

ORDINANCE NUMBER 2026-26

AN ORDINANCE REQUIRING REGISTRATION OF VACANT COMMERCIAL PROPERTIES

BE IT ORDAINED by the City Council of the City of Oxford, Alabama, as follows:

SECTION 1. That Chapter 47, “Health, Safety and Sanitation”, of "The Code of Ordinances of the City of Oxford, Alabama”, is hereby amended to include Article VIII, Registration of Vacant Commercial Properties as follows:

1. Definitions.

As used in this article, the followings words shall have the meanings ascribed below.

- (1) *Agent* means an individual with a place of business in this state in which he or she is authorized to accept inquiries, notices, and service of process on behalf of a vacant or foreclosed real property owner.
- (2) *Commercial or industrial building* means a building, structure, facility, or complex, or part thereof, located within the corporate limits of the City of Oxford that is used, or designed to be used, for any private manufacturing, industrial, or commercial business purposes whether or not legally zoned for such use.
- (3) *Creditor* means a federal or state-chartered bank, savings bank, savings and loan association, credit union, mortgagee, and any entity acting on behalf of the creditor named in the debt obligation including, but not limited to, servicers;
- (4) *Owner* means any person, heirs at law, executors, administrators, co-partnership, association, corporations, fiduciary, or other legal entity having a legal or equitable title or any interest in any real property.
- (5) *Vacant* means a commercial or industrial building or residential property with no legal resident or tenant. Evidence of vacancy includes any condition that on its own, or combined with other conditions present, would lead a reasonable person to believe that the property is vacant. Such conditions include but are not limited to overgrown or dead vegetation, accumulation of flyers, mail, or trash, disconnected utilities, the absence of window coverings or furniture, and statements by neighbors, delivery persons, or government employees.

2. Registration.

- (1) Upon knowledge of a commercial or industrial building being vacant, the owner and/or creditor shall within thirty (30) days register the property as a vacant property with the building department of the City of Oxford.

- (2) Upon initiating the legal process to foreclose real property, but no later than upon filing a complaint of foreclosure, or upon executing a deed in lieu of foreclosure on a commercial or industrial building and a registration as prescribed in subsection (1), above, has not yet been completed, the creditor shall within seven (7) days register the property as a property in foreclosure with the building department of the City of Oxford.
- (3) Registration shall include the address of the property, the name and contact information of the agent for the creditor, if applicable, the name and contact information for a property preservation company or property manager, if applicable, along with any additional information deemed necessary by the Building Inspector or his/her designee, in his capacity as director of the building department.
- (4) A creditor is required to update the registration form with all pertinent information when (a) a commercial or industrial building becomes vacant at any time after submission of the registration required by subsection (2), above, (b) a creditor files a complaint of foreclosure or executes a deed in lieu of foreclosure at any time after submission of the registration required by subsection (2), above, (c) a creditor acquires title to the property at sheriff/foreclosure sale, or (d) any previously provided information (i.e. name or contact information of agent or property preservation vendor) changes.
- (5) The city may utilize a third-party to administer the program and cause or direct all relevant information to be submitted to the third-party administrator.

3. Maintenance.

- (1) The owner or creditor of a vacant commercial or industrial building is required to conduct regular inspections, at the minimum once a month, to ensure property is compliant with the City's nuisance ordinance, as well as all City building, housing, and property maintenance codes.
- (2) For all properties registered, if the city determines the property is in violation of any ordinance regulating a nuisance, owner or creditor will be notified of the violation in accordance with the City's nuisance ordinance.
- (3) The city may require the owner to correct the violation and may require creditor to correct the violation to the extent consistent with the City's nuisance ordinance and all City building, housing, and property maintenance codes.
- (4) A notice of violation under the City's nuisance ordinance shall be given in accordance with the terms of said ordinance and may be subject to all corrective actions as contained therein. All other violations such as the City's building, housing, and property maintenance codes will include a description of the conditions that give rise to the violation and shall provide a period of not less than fourteen (14) days to remedy the violation from the owner's or creditor's receipt of the notice. The building department may require expedited maintenance actions in certain emergency situations, such as vandalism, unsecured entranceways, and criminal activity, etc. The City may notify the owner or creditor of the

violation by providing notice of the violation by electronic email, and/or certified mail, return receipt requested to the person(s) identified on the submitted registration form.

4. Enforcement.

(1) The owner's or creditor's failure to remedy the violation of the City's nuisance ordinance within the period required by said ordinance shall be punishable in accordance with the terms and conditions of said ordinance. All other failures to remedy the violation within the period required in the notice of violation shall be an offense against the City of Oxford and shall be punishable by a fine not to exceed four hundred dollars (\$400.00) per offense. The Police Department may issue a citation to the owner or creditor for violations of the provisions of this article.

(2) Any owner or creditor that fails to register commercial or industrial building or residential property shall be subject to a civil fine of one hundred dollars (\$100.00) payable to the city for each day of delinquency.

5. Administrative fees.

(1) Any owner or creditor of a commercial or industrial building required to be registered by this article shall pay to the city a registration fee in the amount of four hundred dollars (\$400.00) per year.

(2) The registration of a commercial or industrial building shall be valid for one (1) year from the date of registration. The owner or creditor shall renew the registration annually so long as the property meets the criteria requiring registration as established by this article. The owner or creditor shall pay a renewal registration fee in the same amount as the initial registration fee.

(3) The city may contract with a third-party administrator to assess, charge, and collect all registration and renewal fees due and payable pursuant to this article. In such event, the owner or creditor shall pay the registration and renewal fees directly to the contracted third-party administrator.

(4) For properties registered the owner or creditor is not required to renew the registration when, before the expiration of one (1) year from the date of registration or renewal, the property is legally re-occupied, or the property is transferred to an unaffiliated third-party.

(5) For properties registered the creditor is not required to renew the registration when, before the expiration of one (1) year from the date of registration or renewal, the foreclosure action is dismissed, or the property is transferred to an unaffiliated third party. If the foreclosure action is dismissed however the property remains vacant, the annual renewal is still required.

(6) The creditor is not required to renew the registration when, before the expiration of one (1) year from the date of registration or renewal, the creditor releases the lien and removes the creditor's interest in the property.

6. De-registration.

When any registered property that transfers to an unaffiliated third party, or the foreclosure action is dismissed, and the property is occupied, or is legally re-occupied and not subject to a foreclosure action, or the registering creditor releases the lien, the owner or creditor shall de-register the property using the forms and instructions provided by the city or its third-party administrator.

7. Exemptions.

(1) The Building Inspector or his/her designee may exempt a property from the registration and fee requirements of this article in the following instances:

(a) The property is habitable wherein all building systems are in sound working order which is evidenced by the issuance of a certificate of occupancy, where applicable, and the building and grounds are maintained in good order, and the building is being actively marketed for sale or rental and actively maintained. The exemption shall not apply to commercial or industrial buildings that have been vacant for twelve (12) consecutive months. Evidence of property being marked for sale or rent could include but not limited to, retaining a licensed real estate agent or broker to list the property for sale or rent, taking out advertisements in various media forms such as, newspapers and online services, and need to be provided to the designated municipal official. The building and safety division may request additional information, for example any available photos, price, and agent information.

(b) An owner submits plans to the building and safety division demonstrating that the property will be rehabilitated and restored to productive use and occupancy within twelve (12) months following the initial property registration along with a certified letter from a licensed contractor or architect stating that the property is capable of being rehabilitated and restored to productive use and occupancy within the twelve (12) months following the initial property registration, provided, the property is actively maintained in the interim. The building and safety division may request additional information, for example any available photos, plot plan, layout plan, etc.

(c) The owner certifies to the building and safety division that the vacancy is a result of damage from a natural disaster in the past six (6) months and the owner is actively seeking insurance proceeds or Federal/State assistance to rehabilitate the property. The owner is required to update the building and safety division monthly until property is rehabilitated.

(d) The owner certifies the vacancy is a result of a fire in the past thirty (30) days and the owner is actively seeking insurance proceeds to rehabilitate the property. The owner is required to update the building and safety division monthly until property is rehabilitated.

(e) The owner certifies to the designated municipal official that the vacancy is not an abandonment or the property is vacant while the owner resides at a vacation home and the subject property is actively maintained.

(f) The owner is on active duty with any branch of the U.S. Armed Services.

SECTION 2. This ordinance shall become effective on January 1st, 2027 and publication as required by law.

APPROVED and ADOPTED this 11th day of August, 2026.

CITY COUNCIL OF THE CITY OF
OXFORD, ALABAMA



Chris Spurlin, Council President



Charlotte Hubbard, Council Member



Phil Gardner, Council Member



Steven Waits, Council Pro Tempore



Mike Henderson, Council Member

APPROVED:



Alton Craft, Mayor

ATTEST:



Alan B. Atkinson, City Clerk

CERTIFICATION OF ADOPTION

I hereby certify that the attached ordinance was duly adopted by the Oxford City Council in regular session assembled on the 11th day of August, 2026, and is recorded in the official minutes of the Oxford City Council.



Alan B. Atkinson, City Clerk

CERTIFICATION OF PUBLICATION

I, Alan B. Atkinson, City Clerk for the City of Oxford, Alabama, do hereby certify this Ordinance was posted in three public places within the City and at Oxford City Hall beginning on the 12th day of August, 2026, as in accordance with the provisions of Code of Alabama, 1975, Section 11-45-8.



Alan B. Atkinson, City Clerk