



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Elizabeth Gibbs, City Manager

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MEETING DATE: August 25, 2026

SUBJECT: Informational Update: Existing Vacant Property Registration and Enforcement Framework Under Banning Municipal Code Chapter 8.12 and Ordinance No. 1589

STAFF RECOMMENDATION:

That the City Council receive the report, discuss the information presented, and provide direction to staff, as deemed appropriate.

BACKGROUND:

Vacant commercial properties and long-term inactive storefronts can negatively impact the appearance, safety, economic vitality, and public perception of commercial corridors. Vacant buildings may reduce pedestrian activity, affect nearby businesses, contribute to blight, limit sales tax generation, and make business recruitment more challenging.

The City of Banning continues to prioritize economic development, business attraction, retail recruitment, downtown revitalization, the Downtown Complete Streets Plan, and activation of underutilized commercial areas. These priorities support the City's broader economic development goals and the Banning 2030 vision to strengthen and diversify the local economy.

This informational item provides the City Council and the community with an overview of the City's existing vacant property registration ordinance, current operational information, and general policy considerations related to long-term vacant commercial properties under Banning Municipal Code Chapter 8.12.

The City has a vacant property registration framework under Banning Municipal Code Chapter 8.12, titled "Registration of Vacant Properties." Banning Ordinance No. 1589 amended and restated Chapter 8.12 in 2023. The ordinance states that vacant properties are a cause and source of blight in residential and nonresidential neighborhoods and establishes registration requirements for residential, commercial, industrial, and mixed-use properties that are vacant, abandoned, distressed, in disrepair, or in a state of foreclosure or default. [Source: Ordinance No. 1589; BMC Chapter 8.12.]

Chapter 8.12 requires the owner of any abandoned, distressed, or vacant property to register the property with the City of Banning Community Development Department. The ordinance defines "vacant" as a building or structure that is not legally occupied. Registration is required based on the earliest applicable trigger, including: 30 days after the property becomes vacant when the owner does not intend for the property to be reoccupied; 10 days after the property has been vacant and not reoccupied for 30

days; or 10 days after the City provides written notice that the property is vacant based on inspection. [Source: Ordinance No. 1589; BMC 8.12.030 and 8.12.040.]

The ordinance currently references the Community Development Department and Community Development Director. Staff notes that Code Enforcement is currently part of the Police Department. The ordinance language appears to reflect the City's prior organizational structure, when Code Enforcement was under Community Development.

The registration requirement is placed on the property owner, not necessarily the former business tenant. If a business entity owns the vacant commercial property, that business entity may be responsible for registering the property. If a tenant closes or vacates a leased storefront, the responsibility generally falls on the property owner or responsible party identified under the Municipal Code.

Chapter 8.12 includes maintenance, inspection, signage, enforcement, violation, and public nuisance provisions. The City Code Enforcement Division may inspect properties when there is evidence of vacancy and may require registration if a property is determined to be vacant. Registered properties are subject to inspection every six months to determine compliance with Chapter 8.12. [Source: Ordinance No. 1589; BMC 8.12.050.]

Under BMC 8.12.040, the City Council establishes fees for vacant property registration and renewals. The ordinance states that the required fee must accompany the registration application or renewal and that registration and renewal fees are not prorated. The available City fee schedule identifies a Vacant & Distressed Building Fee of \$75.00 per property/per year. [Source: Ordinance No. 1589; BMC 8.12.040; City Fee Schedule.]

Current Implementation Status, Code Enforcement provided the following operational information for City Council and public awareness:

- Vacant property registrations are required to be renewed annually under the ordinance.
- Code Enforcement does not currently maintain a registry of vacant properties and works reactively to gain compliance as cases are identified.
- Although the ordinance provides for six-month inspections of registered properties, those inspections are not currently being completed. Code Enforcement reports it is approximately nine months behind on code inspections due to the overall caseload.
- The reporting structure does not include a filter to identify the number of citations issued specifically for vacant property registration cases.

Attachment C summarizes the number of vacant property registration notices issued: 2024: 22 notices; 2025: 33 notices; and 2026 YTD: 45 notices.

Code Enforcement is unable to provide the total vacant property registration fee revenue collected as the financial system does not separate vacant property registration fees from other Code Enforcement revenue. All revenue is deposited into the same Code Enforcement general ledger account.

Surrounding City Comparison

Several surrounding and comparable jurisdictions also use vacant or abandoned property registration programs that address registration, maintenance, local contact information, inspections, and enforcement. Attachment A is included for general informational context. The comparison confirms that Banning already has an adopted registration and property-maintenance framework; it is not presented as a recommendation for a particular policy approach.

Downtown Banning Property Data and Inventory

Staff also conducted a preliminary review of publicly available listings for Downtown Banning and Ramsey Street commercial properties. The listing information is provided only to illustrate properties being marketed for sale or lease and should not be treated as a formal City vacancy or enforcement

determination. A property may be occupied, partially leased, under negotiation, or listed for sale while continuing to operate.

Attachment B is included for informational purposes only and is not a vacant property registry, a City-maintained enforcement list, or a formal determination that any property is vacant under BMC Chapter 8.12. Any potential vacancy determination would require review of City records and field verification by the appropriate department.

JUSTIFICATION:

As the City Council discusses long-term vacant commercial properties, this report summarizes the City's current vacant-property framework and related policy considerations for informational purposes. It does not recommend a preferred course of action; the City Council may provide any direction it considers appropriate.

Under Banning Municipal Code Chapter 8.12 and Ordinance No. 1589, the City already requires qualifying vacant residential, commercial, industrial, and mixed-use properties to be registered, secured, and maintained. The program requires contact information and an annual \$75 fee, provides for six-month inspections, and authorizes applicable enforcement and abatement remedies. Registration, maintenance, inspection, local-contact, and enforcement tools are also commonly used by surrounding jurisdictions. This existing framework is immediately available within the City's current staffing and fiscal capacity and supports economic development while addressing long-term vacancy, blight, public safety, and property-maintenance concerns.

As the City Council discusses long-term vacant commercial properties, this report summarizes the City's current vacant-property framework, current implementation information, and related policy considerations for informational purposes. It does not recommend a preferred course of action; the City Council may provide any direction it considers appropriate.

A commercial vacancy tax may be discussed as a future policy option. Establishing a commercial and/or residential vacancy tax would require the City to define taxable properties, vacancy standards, tax rates, exemptions, verification procedures, appeals, billing, collection, enforcement, and the use of revenue. A tax would also require legal and fiscal review, public outreach, and potentially voter approval depending on the structure of the measure. A City-proposed general tax requires majority voter approval; a special tax dedicated to a specific purpose requires two-thirds voter approval. Any future cost and revenue estimates would depend on the final program design. [Sources: California Constitution, Article XIII C, Section 2; City of Oakland Vacant Property Tax program and Ordinance No. 13571.]

Community members may report vacant or unsafe properties through the City's Report a Concern Website: <http://www.banning.ca.us/FormCenter/Police-10/Code-Enforcement-IssueConcern-Form-62> or by calling Code Enforcement at (951) 922-4821.

Although Banning Municipal Code Chapter 8.12 references the Community Development Department, Code Enforcement is currently within the Police Department.

FISCAL IMPACT:

None.

ATTACHMENTS:

1. [Vacant Property Registration Form_201501141752407600 \(1\).pdf](#)
2. [Banning Municipal Code Chapter 8.12, Registration of Vacant Properties.pdf](#)
3. [ORDINANCE 1589_ CHAPTER 8.12 REGISTRATION OF VACANT PROPERTIES.pdf](#)
4. [Attachment_A_Surrounding_City_Comparison_PDF.pdf](#)
5. [Attachment_B_Downtown_Banning_Property_Data_and_Inventory_PDF.pdf](#)
6. [Attachment_C_Vacant_Property_Registration_Notices_Issued_.pdf](#)

