



1 **VACANT PREMISES.** Any building or property which no person or  
 2 persons actually, currently conducts a lawfully licensed business, or lawfully  
 3 resides or lives in any part of the building or structure as the legal or equitable  
 4 owner(s) or tenant-occupant(s), or owner-occupant(s), or tenant(s), or  
 5 otherwise claiming possession through the owner, on a permanent, non-  
 6 transient basis.

- 7 a. A building is deemed vacant when 30 percent or more of the
- 8 ground floor~~], second floor, or combination of the their]~~ UFA is vacant.
- 9 b. An empty parcel or lot is deemed vacant.

10 **§ 14-24-5 REGISTRY**

11 **(A)** By June 30th of each year, all Responsible Parties must register their  
 12 Downtown Core premises, if the premises was vacant for at least nine months  
 13 during the prior City fiscal year. As defined above:

- 14 a. A building is deemed vacant when 30 percent or more of the
- 15 ground floor~~], second floor, or combination of the their]~~ UFA is vacant.
- 16 b. An empty parcel or lot is deemed vacant.

17 **§ 14-24-6 ANNUAL REGISTRATION FEE**

18 The fee to register a vacant premises pursuant to Section 14-24-5 above shall  
 19 be assessed using area and time. The City shall use the equation and table  
 20 below to determine vacancy registration fees:

21 **(Years Vacant)\*(SQFT base cost) = Vacancy Registration Fee**

Total <del>Ground Floor]</del> <del>Applicable]</del> Vacant UFA	SQFT Base Cost
< 1,000 sqft	\$1,000.00
1,001 - 5,000 sqft	\$2,000.00
5,001 – 10,000 sqft	\$3,000.00
10,001 – 15,000 sqft	\$4,000.00
> 15,001 sqft	\$5,000.00

22 **§ 14-24-7 EXEMPTIONS FOR CERTAIN BUILDINGS AND PROPERTIES.**

23 **[(B) Exemptions do not apply if a building is deemed structurally deficient.**  
 24 **The building permit exemption in § 14-24-7(A)(1) shall only be applicable if the**  
 25 **active building permit addresses the structural concerns in a timely manner,**  
 26 **as determined by the Chief Building Official. Roofs, floors, walls, foundations**  
 27 **and all other structural components of buildings shall be capable of resisting**

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1 any and all forces and loads to which they may be subjected. All  
2 structural elements shall be proportioned and joined in accordance with the  
3 stress limitations and design criteria as specified in the appropriate sections  
4 of the Building Code. Buildings of every permitted type of construction shall  
5 comply with the applicable requirements of the Building Code as determined  
6 by the Chief Building Official.]

7 SECTION 2. DOWNTOWN CORE VACANCY REPORT AND PUBLIC DATA.

8 [§ 14-24-12 Downtown Core Vacancy Report and Public Data.

9 The Mayor or the Mayor’s designee shall provide an annual report to the City  
10 Council at the first City Council meeting in August, via Executive  
11 Communication, which shall include, but not limited to:

12 (a) A list of all buildings and properties within the Downtown Core;

13 (b) Condition of dilapidation and/or vacancy;

14 (c) Dilapidation remediation status;

15 (d) Calculation of Downtown Core vacancy rate based on number of  
16 vacant premises and ground floor area;

17 (e) Any building that has been deemed structurally deficient shall be  
18 highlighted individually and detail of the remediation or closure shall be  
19 included; and

20 (f) A list of all vacancy registration exemptions and any plans pursuant  
21 to ROA 1992, Section 14-24-7(A)(1)]

22 SECTION 3. SEVERABILITY. If any section, paragraph, sentence, clause,  
23 word or phrase of this Ordinance is for any reason held to be invalid or  
24 unenforceable by any court of competent jurisdiction, such decision shall not  
25 affect the validity of the remaining provisions of this Ordinance. The Council  
26 hereby declares that it would have passed this Ordinance and each section,  
27 paragraph, sentence, clause, word or phrase thereof irrespective of any  
28 provision being declared unconstitutional or otherwise invalid.

29 SECTION 4. COMPILATION. SECTION 1 of this Ordinance amends Article  
30 24, Chapter 14, is incorporated in, and is to be compiled as part of the Revised  
31 Ordinances of Albuquerque, New Mexico, 1994. SECTION 2 of this ordinance  
32 creates § 14-24-12 titled “Downtown Core Vacancy Report and Public Data”, is

1 incorporated in, and is to be compiled as part of the Revised Ordinances of  
2 Albuquerque, New Mexico, 1994.

3 SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect five (5)  
4 days after publication by title and general summary.

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