



Agenda Item

Orange City Council

Item #: 8.5.

6/9/2026

File #: 26-0255

TO: Honorable Mayor and Members of the City Council

THRU: Jarad Hildenbrand, City Manager

FROM: Russell Bunim, Community Development Director

1. SUBJECT

Continued Public Hearing to consider Introduction and First Reading of Ordinance No. 04-26 adding Chapter 8.38 of Title 8 (“Health and Safety”) to the Orange Municipal Code relating to maintenance and security standards for unoccupied or abandoned properties and adoption of fees and fines for regulations, monitoring and progressive administrative citations (Continued from May 26, 2026)

2. SUMMARY

The proposed ordinance will help the City reduce the negative secondary impacts associated with unoccupied and abandoned properties, including community blight, nuisance conditions, criminal activity, health, safety, and welfare hazards. The ordinance establishes maintenance and security standards for unoccupied and abandoned properties, creates a monitoring program to ensure compliance, and provides enforcement mechanisms to address neglected and unmaintained sites. It authorizes the imposition of monitoring and response fees to recover City staff time spent investigating violations, and it provides for civil penalties and summary abatement procedures when necessary. The companion Resolution will set the amount of fees and fines for regulations, monitoring and progressive administrative citations relating to unoccupied or abandoned properties.

3. RECOMMENDED ACTION

1. Conduct and close the Public Hearing.
2. Introduce and conduct First Reading of Ordinance No. 04-26. An Ordinance of the City Council of the City of Orange adding Chapter 8.38 to the Orange Municipal Code relating to the maintenance and security standards for unoccupied or abandoned properties.
3. Adopt Resolution No. 11687. A Resolution of the City Council of the City of Orange amending the City’s Master Fee Schedule setting the amount of fees and fines for regulations, monitoring and progressive administrative citations relating to unoccupied or abandoned properties as contained in newly added Chapter 8.38 of the Orange Municipal Code.

4. FISCAL IMPACT

None.

5. STRATEGIC PLAN GOALS

Goal 1: Maintain Strong Emergency and Safety Services

6. DISCUSSION AND BACKGROUND

Unoccupied or abandoned properties, both commercial and residential, have been a persistent issue throughout the City of Orange. Unoccupied or abandoned properties are a significant source of blight in residential neighborhoods and commercial corridors, particularly when not properly maintained or secured by property owners. These properties often attract illegal activities such as trespassing, vandalism, criminal and drug activity, fire hazards, and other public safety concerns. They also create nuisance conditions including overgrown vegetation, illegal dumping, litter, graffiti, structural deterioration, and unsecured buildings. Over time, these conditions diminish property values, limit housing and commercial opportunities, deter investment, and adversely impact the City's economic development and tax revenue. Prolonged vacancy poses clear risks to the health, safety, and welfare of the community.

The City of Orange currently expends considerable resources responding to complaints and enforcing violations at unoccupied or abandoned properties. Addressing these properties requires coordination among multiple departments and divisions, including Code Enforcement, Police, Fire, Building and Safety, and the City Attorney's Office. While Code Enforcement's primary role is to issue notices of violation with reasonable compliance timelines, some property owners delay or refuse to comply, resulting in prolonged blight. In such cases, the City must pursue additional enforcement actions, including administrative citations, criminal prosecution, or civil remedies such as receivership or injunctions. These processes are resource-intensive and can take several months to over a year to resolve. In some instances, administrative fines alone are insufficient, as certain property owners treat them as a cost of doing business rather than taking corrective action.

The proposed ordinance places direct responsibility on property owners to proactively maintain and secure unoccupied or abandoned properties. It imposes strict liability on owners and their property managers, reducing reliance on City enforcement and minimizing demands on public resources. By establishing clear standards, accountability measures, and cost recovery mechanisms, the ordinance promotes timely compliance and protects the community from the adverse impacts of vacancy.

The applicability of this proposed ordinance would not apply to certain Unoccupied or Abandoned Properties under the following circumstances:

- **Active Construction:** Properties with a valid building permit, ongoing construction, inspections at least every three months, and diligent progress toward completion.
- **Pending Permits, Licenses, or Approvals:** Properties where the owner or leaseholder has applied for and is actively pursuing the permits, licenses, or approvals required for lawful occupancy or use.
- **Actively Marketed Residential Properties:** Vacant residential properties that are continuously listed for sale, lease, or rent and comply with all applicable Federal, State, and local laws.

In all cases, properties must remain properly maintained and secured to prevent nuisance conditions.

Similar Ordinances Adopted by Orange County Cities:

Staff reviewed unoccupied and abandoned property policies and programs to identify potential strategies for addressing these issues. This research identified several effective regulatory models currently implemented by cities throughout California. Several Orange County cities, including Garden Grove, Santa Ana, Stanton, Placentia, Huntington Beach, and Fountain Valley, have adopted ordinances regulating unoccupied, abandoned, distressed, or vacant properties to address property maintenance, security, and blight-related conditions. In May 2026, the City of Westminster adopted a vacant commercial and storefront registration program in response to 17 vacant non-residential properties and 109 vacant commercial storefronts citywide.

Data on Unoccupied or Abandoned Properties in the City:

Code Enforcement has identified approximately over 230 known unoccupied or abandoned properties in the City.

Commercial properties with buildings	36
Commercial lots	8
Commercial storefronts	165
Residential properties with buildings	13
Residential lots	8
Total:	230

Overview of the proposed Maintenance and Security Standards for Unoccupied or Abandoned Properties

- Imposes a clear duty and strict liability on property owners to maintain and secure their properties.
- Defines a vacant property as one that is unoccupied, distressed, abandoned, or otherwise exhibits evidence of vacancy for more than 30 consecutive days.
- Establishes minimum maintenance and security standards, including landscape maintenance, graffiti and debris removal, securing structures, repairing or boarding openings, and fencing vacant lots.
- Requires window screening for unoccupied or abandoned commercial storefronts to reduce visual blight.
- Establishes monitoring and response fees to recover the City's administrative and enforcement costs, including inspections, staff time, equipment, supplies, and printing.
- Applies monitoring and response fees to Level 2 (At-Risk) and Level 3 (Problematic) properties with ongoing code violations.
- Provides property owners with due process through an appeal to an independent hearing officer.
- Authorizes the hearing officer to conduct hearings, evaluate evidence, and issue written decisions.
- Grants Code Enforcement authority to secure and abate properties that fail to comply with the ordinance.
- Establishes procedures to bill and recover unpaid fees, abatement costs, and related

expenses as a debt owed to the City.

Monitoring and Response Fees

Monitoring and Response Fees shall be imposed when an Unoccupied or Abandoned Property is found to be in violation of one or more provisions of the City Code. Following an inspection, the property owner shall be provided with written notice of the violations and a reasonable period to correct them. If the violations remain uncorrected after the compliance period, the property shall be classified into one of the following categories:

1. Level 1 - Stable Property:

An unoccupied or abandoned property maintained in full compliance with the Orange Municipal Code (OMC) and this chapter. No additional monitoring or response fees apply.

2. Level 2 - At-Risk Property:

An unoccupied or abandoned property with violations of the OMC or this chapter. In addition to any citations, notices, or abatement costs, the property shall be subject to biweekly monitoring by Code Enforcement and a corresponding Monitoring and Response Fee.

3. Level 3 - Problematic Property:

An unoccupied or abandoned property with violations that render it dangerous, unsafe, or an immediate threat to public health, safety, or welfare. In addition to any citations, notices, or abatement costs, the property shall be subject to weekly monitoring by Code Enforcement and a corresponding Monitoring and Response Fee.

If a property's condition changes, its classification and applicable fees shall be adjusted accordingly. Property owners may request a reassessment by the Code Enforcement Division.

Appeals

The proposed Ordinance provides that any owner of an Unoccupied or Abandoned Property may appeal the following determinations to a City hearing officer:

- Compliance with maintenance and security standards;
- Imposition of monitoring and response fees;
- Assessment of abatement costs; and
- The Director's decision to deny or modify a request for waiver or modification of unoccupied or abandoned property requirements.

Property Rights Retained

Property owners retain the right to keep their properties unoccupied. The proposed ordinance does not require owners to occupy, sell, lease, or develop their properties. Instead, it simply requires that unoccupied or abandoned properties be maintained and secured in accordance with minimum maintenance and security standards for the duration of ownership. The ordinance is intended to protect public health, safety, and neighborhood quality while fully preserving private property rights.

Economic Development Opportunities

Implementation of the Maintenance and Security Standards for Unoccupied or Abandoned Properties Program can support economic development by encouraging property owners to maintain, secure, and improve vacant properties. While these properties may comprise a relatively small portion of the City's land area, they can depress nearby property values, deter private investment, and constrain housing and commercial opportunities.

By returning unoccupied and abandoned properties to productive use or occupancy, the City can stimulate reinvestment, enhance neighborhood vitality, and increase property and sales tax revenues. City Planning, Building, and Economic Development staff will be available to assist property owners with permitting, redevelopment, and marketing efforts when they are ready to rehabilitate, reuse, or sell their properties.

Staff recommends the City Council adopt the proposed ordinance to further the City's long-term economic development objectives and Code Enforcement's property maintenance objectives.

7. ATTACHMENTS

- Ordinance No. 04-26
- Resolution No. 11687