or any other equivalent law or ordinance.

Sec. 2-6-405 Biannual reports.

The Chief Building Official shall submit a biannual report not later than January 15 and July 15 of each year to the Mayor, Chief of the Fire Department, Corporation Counsel and Common Council containing not less than the following information:

(a) The number of buildings in the City declared vacant in each category set forth in Section [2-6-402\(c\)](#) under the provisions of this article; and

(b) The number of vacant building registrations filed or annually renewed with the Codes Department within each category.
BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately.

Yeas: Aiello, Burmaster, Betar, Carcone, Ervin, Betrus, Wasielewski, Colosimo-Testa, LoMedico – 9

Nays: 0 **Adopted.**

STATE OF NEW YORK, CITY OF UTICA)
City Clerk's Office) ss.

) I hereby certify that I have compared the foregoing copy of an Ordinance of the Common Council with the record of proceedings of the Common Council of said City of Utica, duly made and on file in this office, and that same is a correct transcript therefrom and of the whole of said Ordinance.

In TESTIMONY WHEREOF, I hereunto affix the Corporate Seal of said City, and subscribe my name, this 16th day of April, 2026

Melissa R. Sciortino, *City Clerk*