



# VACANT STRUCTURE APPLICATION

125 N. Court Street, PO Box 298 Fayetteville WV 25840  
Phone (304)574-0101 FAX (304)574-3765  
[town@fayettevillewv.gov](mailto:town@fayettevillewv.gov)

Date Filed: \_\_\_\_\_ Registration Type: Residential Commercial

In accordance with Fayetteville Municipal Code 1150 (available on-line at [www.fayettevillewv.gov](http://www.fayettevillewv.gov))

### PROPERTY & STRUCTURE INFORMATION

Location of Property:

A – Street Address: \_\_\_\_\_ (mandatory)

B – Tax Map & Parcel ID: \_\_\_\_\_ (mandatory)

Is your structure vacant? Yes No Do you still own this property? Yes No

*\*\*If you answered "YES" to both of the above questions, you are required to complete the remainder of the form and return it to Town Hall.  
\*\*If you answered "NO" to either question, you are not required to complete the form, but we request you at least notify Town Hall for our records.*

Utilities: Electricity: On Off Water: On Off Gas: On Off Sewer: On Off

### **OWNER(S) INFORMATION** (Need physical and mailing address – attach additional sheets if necessary)

An owner is defined as "when applied to property, includes any part owner, joint owner or tenant in common of the whole or part of such property."

#### **If the property is owned by:**

- An individual person, please provide the name and residential address of the individual person.
- An estate, please provide the name and business address of the executor.
- A trust, please provide the names and addresses of all trustees, grantors, and beneficiaries.
- A partnership, please provide the names and residential addresses of all partners with an interest.
- A corporation, please provide the names and residential addresses of all officers and directors of the corporation.
- Any other form of unincorporated association, the names, and residential addresses of all principals with an interest of 10% or greater.
- If the status of this information changes, it is the responsibility of the owner to contact this office in writing advising of those changes within 30 days.

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

\_\_\_\_\_  
APPLICANT'S SIGNATURE

\_\_\_\_\_  
DATE

If the owner is not a resident of West Virginia, please provide a designated local property agent.

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_ EMAIL: \_\_\_\_\_

Please provide a brief description of what the structure will be used for, and the timeline:

**Fee Schedule**

Less than 1 year = \$0  
1 yr, less than 2 = \$500  
2 yr, less than 3 = \$1,000  
3 yr less than 4 = \$2,000  
4 yr less than 5 = \$3,000  
5 yr, less than 6 = \$4,000  
5yrs plus = \$4,000 + \$300/yr

**1150.03 Vacant Property Conditions and Restrictions**

All vacant buildings or property shall comply with the following criteria:

- a) Exterior property areas are to be mowed regularly and non-cultivated gardens maintained at no more than 17 inches of growth. All noxious weeds are prohibited;
- b) All structures are to be broom swept and cleared of all contents, not including building materials or components to be used in the future renovation at that structure;
- c) Electrical service is to be provided to the building and shall comply with the Town's Building Code requirements;
- d) Interior lighting and exterior lighting shall be provided in such a manner as to illuminate the area so that police officers, fire fighters and other town personnel are protected from hazards that may cause harm during inspections or in other pursuits of their respective duties;
- e) Unstable interior or exterior surfaces and components shall be removed;
- f) All loose, deteriorated and broken windows and doors are to be covered to eliminate the danger of their falling and to prevent unwanted entry by trespassers. Any material used to accomplish the foregoing shall be attached in a neat and orderly fashion so as not to create an eyesore to the Town;
- g) All loose or deteriorated trim, gutter or overhanging extensions are to be removed or reattached to prevent falling and/or creating a hazard;
- h) Regular routine monitoring of the building shall be done by the owner or the owner's agent to ensure that the building is being kept in compliance with the foregoing;

(i) The owner of the vacant building or property shall be notified in writing of any corrective action deemed necessary for life, safety and building code matters by City officials, the applicable code provisions, or regulations, and will be afforded a reasonable time to take the corrective action deemed necessary.

(j) The Town Building Inspector, Fire Chief, and Town Superintendent shall have the authority to issue orders to the owner for corrective action deemed necessary.

(Ord. 2016-10. Passed 8-11-16.)

#### **1150.04 APPLICABILITY, REGISTRATION AND PENALTIES.**

The requirements of Article [1150](#) et seq. shall be applicable to each owner of any building or property defined as a vacant building or vacant property thereunder.

Each owner of such property in the Town at the time of the adoption of this article shall:

(a) Cause to be filed with the Town Superintendent, a registration statement, which shall provide the following:

(1) The street address and tax parcel number of each vacant building owned or property;

(2) The names of all the owners of said vacant building or property;

(3) If the owner is a corporation or limited liability company, the registration shall provide the names and residence addresses of all officers, directors, or members of the corporation or company;

(4) If the owner is an estate, the name and address of the executor, executrix, administrator or administratrix of the estate;

(b) Within sixty (60) days of any change in ownership of the property, the owner at the time of the change shall notify the Town in writing of all the foregoing information for the new owner or owners.

(c) The failure or refusal to register a vacant building or property upon the adoption of this section or to pay any fees required to be paid pursuant to the provisions of this article within thirty (30) days of the date upon which they become due shall constitute a violation punishable upon conviction thereof by a fine in the amount of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each failure or refusal to pay a required fee, as applicable.

(d) Exceptions. This article shall not apply to any building or property owned by the United States, the State, the County, the Town or any of their respective agencies or political subdivisions.

(e) In the event that none of the owners are residents of the State of West Virginia, the registration statement shall provide the name and address of a person who resides within the State and who is authorized to accept service of process on behalf of the owners and who shall be designated as a responsible, local party or agent, both for purposes of notification in the event of an emergency affecting the public health, safety or welfare and for purposes of service of any and all notices or registration statements as herein authorized and in connection herewith.

#### **1150.07 RIGHT OF APPEAL.**

(a) The owner shall have the right to appeal the imposition of the registration fees, or the order for corrective action to be taken, to the Town Council. Such appeal shall be in writing and filed with the Town Recorder within twenty (20) days of the notification of corrective action or the imposition of the registration fee.

(b) The Town Council shall convene for the purpose of conducting a hearing on the owner's appeal within twenty (20) days of the receipt by the Town Recorder of the appeal.

(c) At the hearing, the burden of proof shall be upon the owner to show that the property is not vacant or that the corrective action ordered is not appropriate or necessary.

\*For a complete copy of this ordinance please go to [www.fayettevillewv.gov](http://www.fayettevillewv.gov)\*