



City of Dubuque Vacant Building Licensing Application

Property Address:						
Type of Property:	Commercial		Residential		Mixed Use	
Use of Property:						
Property Owner:						
Owner Address:						
Owner City, St, Zip						
Owner Phone:			Owner Email:			
List all other parties with ownership interest including Lien Holders Below						
Name:	Address, City, State, Zip:				Phone:	

Please List the Agent or Individual acting on behalf of an out of town Property Owner authorizing repairs as well as accepting legal process and notices if applicable.			
Designee Name:			
Designee Signature:			
Designee Address:			
Designee Phone:			Email:

Period of time the Building is expected to remain vacant					
Years:		Months:		Days:	

Owner Signature: _____

Date: _____

Make Check Payable to City of Dubuque in the amount of \$350.00

Application Review Policy:

The City of Dubuque Building Services Department will schedule an inspection to be performed by one of our Building Inspectors upon receiving this completed application form and full payment of the annual fee to register your vacant building. The City of Dubuque will need to perform both an interior and exterior inspection of your property to ensure it meets the minimum requirements of our local adopted codes. If the Building is not compliant with City Codes, the owner is responsible to make all necessary repairs. Please read the following adopted City Ordinance for more information.



City of Dubuque Adopted Ordinance

Title 14- Building and Development

Chapter 4: Licensing of Vacant And/Or Abandoned Buildings

14-4-1: DEFINITIONS:

For the purpose of this chapter, certain terms, phrases, words and their derivatives shall be construed as specified in either this chapter or as specified in the building code or the property maintenance code. Where terms are not defined, they shall have their ordinary accepted meanings within the context in which they are used. Unless otherwise expressly stated or unless the context clearly indicates a different intent, the following terms shall, for the purpose of this chapter, have the following meanings:

ABANDONED BUILDING: Any building or portion thereof which has stood with an incomplete exterior shell for six (6) months or longer which meets one or more of the following criteria:

- A. Is unsecured;
- B. Is unoccupied; or
- C. Is in violation of the International Property Maintenance Code, International Building Code, or International Fire Code adopted by the City of Dubuque.

BUILDING CODE: The international building code promulgated by the International Code Council, as adopted in section [14-1A-1](#) of this title.

CITY MANAGER: Includes the city manager's designee.

DANGEROUS BUILDING: Any building or structure which has any or all of the conditions or defects hereinafter described; provided, that such conditions or defects exist to the extent that the life, health, property or safety of the public or the occupants of the building are endangered:

- A. Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.
- B. Whenever the walking surface of any aisle, passageway, stairway or other means of exit is warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.
- C. Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one-half ($1\frac{1}{2}$) times the working stress or stresses allowed in the building code for new buildings of similar structure, purpose or location.
- D. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the building code for new buildings of similar structure, purpose or location.
- E. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
- F. Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half ($\frac{1}{2}$) of that specified in the building code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the building code for such buildings.
- G. Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.
- H. Whenever the building or structure, or any portion thereof, is likely to partially or completely collapse because of:
 - 1. Dilapidation, deterioration or decay;
 - 2. Faulty construction;
 - 3. The removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building;
 - 4. The deterioration, decay or inadequacy of its foundation; or
 - 5. Any other cause.
- I. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.
- J. Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third

(1/3) of the base.

K. Whenever the building or structure, exclusive of the foundation, shows thirty three percent (33%) or more damage or deterioration of its supporting member or members, or fifty percent (50%) damage or deterioration of its nonsupporting members, enclosings or outside walls or coverings.

L. Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become: 1) an attractive nuisance to children; 2) a harbor for vagrants or criminals; or as to 3) enable persons to resort thereto for the purpose of committing unlawful acts.

M. Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this city, as specified in the building code or housing code, or of any law or ordinance of this state or city relating to the condition, location or structure of buildings.

N. Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any nonsupporting part, member or portion less than fifty percent (50%), or in any supporting part, member or portion less than sixty six percent (66%) of the: 1) strength; 2) fire resisting qualities or characteristics; or 3) weather resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.

O. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the health officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

P. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.

Q. Whenever any building or structure is in such condition as to constitute a public nuisance known to the common law or in equity jurisprudence.

R. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six (6) months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

FIRE CODE: International fire code, as adopted by [chapter 1, article E](#) of this title.

HOUSING CODE: The city of Dubuque residential housing code, as adopted in section [6-6-1](#) of this code.

NUISANCE: Each of the following shall be defined as a "nuisance":

- A. Any public nuisance known at common law or in equity jurisprudence.
- B. Any attractive nuisance which may prove detrimental to persons whether in a building, on the premises of a building, or upon an unoccupied lot.

- C. Whatever is dangerous to human life or is a menace to the public health, welfare or safety as determined by the city manager.
- D. A building that is structurally unsafe, unsanitary or not provided with adequate safe egress, or that constitutes a fire hazard, or otherwise constitutes a hazard by reason of inadequate maintenance, dilapidation or obsolescence or abandonment.
- E. Uncleanliness to the risk of unhealthiness, as determined by the city manager.
- F. Whatever renders air, food or drink unwholesome or detrimental to the health of human beings, as determined by the City Manager.

VACANT BUILDING: Any building or portion thereof which has been unoccupied for a continuous period of time over twelve (12) months and which meets one or more of the following criteria:

- A. Unsecured;
- B. Secured by means other than those used in the design of the building;
- C. Declared a "dangerous building" as defined in this section;
- D. Unfit for occupancy as determined by the city manager;
- E. Noncompliant with the international property maintenance code;
- F. Has housing, building, fire, health or zoning code violations;
- G. Open to vagrants, vandals, children or the unwary; or
- H. Not receiving service by public utilities. (Ord. 44-07, 8-6-2007; amd. Ord. 20-12, 3-5-2012)

14-4-2: VACANT AND/OR ABANDONED BUILDING LICENSE:

No person or business shall maintain a vacant or abandoned building as defined by this chapter, in the city unless such person or business holds a current unrevoked abandoned or vacant building license, issued by the city manager, in the name of the owner/operator for the specific named building. (Ord. 44-07, 8-6-2007)

14-4-3: REGISTRATION:

A. Registration Required: The owner shall register a vacant or abandoned building with the city manager not later than thirty (30) calendar days after any building in the city becomes abandoned or vacant as defined in this chapter. Failure to register an abandoned or vacant building or providing false information to the city manager shall be a violation of this chapter.

B. Information: The registration shall include the following information:

- 1. A description of the premises;

2. The names and addresses of the owner or owners;
3. The names and addresses of all known lien holders and all other parties with an ownership interest in the building;
4. The name of the agent designated to act on the behalf of an out of town property owner to accept legal processes and notices, and to authorize repairs as required; and
5. The period of time the building is expected to remain vacant and/or a plan and timetable to comply with applicable city codes. (Ord. 44-07, 8-6-2007)

14-4-4: FEES:

The owner of a vacant or abandoned building shall pay an annual fee reasonably related to the administrative cost of registering and processing the registration form and the costs of the city in monitoring and inspecting the property as established by the city manager and shall be paid in full prior to the issuance of any permits or acceptance of the registration form for the subject property. (Ord. 44-07, 8-6-2007)

14-4-5: TERMS OF LICENSES:

- A. License Term: Every license issued under this chapter shall expire on December 31 of the year in which issued and shall become delinquent on March 31 of the year due.
- B. Application For Renewal: Upon application, a license may be renewed and remain effective for successive periods of one calendar year unless sooner revoked at any time by the city manager for noncompliance with any applicable provisions of this code.
- C. Transfer: Licenses may be transferred from one person or business to another, provided notice of the transfer is given in writing within five (5) working days of the transfer, to the city manager.
- D. Nontransferable From Building To Building: Licenses shall not be transferable from one building to another.
- E. Notify City Of Transfer Or Disposal: Every person or business holding a license shall give notice in writing to the city manager within five (5) working days after having transferred or otherwise disposed of the legal control of the licensed building. Such notice shall include the name and address of the persons or businesses succeeding to the ownership or control of such licensed building. (Ord. 44-07, 8-6-2007)

14-4-6: INSPECTIONS:

The owner shall allow inspection of the building by city representatives upon request and shall allow

annual inspection of the interior and exterior of the premises for the purpose of enforcing and assuring compliance with the provisions of this chapter and the housing, building and fire codes. (Ord. 44-07, 8-6-2007)

14-4-7: RENEWAL LICENSES:

The city manager is hereby authorized to issue and renew vacant or abandoned building licenses for specific buildings, in the names of the applicant owners, operators or managers, provided the following criteria are met:

- A. Building In Compliance With Regulations: The building for which the license is sought is warranted by the owner or operator to substantially comply with applicable provisions of this code.

- B. Application By Owner: The owner or operator legally authorized and responsible for maintenance of the building for which a vacant or abandoned building license is sought shall first make application therefor on an application provided by the city manager.

- C. Payment Of Fees: All fees required by this code pursuant to the issuance of a vacant or abandoned building license are paid in full to the city.

- D. Agent Of Owner/Operator: The applicant shall designate a responsible agent to represent the owner/operator whenever the said applicant is not available for maintenance of the building for which a license is sought. Said agent shall have full authority and responsibility, the same as the owner/operator, for maintaining the building. (Ord. 44-07, 8-6-2007)

14-4-8: RENEWAL, PENALTY FOR FAILURE TO RENEW LICENSE:

An application for renewal of a vacant or abandoned building license may be made within sixty (60) days prior to the expiration of an existing operating license. Application for renewal of vacant or abandoned building licenses shall be due on January 1. Application may be made and license fees paid until March 31 without penalty. Each day that the owner fails to renew such license as required by this chapter shall constitute a separate violation for which a municipal infraction citation may be issued. (Ord. 44-07, 8-6-2007)

14-4-9: REVOCATION, REINSTATEMENT MEASURES:

If a vacant or abandoned building license is revoked by the city manager for noncompliance with any applicable provisions of this code, the owner/operator of the building shall be given thirty (30) days to comply with the provisions of this code. Extensions of such thirty (30) day period may be granted at the discretion of the city manager. Upon expiration of the thirty (30) day period, or any extension thereof, if the building continues to be noncompliant, a municipal infraction will be issued. (Ord. 44-07, 8-6-2007)

14-4-10: RELATIONSHIP OF LICENSE TO OTHER CODES:

The issuance of any license for any vacant or abandoned building shall not in any way signify or imply that the building conforms with the Iowa state building code or the housing, building, zoning, fire ordinances or other codes and ordinances adopted by the city. The issuance of a license shall not relieve the owner or operator of the responsibility for compliance with said applicable housing, building, zoning, fire or other applicable codes and ordinances. (Ord. 20-12, 3-5-2012)