



**MEDFORD  
CITY COUNCIL**

Office of Justin Tseng,  
City Councilor



# UPDATING THE VACANT PROPERTIES ORDINANCE

Proposal for the Planning and Permitting Committee



# BACKGROUND: VACANCIES IN MEDFORD

## VACANCIES IN MEDFORD

- Medford has had a few vacant buildings in public places for a long time.
- Long-term vacancies harm economic vitality and community life
  - Reduce foot traffic and weaken commercial corridors
  - Create blight, safety concerns, and lost opportunities for social spaces that residents are asking for





# BACKGROUND: VACANCIES IN MEDFORD

## OUR PROCESS THUS FAR

- Councilor Tseng drafted the current version of the vacant building ordinance with a team at Harvard Law School.
- Council sought and incorporated feedback on it from the Building Commissioner, PDS, other interested parties, and municipal leaders in other Mass. communities that have seen success tackling the issue. Feedback was sought in earnest from many stakeholders.





# BACKGROUND: VACANCIES IN MEDFORD

## WHAT WE'VE FOUND

- Landlords hold out for higher-paying tenants
  - High eviction costs and long lease terms
  - Inability to pay to bring buildings up to code
  - Option value of waiting often exceeds lost rent
- Limited success with existing measures:
  - State tax credits require long vacancy periods
  - Grants are small, highly restricted, and don't create long-term stability for new business owners
  - Limited ability to engage property owners directly





# RESIDENTS DON'T LIKE LONG-TERM VACANCIES

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- “Require landlords of empty commercial space to properly maintain their storefronts.” - 12/19/2025
  - “How can I help? I’m embarrassed by my town, which I adore.” - Concerning West Medford’s vacancies, 11/13/2025
  - “I live on Hillcroft Park in West Medford. My neighbor...tells me that you are working on an ordinance to address the problem of vacant storefronts...As you may know, the north side of High Street between Warren and Playstead in particular is plagued by this problem. Several storefronts -- in buildings with the same owner, I believe -- have been vacant for years even though it is my understanding that multiple potential tenants have expressed interest in occupying them. I’m sure you appreciate that this not only creates an eyesore but makes our community less safe and deprives us of local services that could improve the quality of our lives...I’d like to know if there is any other way I can be helpful.” - 5/8/2025
  - “I like the vacancy tax. Good plan.” - 11/19/2024



# VACANT BUILDING POLICIES IN OTHER CITIES

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- Easthampton's Vacant Building Ordinance imposes a \$500 vacant storefront registration fee that escalates each year of vacancy and waives those fees for properties displaying public art; Easthampton's Mayor thought that this policy was the likeliest reason their own rate of vacant storefronts plummeted, filling all but two of their vacant storefronts.
  - Lowell imposes a \$1000 vacant storefront registration fee that escalates by an additional \$1000 each year of vacancy.
  - Arlington's Economic Development Coordinator noted that the city's annual vacancy registration fee has been a useful tool in improving building upkeep and facilitating contact with property owners who have typically been unresponsive when the city needs to contact them for various issues, including condemnation, squatters, or opportunities for mixed use and potential renters.



# VACANT BUILDING POLICIES IN OTHER CITIES

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- New Bedford, which implements a similar vacancy registration fee, also reported positive overall results: improved maintenance, a “robust database of information on vacant properties,” and improved communication with property owners.
  - San Francisco has a vacancy tax, under which landlords of spaces vacant for over 182 days must pay an annual tax of \$250 per linear foot of frontage, where the tax steps up in subsequent years, and vacancy registrations, requiring vacant storefronts to be registered within 30 days of vacancy. Early evidence indicates the vacancy tax has contributed to a 50 percent reduction in vacancy rates across the city.
  - **Generally, vacancy registration fees used in MA cities have led to:**
    - Improved communication and property upkeep
    - Sharp reductions in vacancy rates reported



# WHAT'S IN THE PROPOSED ORDINANCE?



# PURPOSE

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1. Establish, develop, and maintain an online registry of Vacant Properties in Medford to reflect current vacancies,
  2. Conduct the inspections provided for in this section,
  3. Provide an administration appeal process for any person aggrieved by the requirements of this section, and
  4. Mitigate negative effects of vacant or foreclosing properties on the health, safety, welfare and economic vitality of the city and its residents.



# DATABASE

- Fees collected from vacancies pay for a database that help publicize vacant properties available for purchase or lease.  
Within 90 days of the building becomes vacant, building owner must register the property with a database that includes the following:
  - The owner's name, address, telephone number;
  - Property street number;
  - Storefront status (vacant, leased, or sold to another owner);
  - Property type and use;
  - Square footage;
  - Contact info of any property manager or property management company, if applicable;
  - A statement as to whether the Building is currently a Vacant Property and if not, the date upon which the Building will become a Vacant Property;
  - A statement as to whether the Building is currently a Foreclosing Property and if not, the date upon which the Building will become a Foreclosing Property;
  - A certification that the property was inspected by the owner or agent;
  - Clear photographs of interior rooms and any street-facing exteriors.



# FEES AND WAIVERS

- Annual registration requirement for vacant properties, with an escalating fee over time
  - \$1000 first year of vacancy, \$2000 second year, \$3000 each subsequent year
- Fee can be waived in the case of
  - Demonstrated substantial financial hardship of the owner;
  - The building owner puts on a public art display;
  - The building is used for community events;
  - A demonstration that the building is being improved for future use;
  - Special cases like condemnation of the building or upcoming changes to the zoning code.



# HIGHER MAINTENANCE STANDARDS

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- Building owners required to
    - Inspect vacant properties monthly;
    - Affix a 24-hour contact number of the local individual or property management company in charge of it
    - Make repairs to broken windows, doors, and so on
    - Keep it free of rats, mice, etc.



# MODERNIZING INSPECTIONS

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- Building Commissioner, Police Chief, Fire Chief, or the Health Director may inspect a property.
  - May inspect on a quarterly basis the exterior and interior of any properties.
  - May issue fines or citations for violations of this ordinance or any other.



# ENFORCEMENT

- Enforced with discretion by the Building Department and the Board of Health to encourage compliance
- Infractions punishable by fines of \$300/day:
  - Failure to register the property
  - Failure to identify an individual or local property management company on the building
  - Failure to provide proof of sale or occupancy to the building commissioner when the property ceases to become vacant
  - Failure to pay the annual registration permit fee
  - Failure to maintain the property
- Get seven days to remedy issues prior to issuance of fines.
- Fines may be waived upon abatement of the violations
- Appeals may be made to the Building Department within 30 days of the imposition of a fine.



# ENFORCEMENT

## WHAT OPTIONS DOES THE CITY HAVE FOR ENFORCEMENT?

- The city has two only mechanisms of enforcement: condemnation and fines
  - Condemnation is a process regulated by state law and essentially means the building commissioner has to demolish the building entirely. It creates liability and responsibility upon the Municipality, so we try strenuously to avoid condemnation.
  - Charging fines to the property owners are the only other means available to the City for enforcement of these ordinances



# SUMMARY

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## WHAT DOES THIS PROPOSAL DO?

- This proposal will give the city far more leverage than before against negligent landlords, and we need carrots as well as sticks to solve this problem. Communities that have adopted this report that most properties come into compliance sooner than when any fees kicks in.
- It encourages productive use of commercial space
  - Improves neighborhood vitality and aesthetics
  - Adds a practical, legally sound tool to Medford's toolkit
- In summary, this will reduce vacancies, incentivize communications with property owners, and improve building upkeep and inspections.



# VACANT BUILDING REGISTRATION

Breaking down the registration process for vacant commercial and industrial properties in Medford

If the property is  
**commercial or  
industrial:**

If a property has been  
vacant for at least 90  
days, **the owner must  
register with the  
Building Department.**

Upon registering a  
vacant property, **the  
owner must pay a  
nonrefundable  
registration permit  
fee of \$1,000.**

If the property is **residential**, the  
registration process outlined here is not  
applicable.

## Maintenance Requirements for All Vacant Properties:

1. Posted sign with 24/7 contact info
2. Repair of all broken windows,  
doors, other openings, and any  
unsafe conditions
3. Rodent inspection & mitigation.
4. Regular upkeep & trash and graffiti  
removal

City officials may conduct quarterly  
inspections to ensure compliance with  
health, safety, and welfare laws and  
codes.

**For every additional year of vacancy, the  
registration fee increases.**

Year 2: \$2,000  
Year 3 and on: \$3,000

**The registration fee may be partially/fully  
waived for one year under one of the following  
conditions:**

1. A Substantial Financial Hardship
2. Written agreement to display public art
3. A plan to host Community Events 3+ days in  
a 3-month period, or
4. A demonstration the property is being  
improved for future use

## Failures to:

- Register
- Identify the local individual/property  
management company
- Provide proof of sale or occupancy  
when the building is no longer a Vacant  
Property or is conveyed to a third party
- Pay the annual registration permit fee
- Maintain the property

incur a **\$300 per day fine**  
past the 90 days of  
vacancy.

**Owners may appeal  
decisions on  
registration, waivers,  
and fines with the  
Building  
Department.**