

INTRODUCED: September 10, 2018

AN ORDINANCE No. 2018-230

To amend and reordain City Code § 26-369, concerning sale of real estate for delinquent taxes, for the purpose of requiring that sales of all qualifying real estate be pursuant to development agreements.

Patrons – Ms. Robertson, Mr. Agelasto and Vice President Newbille

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: SEPT 24 2018 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That section 26-369 of the Code of the City of Richmond (2015) be and is hereby **amended** and reordained as follows:

Sec. 26-369. Sale of real estate for delinquent taxes.

(a) When real estate taxes on any real estate are delinquent on December 31 following the first anniversary of the date on which such taxes have become due, judicial proceedings may be initiated in accordance with applicable State law to sell such real estate, provided that proper notice is given in accordance with applicable State law.

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: DEC 17 2018 REJECTED: _____ STRICKEN: _____

(b) All qualifying real estate sold pursuant to subsection (a) shall be sold only pursuant to an agreement meeting the requirements of this subsection. For purposes of this subsection, “qualifying real estate” means real estate on which the necessary activities to develop or redevelop the real estate are legally permissible under applicable law. Each agreement shall (i) impose a time period, determined by the Chief Administrative Officer or the designee thereof, within which a valid certificate of occupancy for the real estate as developed or redeveloped pursuant to the agreement must be obtained, (ii) contain a provision providing the City, through the Chief Administrative Officer or the designee thereof, with the right to require that title to and all of the purchaser’s rights and interests in the real estate revert to the City in the event of the purchaser’s default as to any of the purchaser’s obligations under the agreement, and (iii) be approved as to form by an attorney in the Office of the City Attorney. The Chief Administrative Officer shall designate a City department to track and monitor each agreement for compliance and submit an annual report on the status of each agreement by no later than December 31 of each year.

§ 2. This ordinance shall be in force and effect upon adoption.



Richmond City Council

The Voice of the People

Richmond, Virginia

Lou Brown Ali
Council Chief of Staff

Office of the Council Chief of Staff **RECEIVED**

AUG 16 2018

Ordinance/Resolution Request

OFFICE OF CITY ATTORNEY

TO Allen Jackson, City Attorney

THROUGH Lou Brown Ali, Council Chief of Staff *LB*

FROM Meghan Brown, Deputy Council Chief of Staff *MYB*

COPY Ellen F. Robertson, 6th District Council Member
Haskell Brown, Deputy City Attorney
Kiya A. Stokes, 6th District Liaison

DATE August 16, 2018

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TITLE Requiring Development Agreement

This is a request for the drafting of an **Ordinance** **Resolution**

REQUESTING COUNCILMEMBER/PATRON

Councilwoman Robertson

SUGGESTED STANDING COMMITTEE

Land Use, Housing And Transportation

ORDINANCE/RESOLUTION SUMMARY

The patron requests an ordinance to require that development agreements be attached to each delinquent tax sale property being sold at auction or transferred through a direct sale to another private, public or non-profit entity.

BACKGROUND

The patron believes that each delinquent tax sale property being sold or the City acquiring for the conveyance and direct sale to a private, public or non-profit entity that attached to each property is a development agreement that stipulates the amount of time the entity has to redevelop the property. In the event that a property does not require redevelopment or major improvements a development agreement shall still be attached requiring, at a minimum, certification of occupancy by a predetermined timeframe.

The amount of time each development agreement stipulates will be determined by the City Administration. The development agreements are to include a "claw back" provision, stipulating that non-compliance with any of the conditions set out within the agreement, the property shall revert back to the City.

The Chief Administrative Officer shall designate a City department to track and monitor the agreements for compliance and shall submit an annual report on the status of each by no later than December 31st of each year.

