

Blight Fact Sheet: Demolition by Neglect

Definition

- “Demolition by Neglect of Buildings or Structures” is the title of an Ordinance located in the City of Knoxville Code of Ordinances at Chapter 6, Article VII.
- The Ordinance authorizes the City to prevent the demolition or deterioration of a building that is, in effect, being “demolished” because of neglect, i.e. because the owner is unable or unwilling to take corrective action.

Qualifying Structures

To qualify for consideration under this ordinance, a structure must be located in an **H-1 overlay district** or an **NC-1 neighborhood conservation district** — or it must be listed on the **National Register of Historic Places**.

Qualifying Conditions

- The ordinance can be applied if the owner fails to repair any of several exterior features or structural elements, from roof to foundation, “if the condition of any such features or elements is contributing to material deterioration of the qualifying building...”
- The mere presence of minor codes violations is not enough to invoke this Ordinance. Nor should the City spend resources attempting to stabilize a structure that cannot, in fact, be saved.

Process

- Citizens may suggest candidates to MPC Historic Preservation Planner or to Neighborhood Codes.
- City’s Abandoned, Blighted & Vacant Properties Committee reviews candidates and makes recommendations to the Public Officer.
- Public Officer issues Notice of Violation (with specific times to start & complete repairs).
- Mayor, Historic Zoning Commission or Better Building Board can also initiate the process.
- If no significant progress, Better Building Board issues final order giving owner time to make repairs.
- City completes work necessary to prevent further demolition by neglect.
- City bills owner or places lien on property for cost of remedial work.

These steps assume owner fails to take sufficient corrective action and does not appeal. Actual process is more complicated. See ordinance for full explanation.

Advantages of Using This Ordinance

- Saves historic homes & other historic buildings from potential loss.
- Protects integrity of neighborhood as a whole.
- Buys time to come up with redevelopment plan.

Limitations of This Ordinance

- Ordinance applies to historic properties only.
- Budget is limited.
- Sunk costs likely cannot be recovered.
- Provides for stabilization only, not restoration.
- Owner remains in possession of the property.