

Ordinance Committee
Monday, January 13, 2024
Bushor Conference Room
City Hall or Remote via Zoom. Burlington, Vermont
DRAFT MINUTES

Members Present: Councilor Shannon (Chair), Councilor Bergman, Councilor Brown McKnight

Staff Present: Kim Sturtevant (Assistant City Attorney), Bill Ward (DPI Director), Cassandra Sterling (BPD)

Public Present: Todd Deluca, Lori Kettler

Meeting called to order at 11:08 AM.

1. Adopt the Agenda

1.01 Adopt the Agenda

Motion to Adopt the Draft Agenda.

Motion by Councilor Bergman, Seconded by Councilor Brown McKnight

Final Resolution: Motion Passes

Yes: Unanimous

2. Adopt Draft Minutes

2.1 Adopt Draft Minutes from December 19.

Motion to adopt the draft minutes from December 19.

Motion by Councilor Bergman, Seconded by Councilor Brown McKnight

Final Resolution: Motion Passes

Yes: Unanimous

3. Public Forum

No members of the public spoke for this item.

4. Vacant Buildings Ordinance Discussion

Director Ward spoke gave an overview of the current vacant building ordinance. He said one current issue is deciding on how to enforce the ordinance and deciding which properties to focus enforcement on. He said he was in favor of imposing higher and progressing fees on vacant buildings over time.

Councilor Bergman gave a brief history of the vacant building ordinance drafting.

Councilor Brown McKnight said one of her goals in reforming the ordinance is to increase housing capacity by discouraging vacancy. Councilor Bergman said he wants to make sure the definitions are clear and effective. Councilor Shannon said one of her goals is to mitigate blight and its effects on the community.

Councilor Brown McKnight said she also wants to ensure that communities and streets are safe from hazardous or dangerous materials due to vacancy.

Councilor Shannon said she also wants to ensure fairness for property owners for transitional periods in occupancy, etc. She continued that she wants the City's properties to also be scrutinized as the City has vacant buildings as well.

Councilor Bergman said he wants to make sure the waivers, standards, and due process are clear and fair.

The councilors went through the proposed ordinance changes. The draft changes are available in the agenda packet.

Director Ward added that an exemption that could be changed would be the one related to buildings under construction to make sure that a new building that is currently under construction is not considered vacant.

Councilor Shannon added that it might good relevant to look into how we should treat buildings that are currently in foreclosure.

Councilors asked for an analysis on the costs to administer the vacant building program and then decide on fees after that.

Councilor Bergman asked for staff to look into the authority to impose fees each day the property is not in compliance with the ordinance and to treat each day out of compliance as another violation.

Councilor Shannon proposed doubling the daily penalty to \$200 for delays in complying with supplying proof of occupancy as the value of real estate has increased considerably since the original drafting.

Councilor Shannon wanted to make sure there are considerations taken for the circumstances of a vacant building, whether it be a developer purchasing a vacant building to redevelop or a destitute person in foreclosure.

Director Ward said the variance process through an appeal to the Public Works Commission is not used often but would have that effect.

Todd Deluca: I am from Ward Four. How many properties are vacant and why are they vacant? The fees and fines are very high, so why are people leaving their buildings vacant? One of the reasons why the YMCA wasn't redeveloped was the high interest rates.

5. Animal Ordinance Discussion

The councilors discussed the format of the upcoming public hearing regarding cat licensure and roaming.

Councilor Brown McKnight suggested having members of the Dog Task Force and BPD speak briefly about the proposed changes and current state of the issues.

Councilor Shannon suggested having the Parks Department advertise and assist as they work with the Dog Task Force.

Councilor Brown McKnight left the meeting at 12:45PM.

Councilor Shannon said the City does post the dog licenses through the submission of the licenses to the City Council and being posted to CivicClerk.

Councilor Bergman said it would be helpful to publish the dog licenses further to encourage people to license their dogs. Councilor Shannon agreed and asked for the C/T Department to publish the license lists.

Cassandra Sterling (BPD) said that BPD had not yet coordinated with the C/T Department to receive the lists but would do so immediately.

Councilor Shannon said she would like to lessen fines for non-licensure if a person licenses their dog within a time frame. Cassandra Sterling said she would need to check with the judicial bureau to know if the infrastructure to waive portions of fines is possible.

Cassandra Sterling recommended changing line 247 of the resolution to align the ordinance with Good Samaritan laws. All councilors agreed.

6. Any Other Committee Business

The public hearing on cat licensure will be held on 1/23 at 5:30 PM in Contois Auditorium.

7. Adjournment

Without objection, Councilor Shannon adjourned the meeting.

The meeting was adjourned at 1:10 PM.