



**AMENDING THE BUILDINGS AND BUILDING REGULATIONS
OF THE
CODE OF ORDINANCES OF THE CITY OF CHERRYVILLE, NORTH CAROLINA
TO CREATE AN ORDINANCE REGARDING:
VACANT BUILDINGS IN THE IN THE CENTRAL BUSINESS DISTRICT**

WHEREAS, the Central Business District of Cherryville is the heart of the city and its economic vitality and attractiveness is a key to the overall economic vitality of the entire city; and

WHEREAS, a large percentage of the buildings in the Central Business District are vacant and so don't in their present state contribute to the economic vitality of the Central Business District; and

WHEREAS, the Downtown Director has submitted a proposed article to the Cherryville Code of Ordinances to require registration for vacant buildings to spur the revitalization of said buildings; and

WHEREAS, the proposal will prevent blight and promote continued growth and investment in properties in the downtown Central Business District; and

WHEREAS, the City Council has conducted a public hearing on _____ at which time interested citizens, residents, property owners and agencies could be heard on whether they approved or disapproved of the proposed amendment; and

WHEREAS, the City of Cherryville Director of Planning and Zoning has made a recommendation to the City Council on this manner.

NOW THEREFORE BE IT ORDAINED and established by the City Council of Cherryville, North Carolina assembled in regular session this the ____ day of ____, 2025, as follows

That pursuant to the authority granted by NCGS 160-A-360 and 364, the Official City Code of Ordinances of the City of Cherryville, North Carolina shall be amended to add the following language to Chapter 8, Buildings and Building Regulations, as follows:

Article VIII. Vacant Buildings in the Central Business District

Sec. 8-251. Intent of this ordinance.

This ordinance helps to spur the economic revitalization of vacant buildings in the Central Business District and in so doing contribute to the economic vitality and property values of adjacent businesses and the entire city.

Sec. 8-252. Applicability.

This ordinance applies to all buildings in the downtown CBD, also known as B-1 zoning, as adopted by the City Council and on file with the Planning and Zoning Department.

Sec 8-253. Responsibilities of the Zoning Administrator and Downtown Director.

a) Zoning Administrator. The Zoning Administrator will upon written request from the Downtown Director, execute enforcement actions pertaining to noncompliance with Sec 8-255.

b) Downtown Director. The Downtown Director will: 1) administer the registration requirements for vacant buildings as outlined in Sec 8-255, and 2) maintain a vacant building registry.

8-254. Specific standards for vacant buildings. All vacant buildings must comply with the Cherryville Zoning Ordinance, fire safety codes, building codes, and the provisions of Article VI.

Sec 8-255. Registration requirements for vacant buildings.

a) Definition of a vacant building. For the purposes of this ordinance, vacant buildings are buildings used for warehousing of products and goods and/or are buildings which have no regular hours of operation and/or are not open to the public for sales or services.

b) Registration responsibilities of owners. Owners of vacant buildings must: 1) if the building has been vacant for more than 60 days complete a registration form with the Downtown Director as described in paragraph c, 2) re-register the building annually, 3) unless they are exempted according to paragraph e, pay registration fees according to the fee schedule in paragraph d, and 4) facilitate entry within 24 hours of a request by authorized officials.

c) Required owner registration information. Owners of vacant buildings must provide: 1) full 24-hour contact information, 2) full 24-hour contact information for a local representative if the owner lives more than 50 miles outside the city limits, 3) the building's regular street address and the tax parcel identification number, 4) the date the building was vacated and the projected occupancy date, 5) their request for a waiver of registration fees if they meet the requirements in paragraph d, 6) their authorization allowing city or county officials to enter and inspect the building for fire and/or building code violations, and 7) their signature.

d) Vacant Building Registration Fees.

Type fee	Due Date	Amount	Notes
Initial	Upon registration	\$0.00	
First annual	First anniversary of initial registration	\$100.00	
Second annual	Second anniversary of initial registration	\$500.00	
Third annual	Third anniversary of initial registration	\$1,000.00	
Each year thereafter	Subsequent anniversary of initial registration	\$2,000.00	

e) Exemptions from vacant building registration fees.

Types of buildings eligible for exemption status from the registration fee are as follows.

1) The building has fire damage. The owner then has 120 days to repair or demolish the building or register the building as vacant and pay the registration fee.

2) The building is actively for sale or lease for a maximum period of two years. The owner of the vacant building must provide proof of the building being actively and continuously marketed through a licensed real estate broker or by the owner and show proof of advertising in the area.

3) The property is under an active renovation process. The owner of the vacant building must present evidence of an active renovation process which may include: 1) application for, or possession of, a building permit, 2) current architectural drawings and a written time line for execution, or 3) ongoing construction work with a written time line for completion.

f) Enforcement of and Penalties for non-compliance with building registration requirements.

1) Notification. After being alerted by the Downtown Director of a violation, the zoning director will issue a written citation to the building owner.

2) Monetary Penalties for Noncompliance.

Type Citation	Penalty	When issued	Notes
Warning	0		
1 st Citation	\$25.00	After 10 days.	
2 nd Citation	\$50.00	After 3 more days.	
3 rd Citation	\$50.00	After 3 more days.	Escalates daily

3) Additional Penalties for Noncompliance. The city may institute legal proceedings to compel compliance including but not limited to liens on the property.

4) Appeals. Appeals may be made to the city manager. Further appeals may be made to the city council whose decision is final.

**ADOPTED BY THE CITY COUNCIL of CHERRYVILLE, NORTH CAROLINA
THIS __ DAY OF _____, 2025**

H.L. Beam, Mayor

Paige H. Green, CMC, NCCMC, City Clerk