

## Demolition by Neglect

The Oxford Historic Preservation Ordinance states that, "Failure of an owner to regularly, consistently, and fully maintain a designated landmark or any property located within a designated historic district to where it is evident that the property is in a state of disrepair shall constitute demolition by neglect, and without a valid Certificate of Appropriateness, is a violation of this ordinance" (Oxford Historic Preservation Ordinance, Section 9: Demolition by Neglect).



This means that if a property owner allows the condition of an improved property (a property upon which a structure resides) in the local historic districts to fall into such disrepair that the character, structural integrity, or relevant architectural details of the historic building or the historic district may be lost, the property owner is in violation of the Historic Preservation Ordinance. The City of Oxford passed a Demolition by Neglect ordinance in 2009 to establish standards and procedures in order to evaluate when and how the Demolition by Neglect ordinance can be enacted.

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The following summarizes the process that occurs when Demolition by Neglect is applied to a property. This section is for information only, as there are no planning considerations, design guidelines, or certificates of appropriateness for this process. The purpose for including it here is to provide a brief overview of the process. The full [Demolition by Neglect Ordinance](http://www.oxfordhpc.org) can be found on the HPC's website, <http://www.oxfordhpc.org>.

### What conditions are considered Demolition by Neglect?

The following defects could cause the City to require the property owner to act:

- Deterioration of the features that compromise the structural integrity of the building (such as deterioration of the foundation, exterior walls, roof, mortar, etc. which can cause leaning, sagging, or buckling).
- Ineffective or lack of waterproofing that has allowed the deterioration of the building's structural integrity.
- Untreated rotting or decay that has deteriorated the building's structural integrity.
- Deterioration of the significant architectural features, including those on the landscape.
- Deterioration of any exterior feature that creates a hazardous or unsafe condition to life, health, or other property.

### How does the City enforce Demolition by Neglect?

The following is a brief overview of the process. The full [Demolition by Neglect Ordinance](http://www.oxfordhpc.org) can be reviewed on the HPC's website. In order for the Demolition by Neglect ordinance to be applied to a property in disrepair, two (2) complaints from two (2) separate citizens (with different addresses) must have been received by the Oxford Planning Department within a single calendar year. The HPC does not and will not initiate this process, but it is bound to administer the application of the ordinance when two complaints have been received.

The Planning Department will conduct an investigation and prepare a staff report on the property. As part of the process, the Planning Director may consult with professional architects, landscape architects, engineers, building inspectors, and historic preservationists.

If the Planning Department finds that the complaints have a basis in fact, the owner of the property in disrepair will be notified that the case will be presented to the HPC. The notification will include:

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property. If a finding is made that the property owner will suffer undue economic hardship, the finding will include plans to relieve the undue economic hardship.

Plans to alleviate economic hardship may include:

- financial resources if available,
- acquisition or purchase proposals,
- changes in applicable zoning regulation, or
- consideration for temporary waiver of the provisions of the ordinance sufficient to mitigate the undue economic hardship.

If the provisions of the ordinance are eased, the HPC will revisit the issue annually until all repairs are made to alleviate the demolition by neglect finding. If repairs have not yet been made, the property owner will need to demonstrate continued economic hardship at the annual review.

Findings made by the Planning Department or HPC may be appealed to the Board of Adjustment. The procedures for appeal are outlined in the Oxford Demolition by Neglect ordinance.