

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
LANCASTER, CALIFORNIA, ADDING CHAPTER 9.55 TO
THE LANCASTER MUNICIPAL CODE RELATING TO
VACANT RESIDENTIAL PROPERTIES

WHEREAS, the City of Lancaster is a charter city under Article XI, Section 5 of the California Constitution and may enact ordinances concerning its municipal affairs;

WHEREAS, the City has received reports of vacant residential properties that are not being maintained, are unsafe to enter or occupy, or pose significant health and safety risks, causing disturbances to the community;

WHEREAS, a vacant residential property is defined in this ordinance as a property that is substantially vacant, unoccupied, or abandoned for more than forty-five (45) days, and where construction, pursuant to an active building permit, is not taking place or where an inspection by Building and Safety, pursuant to an active building permit, has not been conducted within the previous ninety (90) days;

WHEREAS, vacant properties have the potential to be a significant source of blight in residential neighborhoods, particularly when property owners neglect their maintenance and management;

WHEREAS, when property owners neglect maintenance and management of vacant properties, unkept properties have the potential to depreciate property values and create other neighborhood issues, including trespassing and unsightly vegetation;

WHEREAS, this ordinance will provide Lancaster's Community Preservation team and Police Department with greater oversight of vacant properties; and

WHEREAS, this ordinance will require all vacant properties to be registered by their owner with the City so that homes can be easily located and issues such as blight or trespassing can be resolved quickly.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The City Council of the City of Lancaster hereby finds and determines that the above recitals are true and correct.

Section 2. Chapter 9.55 is hereby added to the Lancaster Municipal Code to read as set forth in Exhibit "A" attached hereto.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held for any reason to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Lancaster hereby declares that it would have adopted

this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

Section 4. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published and posted pursuant to the provisions of law in that regard and this Ordinance shall take effect 30 days after adoption.

I, Andrea Alexander, City Clerk of the City of Lancaster, do hereby certify that the foregoing ordinance was regularly introduced and placed upon its first reading on the _____ day of _____, 2025, and placed upon its second reading and adoption at a regular meeting of the City Council on the ____ day of _____, 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

ANDREA ALEXANDER
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

CHAPTER 9.55
VACANT PROPERTIES

§ 9.55.010. Definitions.

If a word is not defined in this chapter or Chapter 1.04, or other provisions of the Lancaster Municipal Code, the most common dictionary definition is presumed to be correct:

“At-risk vacant property” or “at-risk property” shall mean a vacant property that exhibits some or all of the following characteristics:

1. The structure is maintained to a lesser degree than a stable property;
2. The property can be converted to residential use with minimal or minor repairs necessary;
3. There are no cracked or broken windows on the structures on the property;
4. Evidence of intrusion by trespassers on the property;
5. The property is beginning to fall into disrepair, which may include conditions such as, but not limited to, peeling paint, dead or dying groundcover, overgrown vegetation, or graffiti; or
6. The owner is responsive to city requests but does not proactively and regularly monitor the property.

“Chief” shall mean the Chief of Police, or other designee as designated by the City Manager.

“Failed vacant property” or “failed property” shall mean a property that exhibits some or all of the following characteristics:

1. The structure and property are not being maintained;
2. The structure is unsafe to enter or occupy;
3. The structure or property poses significant health or safety risks, or significant disturbances to the community;
4. The owner is unresponsive or unknown and there does not appear to be any monitoring of the property; or
5. Evidence of intrusion by trespassers on the property.

“Groundcover” shall mean any low plant that conceals the bare ground and protects the topsoil from erosion or drought. Examples include, but are not limited to, grass, moss, thyme, and clover.

“Hardscape” shall mean any non-vegetative feature or manmade material that is incorporated into a landscape. Examples include, but are not limited to, pavers, stone, bricks, wood chips, and decomposed granite.

“Multi-family” shall mean the same as defined in Title 19 of this code.

“Problematic vacant property” or “problematic property” shall mean a vacant property that

exhibits some or all of the following characteristics:

1. The structure is not being maintained but the structure is not determined to be unsafe;
2. The property can be converted to residential use with some significant repairs;
3. Evidence of intrusion by trespassers on the property; or
4. Owner is unresponsive to city requests or does not proactively monitor the property.

“Resident caretaker” shall mean an individual who:

1. Resides on the property;
2. Is responsible for ensuring the security, maintenance, and upkeep of the property; and
3. Is employed by or under contractual obligation by the owner of the property to provide these services and is not a tenant under Title 17 of this Code.

“Sheeting material,” or “sheeting,” shall mean a minimum of one-quarter-inch thick clear or semi-clear shatter-proof polycarbonate material with strength capable of sustaining impact without breaking or shattering, absent excessive force.

“Single-family dwelling” shall mean the same as defined in Title 19 of this code. Accessory dwelling units are included in this definition.

“Softscape” shall mean any live vegetation that is incorporated into landscaped areas.

“Stable vacant property” or “stable property” shall mean a vacant property that exhibits the following characteristics:

1. The structure is well maintained and can easily be lived in or used for its intended use;
2. Little or no maintenance or repairs are necessary;
3. The property is well maintained and is not obviously vacant;
4. There is no evidence of intrusion by trespassers on the property; and
5. The owner is responsive to city requests and regularly monitors the property on a proactive basis.

“Substantially vacant” shall mean any property where fewer than twenty-five percent of the units are occupied.

“Vacant property” shall mean any property that is substantially vacant, unoccupied, or abandoned for more than forty-five days, and where construction, pursuant to an active building permit, is not taking place or where an inspection by the Building and Safety Division, pursuant to an active building permit, has not been conducted within the previous ninety days. Notwithstanding, vacant property shall not include a residential property where a resident caretaker resides on-site during the period that the property would otherwise be considered vacant property under this chapter.

§ 9.55.020. General Vacant Property Standards.

- a. Every person who owns, possesses or has control of a vacant property, shall maintain and secure said property in accordance with all provisions in Chapter 8.28, and in such a way that it will not become a public nuisance.
- b. The registration requirements in subsections (b)(1), (b)(2), and (b)(3) of this section shall apply to all vacant properties. Every person who owns, possesses or is in control of a vacant property shall do all of the following, unless any particular condition is determined by the Chief to be not applicable or necessary to meet the standards for maintaining and securing a vacant property set out in subsection (a) of this section:
 1. Register the property, on a form provided by the city, and pay any required fees for the administration of this chapter, including, but not limited to, monitoring the subject property and city site inspections. Such fees shall be established by City Council resolution. The form shall provide the following information:
 - A. A description of the methods by which the person who owns, possesses or is in control of vacant property has or will secure the vacant property against unauthorized entry;
 - B. A contact phone number for the property owner and individual responsible for the maintenance and security of the vacant property;
 - C. The most recent legal use of the vacant property;
 - D. The square footage of the vacant property and any future plans for the vacant property;
 - E. Whether there is fire and liability insurance coverage;
 - F. A Letter of Agency to the Los Angeles County Sheriff's Department, Lancaster Station and/or Lancaster Police Department empowering the removal of all unauthorized trespassing persons from the property; and
 - G. Any other information as the Chief may require.

This form will be forwarded to the Los Angeles County Sheriff's Department Lancaster Station and/or Lancaster Police Department throughout the duration of the vacancy. The Letter of Agency shall be current and effective at all times during the period of vacancy.

2. Submit a Vacant Property Mitigation Plan which demonstrates how the property will be secured and maintained in a manner that protects the health, safety, general welfare, and aesthetic standards of the community.
 - A. This plan shall be submitted on a form provided by the Chief or in a format approved by the Chief.

3. General Maintenance and Requirements. Vacant properties shall be continually maintained in compliance with all provisions reflected in Chapter 8.28, and the following as determined by the Chief:
 - A. The property shall be kept cleaned, watered and weeded;
 - B. Dead or dying plant material shall be removed;
 - C. Groundcover vegetation shall not be permitted to grow taller than six inches; and
 - D. All bushes and shrubs shall be maintained no higher than thirty-six inches to allow for a clear view from the public right-of-way to the entire interior of the property.
4. Groundcover, hardscape, or softscape shall be installed and maintained on all vacant property throughout the duration of the vacancy. Such landscaping is subject to the approval from the Community Development Director, or designee, and shall comply with the following:
 - A. Plants used for groundcover shall not be allowed to grow taller than six inches; and
 - B. Irrigation, adequate for the health and growth of groundcover plants, shall be provided and maintained throughout the duration of vacancy.
5. All trash, debris, rubbish, discarded furniture or defective or discarded equipment or appliances or items of similar nature shall be removed from the property.
6. “No Trespassing” signs shall be installed at locations on the property as determined by the Chief.
 - A. Additional signage may be required by the Chief to include the name and phone number of an individual that can promptly respond to complaints regarding the property.
7. The property shall be kept free of parked, abandoned, or inoperable vehicles except where a parking permit or other appropriate approval has been obtained from the city.
8. Any swimming pool on a vacant property shall be drained, kept free of standing water, and comply with following:
 - A. Filled in with soil or any other fill approved and to the satisfaction of the Chief; or
 - B. Covered in such a way that water cannot collect in the swimming pool or on top of the cover.
9. The property shall be inspected by City staff and these inspections documented and submitted in writing to the satisfaction of the Chief. Property owner shall pay the City’s rental inspection fee.
 - A. The Chief may require increased frequency of inspections if it is determined that doing so is necessary to safeguard the community from impacts that are injurious

to public health, safety, and general welfare, or where the property becomes attractive to unauthorized persons and trespassers.

10. Motion-activated security lighting shall be installed and maintained in working condition at all entrances and exits of the property to the satisfaction of the Chief from dusk until dawn if deemed necessary by the Chief.
 11. Additional building locks and entry control including bars on windows shall be installed and maintained as determined by the Chief to prevent unauthorized access to the property and any structure.
 12. Pest and rodent infestation(s) shall be abated on the property and documentation shall be provided verifying the abatement from a licensed professional.
 13. Landscaping that contributes to an unsafe condition on the property shall be eliminated or trimmed to the satisfaction of the Chief.
 14. All curtains, blinds, and window coverings shall be removed from all windows located on the ground level of a structure allowing for a clear view to the interior of vacant buildings and units.
 15. All furniture and personal property shall be removed from the interior of vacant buildings.
 16. All portable restrooms shall be secured with locks and may be required to be removed at the discretion of the Chief if evidence of intrusion by trespassers occurs on the property.
- c. All buildings and structures upon the property shall be secured, locked, and closed as determined and approved by the Chief and the Building Official. Securing of any or all structures by boarding unsecure windows, doors, and other openings with sheeting material shall be done in accordance with this section. As used herein, "sheeting material" or "sheeting" means a minimum of one-quarter-inch-thick clear or semi-clear shatter-proof polycarbonate material with strength capable of sustaining impact without breaking or shattering, absent excessive force. Sheeting shall be installed in a manner intended to provide an appearance approximating glass in the window casings, and consistent in appearance with the surrounding surface in the case of all other openings that require securing.
1. Exterior Access Door. At least one exterior door shall allow authorized persons access to the interior of the residential property. Such exterior access door may be secured by using:
 - A. A solid core wood or steel door with no windows or other openings in the door; or
 - B. Hinged sheeting material or three-quarter-inch plywood attached to the door entry with three case hardened strap hinges of the type specified by the Building Official and the sheeting material or plywood shall be secured by at least two case hardened steel hasps and minimum two-inch case hardened padlock also of the type specified by the Building Official.
 2. Use of Plywood.

- A. Plywood shall only be used to secure vacant property to repair damage or vandalism for no more than ninety days and shall be painted in a color consistent with the exterior of the dwelling unit.
 - B. Plywood shall be of unsanded CDX grade and shall have a minimum thickness of one-half inch for window openings, five-eighths inch for door openings and three-quarter inch for sliding door and French door openings.
 - C. Unless otherwise granted a variance by the Building Official from strict compliance herewith, materials such as oriented strand board (OSB), medium density fiberboard (MDF), particle board, wafer board, masonite or other similar material shall not be used to secure vacant or abandoned buildings or structures.
 - D. Plywood used to secure vacant properties shall be installed in accordance with presently applicable FHA-standards.
- 3. Property that remains vacant for more than forty-five days shall secure all windows, doors, and other openings in accordance with this section.
 - A. Sheeting shall be installed in a manner intended to provide an appearance approximating glass in the window casings, and consistent in appearance with the surrounding surface in the case of all other openings that require securing.
 - B. Security bars, laminate, or other methods approved by the Chief and Building Official shall be installed on all windows.
- 4. Only exterior-grade screws and round-head plated carriage bolts shall be used to secure a vacant property. Nails shall not be used.
- d. A unit that is vacant in a multi-family dwelling unit and is not currently in use as a residence shall be secured and locked, or otherwise made inaccessible in accordance with this section.

§ 9.55.030. Violations, Penalties, and Performance Bond.

This chapter shall not apply to a dwelling unit actively being sold or offered for rent if the unit is maintained in strict compliance with the provisions found in Chapter 8.28.

Any person (whether an individual, corporation, partnership, joint venture, or other entity) who violates any of the provisions of this chapter or who does not correct violations in compliance with the requirements of this chapter, is subject to the administrative penalty provisions of Municipal Code Section 1.16. Each day or portion thereof wherein the violation is committed, continued, or permitted constitutes a separate and distinct violation.

The city's authority to prosecute violations of this chapter shall be in addition to its authority to pursue remedies under Municipal Code Chapter 8.28, and shall be entitled to recover any costs from the property owner associated with monitoring, inspecting, and securing the subject property to meet the requirements of this chapter.

In the event the Chief determines that a vacant property has violated this chapter two or more times, the Chief may require the person who owns, possesses or is in control of vacant property to submit a performance bond that the city may use to abate any future violations of this chapter or other municipal

code sections. The Chief shall set the amount of the performance bond so that the city can secure and remediate any violations of this chapter that may arise on the vacant property.

§ 9.55.040. Community Safety and Protection.

The Chief is authorized to waive or modify any standard or condition found in this chapter if it is determined that, under the particular factual circumstances, the change is warranted to safeguard the property or the surrounding community from impacts that are injurious to public health, safety and general welfare or to the stability of real property so as to interfere with the comfortable enjoyment of life or property, nor become attractive to unauthorized persons, including, but not limited to, juveniles and transients, nor constitute a health, fire or safety hazard.

In making this determination, the Chief shall consider:

1. The history of unlawful activity at this property;
2. The overall condition of the property and structures;
3. The willingness of the property owner to comply with City requests;
4. The likelihood that the change will result in improved protection of the property and the public writ large; and
5. Any other evidence pertaining to the property and its owners, or the effects of the proposed change.