

ORDINANCE NO. 1265

AN ORDINANCE OF THE COMMISSIONERS OF CAMBRIDGE, MARYLAND AMENDING CHAPTER 4 (BUILDINGS AND HOUSING) OF THE CODE OF THE CITY OF CAMBRIDGE, MARYLAND FOR THE PURPOSE OF ENACTING A NEW ARTICLE IX ENTITLED "VACANT RESIDENTIAL STRUCTURE REGISTRATION" PROVIDING FOR THE REGISTRATION OF VACANT RESIDENTIAL STRUCTURES IN THE CITY OF CAMBRIDGE AND FEES THEREFOR AND DEFINING TERMS ASSOCIATED THEREWITH; PROVIDING THAT THE TITLE OF THIS ORDINANCE SHALL BE DEEMED A FAIR SUMMARY AND GENERALLY RELATING TO VACANT RESIDENTIAL STRUCTURES IN THE CITY OF CAMBRIDGE.

WHEREAS, pursuant to Md. Code Ann., Local Gov't § 5-202 and § 3-27(1) of the Charter of the City of Cambridge (the "Charter"), the Commissioners of Cambridge are authorized and empowered to pass all such ordinances not contrary to the Constitution and laws of the State of Maryland or the Charter as they may deem necessary for the good government of the City of Cambridge (the "City"); for the protection and preservation of the City's property, rights, and privileges; for the preservation of peace and good order; to secure persons and property from danger and destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of the City and visitors thereto and sojourners therein; and

WHEREAS, pursuant to Md. Code Ann., Local Gov't § 5-205(d)(1)(i), the Commissioners of Cambridge are authorized and empowered to establish and collect reasonable fees and charges for franchises, permits, or licenses granted by the City; and

WHEREAS, pursuant to § 3-27(35) of the Charter, the Commissioners of Cambridge are authorized and empowered to generally require permits or licenses to be obtained where necessary for regulatory purposes in the interest of the public health, safety, or morals and to establish and collect fees and charges for all licenses and permits issued under such authority; and

WHEREAS, the Commissioners of Cambridge are desirous of amending Chapter 4 (Buildings and Housing) of the Code of the City of Cambridge, Maryland for the purpose of enacting a new Article IX entitled "Vacant Residential Structure Registration" providing for the registration of vacant residential structures in the City and fees therefor and defining terms associated therewith; and

WHEREAS, the Commissioners of Cambridge find that the amendments set forth herein are necessary to promote and protect the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED by the Commissioners of Cambridge, that:

SECTION 1. Chapter 4 (Buildings and Housing) of the Code of the City of Cambridge, Maryland is hereby amended to include a new Article IX, entitled "Vacant Residential Structure Registration" as follows:

ARTICLE IX
Vacant Residential Structure Registration

Sec. 4-111. Scope and purpose.

- (a) The provisions of this article govern residential structures within the city.
- (b) The purposes of this article are to protect the public health and safety and the general welfare of the city's citizens and to assist the city government in monitoring the number of vacant residential structures in the city to assess the effects of the condition of such structures on nearby businesses and the neighborhoods in which they are located, particularly in light of fire safety hazards and unlawful temporary occupancy by transients, and to promote substantial efforts to rehabilitate such vacant structures.

Sec. 4-112. Definitions.

For the purposes of this article, the following terms have the meanings given below:

Director. The Director of Development.

Lot. An unimproved parcel or property without a residential structure or other related improvement on site, whether fully constructed or actively being constructed under current, valid permits and approvals issued by the city.

Occupied. A residential structure shall be deemed to be occupied if one or more individuals having an equitable or legal interest in the property reside therein, whether as owners, tenants, or otherwise. Evidence offered to prove that a residential structure is occupied may include, but is not necessarily limited to, the regular receipt or delivery of regular mail through the U.S. Postal Service; proof of continual telephone, electric, gas, heating, water, and sewer services; or the most recent, federal, state, or city income tax statements indicating that the property upon which the structure is located is the official address of the individual(s) claiming occupancy.

Owner. Any individual, partnership, corporation, trust, or other legal entity holding legal title to a property containing a residential structure.

Residential structure. A structure of any kind constructed for the shelter of individuals and their belongings.

Vacant. A residential structure shall be deemed to be vacant if no individuals having an equitable or legal interest in the property reside therein. For purposes of determining whether a residential structure is unoccupied, in conjunction with the property being vacant, the city may consider factors such as whether:

- (a) Water, electric, and gas service are being supplied to, and used by, the property;
- (b) There is an accumulation of mail on the property;

- (c) The windows and doorways are covered or boarded;
- (d) There is improper or inadequate sanitation, such as an infestation of rodents, insects, or vermin;
- (e) Hazardous materials are stored on the property that pose a danger to the public health, safety, and welfare;
- (f) There are disconnected, inadequate, or nonfunctioning safety features, such as smoke alarms, fire sprinkler systems, or electrical systems;
- (g) There are structural hazards, such as deteriorating or collapsing ceilings, foundations, and supports; or
- (h) The exterior of the property is otherwise not being maintained in accordance with the city's property maintenance code or other applicable regulations.

Sec. 4-113. Vacant residential structure registry.

- (a) The City shall establish and maintain a vacant residential structure registry for vacant residential structures as set forth in this article.
- (b) Owners of vacant residential structures shall register the same within 90 days after the same qualifies as a vacant residential structure under this article without notice from the city; provided, however, that a condemned residential structure shall be registered within 30 days from the date that the notice of condemnation was posted on the structure. If the City Manager or their designee determines that an unregistered vacant residential structure exists, they shall issue a notice directing the owner to register the same as required by this article. Failure to register the vacant residential structure within 30 days from the date of such notice shall constitute a violation of this article and shall be subject to the penalties set forth in section 4-116 of this Code. Additionally, any vacant residential structure fees not paid within 30 days from the date of such notice shall constitute a lien on the subject property and shall be collected in the same manner as delinquent real property taxes in the city.
- (c) Registration of vacant residential structures shall be on a form provided by the city and include, at a minimum, the following:
 - (1) Street address, tax identification number, and tax map and parcel number;
 - (2) Name, address, telephone number, and e-mail address of all owners of the property, as well as any local agent or representative;
 - (3) Date the residential structure first became vacant;
 - (4) The reason(s) for the vacancy;

- (5) Current marketing efforts or renovation plans (if any); and
 - (6) Any other information required by the City Manager.
- (d) It is the owner's responsibility to annually renew the vacant residential structure registration, within one year from the date of filing of the previous year's registration. If, at any time, the information contained in the registration is no longer valid, including any change in ownership of the vacant residential structure, the owner shall notify the city of such change within 15 days thereof, and the new owner shall be required to register the structure and pay the fee as set forth in this article. Registration may not be transferred from one owner to another.
- (e) *Posting.* Vacant residential structures required to be registered in accordance with this article shall be posted with the name and a 24-hour contact telephone number of the owner or the owner's agent or responsible party, including any local property management company, and language substantially similar to the following: "THIS PROPERTY IS PRESERVED BY _____" and "TO REPORT PROBLEMS OR CONCERNS CALL _____". The notice shall be placed on a portion of the structure that is visible from a public street or sidewalk or other public way.

Sec. 4-114. Vacant residential structure fee and inspection; exemptions.

- (a) *Vacant residential structure fee.* Each annual renewal of the vacant residential structure registration shall be subject to a vacant residential structure fee as adopted and amended from time to time by resolution of the Commissioners of Cambridge.
- (1) The vacant residential structure fee shall be due and payable at the time of filing the registration, commencing with the first annual renewal and continuing annually thereafter, subject to the provisions of this article.
 - (2) If a vacant residential structure becomes actively occupied before the next registration and annual fee are due such that it no longer meets the definition thereof as set forth in this article, the owner shall submit documentation of the same, which shall be subject to the City Manager's approval, to avoid such registration and fee.
 - (3) Vacant residential structures shall be subject to interior inspections by the city to ensure compliance with applicable city regulations. Such inspections shall commence with the first annual renewal and continue annually thereafter, subject to the provisions of this article. Written notice shall be provided to the owner at the address provided on the registration and the address set forth on the State Department of Assessments and Taxation website at least 15 days prior to the inspection. The owner and/or the owner's representative shall have the right to be present during the inspection; provided, however, that the city may proceed with entering and inspecting the property if the owner fails to respond to the city's notice of inspection.

- (b) Exemptions. The following vacant residential structures shall be required to register as such under section 4-113 of this Code but shall not be required to pay the vacant residential structure fee nor be subject to the annual inspection under subsection (a) above:
- (1) Vacant residential structures under active construction or renovation, with valid permits issued by the City;
 - (2) Vacant residential structures for which the vacancy was caused by fire or natural disaster and for which the owner is actively pursuing renovation or repair; and/or
 - (3) Vacant residential structures subject to an active land use, zoning, or site plan review application pending with the City.
 - (4) Requests for exemption must be filed with, and subject to approval by, the City Manager or their designee and include supporting documentation. In the event of a material change of the circumstances under which an exemption is granted, the City Manager may revoke the exemption and require the vacant residential structure to pay the vacant residential structure fee.
- (c) Nothing in this section shall be deemed to limit the city's authority to conduct inspections of the vacant residential structure in the same manner as other properties within the corporate limits of the city. Additionally, a vacant residential structure is subject to the provisions of the city's property maintenance code, building code, and all other local laws and regulations to the same extent as other properties and may be subject to the penalties set forth in such regulations.

Sec. 4-115. Vacant residential structure maintenance and security requirements.

- (a) *Maintenance requirements.* The owner of a vacant residential structure shall comply with the following maintenance requirements:
- (1) The exterior of the property shall be kept free of weeds, dry brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspapers, circulars, flyers, notices (except those required by federal, State or local law), discarded personal items including but not limited to furniture, clothing, appliances, or printed material, or any other items that give the appearance that the property is vacant and abandoned.
 - (2) The property shall be maintained free of graffiti, tagging, or similar markings. Any such markings shall be promptly removed or painted over with an exterior grade paint that matches the primary color of the exterior of the structure.
 - (3) All visible front and side yards shall be landscaped and properly maintained during the vacancy of the property. Landscaping includes, but is not limited to, grass, ground covers, bushes, shrubs, hedges, or similar plantings. Maintenance includes, but is not limited to, cutting, pruning, and mowing of required landscape and removal of all trimmings.

- (4) Adherence to the maintenance requirements of this subsection does not relieve the owner of any obligations set forth in any covenants, conditions, restrictions, and/or homeowners association rules and regulations which may apply to the property; provided, however, that the city shall have no responsibility to enforce any such covenants, conditions, restrictions, and/or homeowners association rules and regulations except as otherwise expressly set forth therein and as expressly agreed to by the city.
- (b) *Security requirements.* The owner of a vacant residential structure shall maintain the property in a secure manner so as not to be accessible to unauthorized persons. A vacant residential structure shall be deemed adequately secured under this subsection if:
- (1) *Openings.* Doors, windows, areaways, and other openings are weather tight and secured against entry by birds, vermin, and trespassers; missing or broken doors, windows, and opening coverings are covered with at least one-half inch of CDX plywood completely painted in accordance with the predominant tone of the structure, weather protected, tightly fitted to the opening, and secured by screws or bolts.
 - (2) *Roofs.* The roof and flashings are sound, tight, will not admit moisture, and drained to prevent dampness or deterioration in the walls or interior.
 - (3) *Exterior.* The exterior of the structure is maintained in good repair and structurally sound.
 - (4) *Structural Members.* The structural members are free of deterioration and capable of safely bearing imposed dead and live loads.
 - (5) *Chimneys.* Chimneys and similar appurtenances are structurally safe; exposed metal and wood surfaces are protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.
 - (6) *Sidewalk Openings.* Yard, walks, steps, and openings in sidewalks are safe for pedestrian travel; snow and ice are removed from sidewalks adjoining the property.
 - (7) *Accessory and Appurtenant Structures.* Accessory and appurtenant structures such as garages, sheds, and fences are free from safety and health hazards.
 - (8) *Exterior Premises.* The premises on which a structure is located is clean, safe, and sanitary; maintained free of weeds, junk vehicles, and litter; and does not pose a threat to the public health, safety, or welfare.

Sec. 4-116. Enforcement; violations and penalties.

- (a) The City Manager or their designee shall be responsible for enforcing this article.
- (b) Any violation of the provisions of this article shall constitute a municipal infraction, the fine for which shall be \$500.00 for the first infraction and \$1,000.00 for each and every subsequent infraction. Every day that a violation continues shall be deemed a separate offense and shall

be subject to a separate fine without further action required by the city. Any owner of a vacant residential structure who shall fail to register the same as required by this article shall be liable for said fine without notice. Notwithstanding any other available legal or equitable remedies, the City shall withhold the issuance of any permits and approvals required for the use and occupancy of the commercial property until any such fees and fines have been paid in full.

Sec. 4-117. Effective date.

The provisions of this article shall take effect immediately upon the passage of Ordinance No. 1265; provided, however, that owners of vacant residential structures existing as of such date shall have 90 days therefrom to register the same in accordance with this article regardless of when the same first became a vacant residential structure as defined herein.

SECTION 2. The recitals to this Ordinance are incorporated herein and deemed a substantive part of this Ordinance.

SECTION 3. In this Ordinance, unless a new chapter or article of the City Code is enacted or section of the City Code is expressly repealed in its entirety and reenacted, new or added language is underlined and in boldface type, and deleted text is crossed out with a single strikethrough. With respect to the substantive provisions of this Ordinance set forth in Section 1, language added after the date of introduction is in bold, italicized font and language deleted after the date of introduction is crossed out with a double strikethrough.

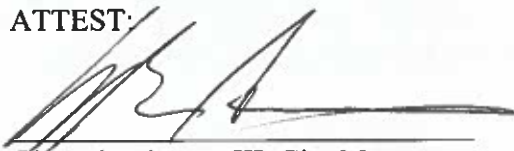
SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance, it being the intent of the Commissioners of Cambridge that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

SECTION 5. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. The title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

AND BE IT FURTHER enacted and ordained that this Ordinance shall become effective immediately upon passage.

ATTEST:



Glenn Steckman, III, City Manager

THE COMMISSIONERS OF CAMBRIDGE

By: Lajan Cephas Bey
Lajan Cephas Bey (Mar 11, 2026 14:47:34 EDT)

Lajan Cephas Bey, Mayor

Introduced the 9th day of February, 2026

Passed the 9th day of March, 2026

Effective the 9th day of March, 2026