

Attachment "F" Completion Bond Motion  
PLANNING AND LAND USE  
MANAGEMENT

**MOTION**

There are numerous construction projects in the city where construction is not completed years after having been issued the necessary building permits by the Department of Building and Safety. Over time, this causes the project sites to become eyesores, and foremost, a disturbance to abutting property owners and neighborhood residents.

There are a number of development projects in Council District Five that have either been under unusually long construction timelines, some as long as eight years, as well as unsuccessful projects which need to be demolished, such as the one located at 901 Strada Vecchia Road in Bel Air.

The City's Department of Building and Safety enforces the city's land use regulatory controls, and issues construction permits, and enforces the Building and Zoning codes. As such, it needs to enforce existing municipal code requirements as promulgated by Municipal Code Section, 91.106.4.4.3, *Unfinished Buildings or Structures*, relative to construction project completion timelines, to ensure a remedy for incomplete projects citywide.

**Municipal Code Section, 91.106.4.4.3, Unfinished Buildings or Structures:**

*Whenever the department determines by inspection that work on any building or structure for which a permit has been issued and the work started thereon has been suspended for a period of 180 days or more, the owner of the property upon which such structure is located, or other person or agent in control of said property, upon receipt of notice in writing from the department to do so, shall within 90 days from the date of such written notice, obtain a new permit to complete the required work and diligently pursue the work to completion, or shall remove or demolish the building or structure within 180 days from the date of the written notice.*

It would behoove the Council to understand the Department of Building and Safety's enforcement of Municipal Code Section 91.106.4.4.3, *Unfinished Buildings or Structures*, and the feasibility of requiring a completion guarantee, sometimes referred to as a 'completion bond', to ensure a remedy for incomplete development projects citywide.

**I THEREFORE MOVE** that the Council instruct the Department of Building and Safety, in consultation with the City Attorney, to prepare a report with recommendations, relative to the department's enforcement of Municipal Code Section 91.106.4.4.3, *Unfinished Buildings or Structures*, inasmuch as there are numerous unfinished development projects citywide, which were issued building permits, in some instances, more than eight years prior, and causes the development project sites to become eyesores, and foremost, a disturbance to abutting property owners and neighborhood residents, and the feasibility of requiring a completion guarantee, sometimes referred to as a 'completion bond' which sets time limits to complete projects, and thereby provide remedies for incomplete development projects citywide.

**PRESENTED BY:** \_\_\_\_\_  
**PAUL KORETZ** (verbal)  
Councilmember, 5<sup>th</sup> District

**SECONDED BY:** \_\_\_\_\_  
DAVID E. RYU (verbal)  
Councilmember, 4th District