



# CITY OF LYNN

*In City Council*      OCTOBER 9, 2018

## **IN THE YEAR TWO THOUSAND EIGHTEEN AN ORDINANCE AMENDING THE ORDINANCE REGULATING THE MAINTENANCE OF ABANDONED, FORECLOSED RESIDENTIAL AND COMMERCIAL PROPERTIES**

*WHEREAS*, Recent events in the housing market have led to a drastic rise in the number of foreclosed houses. In cities all over the nation, homes are being left empty as families are forced to move out. These homes are frequently retaken by banks, financial institutions and large real estate conglomerates that have little to no connection with the municipality in which they own property; *and*,

*WHEREAS*, Many of these houses are essentially abandoned. Homes sit empty for months or years at a time; often creating an attractive public nuisance. Some homes are in violation of multiple aspects of state and local building codes and sanitary codes. The owner of record is often a large financial institution located out of state, making enforcement of the code very difficult; *and*,

*WHEREAS*, this problem exists from California to Ohio to Massachusetts. Banks and Other financial institutions are refusing to maintain properties, and municipal building inspectors have turned into investigators as they try to find out who the owners are and how to contact them to correct code violations; *and*,

*WHEREAS*, Many other cities around the nation are facing similar problems and searching for solutions in order to keep up the quality of life for the Residents. Escondido, CA gave its code enforcement department an extra one million dollars to ensure compliance. Chula Vista, CA has passed an ordinance requiring all financial institutions that foreclose on a property to register, to pay an administrative fee of \$70 and to appoint a local property maintenance company to maintain the property once a week. Although only in effect since early October, the program looks promising as it has over thirty voluntarily registered properties and is in the process of collecting Over \$18,000 in fees. Many other municipalities are considering similar laws or regulations to address this issue; *and*,

*WHEREAS*, These code violations include, among multiple other violations, unoccupied buildings susceptible to vandalism and/or open structures rendering them unsafe and dangerous, yards full of litter and trash, unlocked houses, unshoveled snow that renders sidewalks impassable, overgrown grass and bushes, and unsecured swimming pools that are not only a threat to children but become breeding grounds for infectious insects such as mosquitoes; *NOW*,

**Regulating the Maintenance of Abandoned and Foreclosing Residential and  
Commercial Properties.**

SECTION 1: PURPOSE. It is the intent of this section to protect and preserve public safety, security, and quiet enjoyment of occupants, abutters, and neighborhoods by (i) requiring all residential and commercial property owners, including lenders, trustees, and service companies, to properly maintain abandoned and/or foreclosing properties (ii) regulating the maintenance of abandoned and/or foreclosing, residential and commercial properties to prevent blighted and unsecure residences.

The Director of the Inspectional Services Department has enforcement authority pursuant to, *Inter alia*, M.G.L. c. 143, s. 3, the State Building Code, and the City of Lynn Zone Ordinance.

SECTION 2: DEFINITIONS. When used in this section, unless a contrary intention clearly appears, the following terms shall have the following meanings:

*Abandoned* means any residential and commercial property property, residential and commercial that is vacant.

*City* means City of Lynn.

*Commercial Property* means any property that contains one or more buildings, Structures, improvements and/or fixtures used, intended or designed for commercial use.

*Day* means consecutive calendar days.

*Director* means Director of the inspectional Services Department

*"Evidence of vacancy"* means any condition that would lead a reasonable person to believe that the property is vacant.

*Foreclosing* means the process by which a property, placed as security for a real estate loan, is prepared for sale to satisfy the debt if the borrower defaults.

*"Initiation of the foreclosure process"* means taking any of the following actions: (i) taking possession of a residential or commercial property pursuant to M.G.L. c.244, s. 1; (ii) publishing the first foreclosure notice of a residential property pursuant to M.G.L. c. 244, s. 14; or (m) commencing a foreclosure action **on** a residential property in either the Land Court or Essex Superior Court

*Local* means within twenty (20) driving miles distance of the property in question.

*Mortgagee* means the creditor, including but not limited to, service companies and lenders, in a mortgage agreement.

*Mortgagee in possession* means a mortgagee that has taken over control and/or occupancy of a property upon default of the borrower to collect income from the property and/or prepare for foreclosure.

*Owner* means every person, entity, service company, property manager or realtor, who alone or severally with others:

- (1) has legal or equitable title to any dwelling, dwelling unit, mobile dwelling unit, or parcel of land, vacant or otherwise, including a mobile home park; or
- (2) has care, charge or control of any dwelling, dwelling unit, mobile dwelling unit or parcel of land, vacant or otherwise, including a mobile home park, in any capacity including but not limited to agent, executor; executrix, administrator, administratrix, trustee or guardian of the estate of the holder of legal title; or
- (3) is a mortgagee in possession of any such property; or
- (4) is an agent, trustee or other person appointed by the courts and vested with possession or control of any such property; or
- (5) is an officer or trustee of the association of unit owners of a condominium. Each such person is bound to comply with the provisions of these minimum standards as if he were the owner. Owner also means every person who operates a rooming house; or
- (6) is a trustee who holds, owns or controls mortgage loans for mortgage backed securities transactions and has initiated the foreclosure process.

*Property* means any real property, residential or commercial, or portion thereof, located in the City of Lynn, including building or structures situated on the property.

*Residential Property* means any property that contains one or more dwelling units used, intended, or designed to be occupied for living purposes.

*Securing* means measures that assist in making the property inaccessible to unauthorized persons.

*Vacant* means a structure or building not legally occupied.

Section 3: REGISTRATION: All owners including banks and mortgage companies must register abandoned and/or foreclosing residential and commercial properties with the Director of the Inspectional Services Department on forms provided by the Director. All registrations must state the individual owner's or agent's phone number and mailing address located within the Commonwealth as required by M.G.L. c.59, s57D, M.G.L. c. 156D, s. 5.02, and 950 CMR 113.20. The mailing address may not be a P.O. Box. This registration must also certify that the property was inspected and identify whether the property is abandoned. If the property is abandoned, the registration must designate a local individual or local property management company responsible for the security and maintenance of the property. This designation must state the individual or company's name, phone number, and local mailing address. The mailing address may not be a P.O. Box. This registration must be received within seven days of abandonment or within seven days of the initiation of the foreclosure process as defined in Section 2.

All property registrations are valid for one year. An annual registration fee of five hundred dollars and no cents (\$500.00) must accompany the registration form. The fee and registration are valid for the calendar year, or remaining portion of the calendar year, in which the registration was initially required. Subsequent registrations and fees are due January 1st of each year and must certify whether the foreclosing and/or foreclosed property remains abandoned or not.

Once the property is no longer abandoned or is sold, the owner must provide proof of sale or written notice of occupancy to the Director of the Inspectional Services Department.

SECTION 4: MAINTENANCE REQUIREMENTS. Properties subject to this section must be maintained in accordance with all applicable Sanitary Codes, Building Codes, and local regulations. The local owner or local property Management Company must inspect and maintain the property on a monthly basis for the duration of the abandonment.

The property must contain a posting with the name and 24-hour contact phone number of the local individual or property Management Company responsible for the maintenance. This sign must be posted on the front of the property so it is clearly visible from the street.

Adherence to this section does not relieve the property owner of any applicable obligations set forth in Code regulations, Covenant Conditions and Restrictions and/or Home Owners Association rules and regulations.

SECTION 5: INSPECTIONS. The Inspectional Services Department shall have the authority and the duty to inspect properties subject to this section for compliance and to issue citations for any violations. The Inspectional Services Department shall have the discretion to determine when and how such inspections are to be made, provided that their policies are reasonably calculated to ensure that this section is enforced.

The Owner, or the Owner's agent or designee, shall cooperate with city code inspection and/or enforcement personnel and shall permit access to the property to such personnel upon reasonable notice to the Owner or the Owner's agent.

SECTION 6: ENFORCEMENT AND PENALTIES. Failure to initially register with the Director is punishable by a fine of three hundred dollars and no cents (\$300.00) each day being a separate offense.

If applicable, failure to properly identify the name of the local individual or property Management Company is punishable by a fine of three hundred dollars and no cents (\$300.00).

Failure to maintain the property is punishable by a fine up to three hundred dollars and no cents (\$300.00) for each month the property is not maintained.

Violations of this chapter shall be treated as a strict liability offense regardless of intent

SECTION 7: APPEAL Any person aggrieved by the requirements of this section or by a decision issued under this section by the Inspectional Services Department, may seek relief pursuant to M.G.L. c. 40, S. 21D.

SECTION 8: APPLICABILITY. If any provision of this section imposes greater restrictions, or obligations than those imposed by any other general law, special law, regulation, rule, ordinance, by-law, order, or policy then the provisions of this section control.

SECTION 9: REGULATORY AUTHORITY. The Director of the Inspectional Services Department has the authority to promulgate rules and regulations necessary to implement and enforce this section.

SECTION 10: SEVERABILITY if any provision of this section is held to be invalid by a court *of* competent jurisdiction then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect

SECTION 11: REVOLVING ACCOUNT. Pursuant to MGL, Chapter 44 § 53 E the Lynn City Council will establish a revolving account to utilize the registration funds for the securing and monitoring of vacant properties in disrepair.

The Inspectional Services Department will be trustee of said revolving account.



# CITY OF LYNN

INSPECTIONAL SERVICES DEPARTMENT

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## INSPECTIONAL SERVICES DEPARTMENT REGULATIONS IMPLEMENTING AND ENFORCING A LYNN CITY ORDINANCE, AS AMENDED FROM TIME TO TIME, REGULATING THE MAINTENANCE OF ABANDONED, FORECLOSING RESIDENTIAL AND COMMERCIAL PROPERTIES

100.001 Purpose. The purposes of these regulations are to protect and preserve public safety, security, and quiet enjoyment of occupants, abutters, and neighborhoods by establishing a registry of abandoned and/or foreclosing properties, and to enforce responsible property management by the owners of properties retaken or held by financial institutions during the foreclosure process.

100.002 Authority. These regulations are adopted under authority found in City of Lynn Ordinance Regulating the Maintenance of Abandoned, Foreclosing Residential and Commercial Properties, Section 9 (the "Property Registration Ordinance").

100.003 Citation. These regulations shall be known, and may be cited, as "ISD Regulations for Enforcing the Abandoned and Foreclosing Property Ordinance."

100.010 Scope. These regulations shall apply to all properties subject to the City of Lynn Ordinance Regulating the Maintenance of Abandoned, Foreclosing Residential and Commercial Properties, as amended time to time, and all activities required thereby, including without limitations, inspections, initial registrations, renewal registrations, and sale or transfer.

### 100.020 Definitions.

*Blighted Property* means (i) properties that have broken or severely damaged windows, doors, walls or roofs which create hazardous conditions and encourage trespassing; (ii) properties whose maintenance is not in conformance with the maintenance of other neighboring properties causing a decrease in value of the neighboring properties; (iii) properties declared a common or public nuisance pursuant to M.G.L. c. 139; (iv) properties that endanger the public's health, safety, or welfare because the properties or improvements thereon are dilapidated, deteriorated, or violate minimum health and safety standards or lack maintenance as required by applicable codes.

*Enforcement Officer* means any law enforcement officer, local building official, zoning inspector, code enforcement officer, fire prevention official, or any other person authorized by the City of Lynn to enforce the applicable code(s).

*Evidence of Vacancy* means any condition that on its own, or combined with other conditions present, would lead a reasonable person to believe that the property is vacant. Such conditions may include, but are not limited to: overgrown and/or dead vegetation; past due utility notices and/or disconnected utilities; accumulation of trash, junk or debris; abandoned vehicles, auto parts or materials; the absence of furnishings and/or personal items consistent with habitation or occupancy; the presence of unsanitary, stagnant swimming pool; the accumulation of newspapers; circulars; flyers and/or mail; or statements by neighbors, passers-by, delivery agents or government agents; or the presence of boards over doors, windows or other openings in violation of the applicable code.

*Foreclosing* means the process by which the property, placed as security for a real estate loan, is prepared for sale to satisfy the debt if the borrower defaults. This definition shall include, but is not limited to, public notice of default, a deed-in-lieu of foreclosure, sale to the mortgagee or lien holder, certificate of title and all other processes, activities and actions, by whatever name, associated with the described process. The process is not concluded until the property obtained by the mortgagee, lien holder, or their designee, by certificate of title or any other means, is sold to a non-related, bona fide purchaser in an arm's length transaction to satisfy the debt or lien.

*Local Property Manager* means a property manager, property management company or similar entity responsible for the maintenance and security of registerable real property having a physical location within 20 driving miles of the City of Lynn.

*Mortgagee* means the creditor, including but not limited to, service companies and lenders, in a mortgage agreement. This definition shall include, but is not limited to, trustees; mortgage servicing companies; lenders in a mortgage agreement; any agent, servant, or employee of the creditor; any successor in interest; or any assigns of the creditor's rights, interests or obligations under the mortgage agreement.

*Mortgagee in possession* means a mortgagee that has taken over control and/or occupancy of a property upon default of the borrower to collect income from the property and/or prepare for foreclosure.

*Property Management Company* means a local property manager, property maintenance company or similar entity responsible for the maintenance of registrable real property.

*Property Registration Ordinance* means City of Lynn Ordinance Regulating the Maintenance of Abandoned, Foreclosing Residential and Commercial Properties, as amended from time to time.

*Registerable Property* means any abandoned or foreclosing residential or commercial property located in the City of Lynn.

*Utilities and Services* means any utility and/or service that is essential for a building to be habitable and/or perform a service necessary to comply with all applicable codes including, but not limited to electrical, gas, water, sewer, lawn maintenance, pool maintenance and snow removal.

*Vacant* means any building or structure that is not legally occupied or inhabited by human beings as evidenced by the conditions set forth in the definition of "Evidence of Vacancy," that is without lawful tenant, or lawful occupant, or without certificate of occupancy. Vacant property does not mean property that is temporarily unoccupied while the residents are away on vacation, personal matters or business, or is not intended by the owner to be left vacant, so long as the period does not exceed 90 days.

#### 100.100 Establishment of Registry.

The Director of the Inspectional Services Department, or his/her designee, shall establish a registry cataloging each Registrable Property within the City of Lynn, containing information required by the property registration ordinance.

#### 100.200 Registration of Defaulted Mortgage Real Property.

- (A) Upon taking possession of a residential or commercial property pursuant to MGL c. 244; or upon delivering the mortgagee's notice of intention to foreclose pursuant to MGL c. 244 §17B; or upon commencing a foreclosure action on a property in either the Land Court or Essex Superior Court, the

Owner or Mortgagee in Possession shall inspect the property within ten (10) days and register it with the Inspectional Services Department. A separate registration is required for each property, whether vacant or occupied.

- (B) Registration pursuant to this section shall contain the name, direct mailing address, a direct contact name, telephone number and email address for the Mortgagee/Trustee, and the Mortgage Servicer or third-party registration company, if any, and the name and twenty-four (24) hour contact phone number of the Local Property Manager responsible for the security and maintenance of the property who has authority to make decisions concerning the abatement of nuisance conditions at the property, as well as any expenditure in connection therewith.
- (C) Mortgagees who have existing Registerable Property on the effective date of these regulations shall have thirty (30) calendar days from the effective date to register the property with the Inspectional Services Department, or its designee, on forms or other manner as directed, and indicate whether the property is vacant or occupied. A separate registration is required for each property, whether vacant or occupied.
- (D) If the mortgage on a registerable property is sold or transferred, the new Mortgagee is subject to all the terms of this Article. Any previous unpaid registration fees are the responsibility of the new Mortgagee or Trustee and are due and payable upon registration. Except if it is determined that the transferee is exempt from paying fees then the previous mortgagee will not be released from the responsibility of paying all previous unpaid fees and fines, regardless of who the mortgagee was at the time when registration was required, including but not limited to unregistered periods during the foreclosure process. The provisions of this section are cumulative with and in addition to other available remedies. Moreover, the Inspectional Services Department is authorized and empowered to refer the previous mortgagee's non-payment of previous fees and fines to a court of competent jurisdiction for disposition.
- (E) If the servicing rights for a mortgage on a registerable property are sold or transferred, the registration must be updated to include all new Servicer information within ten (10) days of the servicing transfer.
- (F) If the Mortgagee owner of a foreclosed real property sells or transfers the property to a non-arm's length related person or entity, the transferee is subject to all the terms of this Article within five (5) days of the transfer shall register the property. Any previous unpaid registration fees are the responsibility of the new Mortgagee or Trustee and are due and payable upon registration. Except if it is determined that the transferee is exempt from paying fees then the previous mortgagee will not be released from the responsibility of paying all previous unpaid fees and fines, regardless of who the mortgagee was at the time when registration was required, including but not limited to unregistered periods during the foreclosure process. The provisions of this section are cumulative with and in addition to other available remedies. Moreover, the Inspectional Services Department is authorized and empowered to refer the previous mortgagee's non-payment of previous fees and fines to a court of competent jurisdiction for disposition.
- (G) As long as the property remains Registerable Property it shall be inspected by the Mortgagee, or designee, on a monthly basis. If an inspection shows a change in the property's occupancy status the mortgagee shall, within ten (10) days of the inspection, update the occupancy status of the property registration.



- (H) A non-refundable registration fee established by the Property Registration Ordinance, shall accompany each registration pursuant to this section.
- (I) All registration fees must be paid directly from the Mortgagee, Trustee, Servicer, or Owner. Third Party Registration fees are not allowed without the consent of the Inspectional Services Department and/or its authorized designee.
- (J) Properties subject to this section shall remain under the annual registration requirement, and the inspection, security and maintenance standards of this section as long as they are registerable.
- (K) Until the mortgage or lien on the property in question is satisfied, or legally discharged, the desire to no longer pursue foreclosure, the filing of a dismissal of lis pendens and/or summary judgment and/or certificate of title, voluntary or otherwise, does not exempt any Mortgagee holding the defaulted mortgage, from all the requirements of this article as long as the borrower is in default.
- (L) Any person or legal entity that has registered a property under this section must report any change of information contained in the registration within ten (10) days of the change.
- (M) Failure of the Mortgagee to properly register or to modify the registration information from time to time to reflect a change of circumstances as required by this article is in violation of the article and shall be subject to enforcement and any resulting monetary penalties and/or property liens.
- (N) If the Director of the Inspectional Services Department, or his designee, determines that any property is in violation of the Property Registration Ordinance, the Inspectional Services Department, or its designee, may take necessary action to ensure compliance and place a lien on the property for the cost of the work performed to benefit the property and bring it into compliance.
- (O) Properties registered under this section are not required to be registered in the Vacant Property registry.

#### 100.300 Registration of Vacant Property

- (A) Upon purchasing or otherwise obtaining legal or equitable title in a vacant or foreclosing property, the Owner or Mortgagee in Possession shall inspect and register the property within ten (10) days and register it with the Inspectional Services Department. A separate registration is required for each property.
- (B) If the Director of the Inspectional Services Department, or his/her designee, determines that a residential or commercial property is vacant, the Owner or Mortgagee in Possession shall inspect and register the property within ten (10) days of written notice and register it with the Inspectional Services Department. A separate registration is required for each property.
- (C) Owners who have vacant Registerable Property on the effective date of this ordinance have thirty (30) calendar days from the effective date to register the property with the Inspectional Services Department, or its designee, on forms or other manner as directed. A separate registration is required for each property.
- (D) Registration pursuant to this section shall contain the name(s), direct mailing address, a direct contact name, telephone number, and email address for the Owner(s).

- a. If the property is owned by multiple natural persons, then the required information shall be that of one person who has legal authority to act on behalf of the other Owners.
  - b. If the property is owned by a corporation, whether foreign or domestic, then the required information shall be that of a Registered Agent and of an officer who has authority to act on behalf of the corporation.
  - c. If the property is owned by a partnership, then the required information shall be that of the managing partner who has legal authority to act on behalf of the partnership.
  - d. If the property is owned by a Trust, then the required information shall be that of the Trustee who has legal authority to act on behalf of the Trust.
  - e. If the property is owned by a real estate investment trust, then the required information shall be that of the general partner or an officer who has legal authority to act on behalf of REIT.
  - f. If the property is owned by an unincorporated association or any other legal entity not mentioned above, then the required information shall be that of a person who has legal authority to act on behalf of that association or entity.
- (E) Registration pursuant to this section shall contain the twenty-four (24) hour contact phone number of the Local Property Manager responsible for the security and maintenance of the property that has authority to make decisions concerning the abatement of nuisance conditions at the property, as well as any expenditure in connection therewith.
- (F) The Inspectional Services Department reserves the right to require such other information as needed to carry out the public purpose and intent of this article.
- (G) A non-refundable annual registration fee as established by the Property Registration Ordinance shall accompany each registration pursuant to this section.
- (H) Registration pursuant to this section shall be required annually so long as the property is vacant.
- (I) Properties subject to this section shall remain under the inspection, security and maintenance standards set forth in this section and all applicable code(s) as long as they remain vacant.
- (J) Any person or other legal entity that has registered a property under this section must report any change of information contained in the registration within ten (10) days of the change.
- (K) Upon sale of the vacant property the new owner must update the registration of the property within ten (10) days of the change of title. The new owner is responsible for all previously unpaid fees, charges and/or fines.
- (L) Failure of the property owner of record to properly register or to modify the registration from time to time to reflect a change of circumstances as required by this ordinance is a violation of this article and shall be subject to enforcement by any means available to the City of Lynn.

100.500 Maintenance Requirements.

- (A) Every owner of Registerable Property within the City of Lynn shall perform an inspection of the property to determine vacancy or occupancy and/or whether code violations exist, and register the property on forms or other manner as directed.
- (B) Every owner of vacant or blighted Registerable Property shall designate a Local Property Manager to perform the work necessary to bring the property into compliance with all applicable codes. A designated local property manager shall perform regular inspections to verify compliance with this ordinance and any other applicable laws.
- (C) Properties subject to this ordinance shall be maintained in accordance with all applicable Sanitary Codes, Building Codes, and local regulations. The Owner or Local Property Manager shall inspect the property at least on a monthly basis so long as it remains vacant, and shall at a minimum:
- a. Cause the structure to be secured from entry and the intrusion of weather or wildlife;
  - b. If heat is not maintained, winterize the property to prevent the freezing of pipes and other damage to the interior of the property;
  - c. Secure all accessory structures from entry or use;
  - d. Keep the grounds including fences, sidewalks, driveways and yards, free from weeds, overgrown bush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspaper circulars, flyers, notices, except those required by federal, state or local law, discarded personal items including, but not limited to, furniture, clothing, large and small appliances, printed material or any other items that the appearance that the property is abandoned;
  - e. Maintain the property free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the exterior color of the structure;
  - f. Ensure that all front, side and rear yards, including lawns and shrubbery, shall be trimmed and maintained in accordance with applicable local regulation(s). Maintenance shall include, but not be limited to, watering, irrigation, cutting and mowing of all ground cover or landscape and removal of all trimmings. Acceptable maintenance of yards and/or landscape shall not include weeds, gravel, broken concrete, asphalt or similar material;
  - g. Pools and spas shall be maintained so the water remains free and clear of pollutants and debris and shall apply with all regulations set forth in any applicable code(s);
  - h. Remove snow and ice from the walkways on or adjacent to the property commonly used by members of the public in accordance with applicable local regulation(s); and
  - i. Any other condition or circumstance subject to an order to correct from an authorized enforcement officer of the City of Lynn.
  - j. Failure to maintain the property properly may result in violation of the applicable code(s) and issuance of a citation or Notice of Violation in accordance with the applicable ordinance(s) of the City of Lynn.
- (D) The Local Property Manager's name and 24-hour contact phone number shall be posted on the front of the property so that it is clearly visible from the street.
- (E) Adherence to this article does not relieve the owner of any applicable obligations set forth in City ordinances or regulations, covenant conditions and restrictions, and/or homeowners' association rules and regulations.

## 100.600 Security Requirements

- (A) Properties subject to these Sections shall be maintained in a secure manner so as not to be accessible to unauthorized persons.
- (B) A “secure manner” shall include, but not be limited to, the closure and locking of windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure. Broken windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure must be repaired. Broken windows shall be secured by re-glazing of the window.
- (C) Every owner of vacant or blighted property shall designate shall designate a Local Property Manager to perform the work necessary to bring the property into compliance with all applicable codes. A designated local property manager shall perform regular inspections to verify compliance with this ordinance and any other applicable laws.
- (D) In addition to the above, the property is required to be secured in accordance with all applicable state and local regulations.

## 100.700 Enforcement and Penalties

- (A) Schedule of Offenses:
  - a. Failure to initially register with the Director is punishable by a fine of three hundred dollars and no cents (\$300.00).
  - b. Failure to inspect as required by this section is punishable by a fine of three hundred dollars and no cents (\$300.00).
  - c. If applicable, failure to properly identify a Local Property Manager is punishable by a fine of three hundred dollars and no cents (\$300.00).
  - d. Failure to maintain the property is punishable by a fine of three hundred dollars and no cents (\$300.00).
- (B) Any expenses incurred by the City of Lynn relative to securing or maintaining such property shall be recoverable by placing a lien on the property.
- (C) Separate offenses. A violation of this ordinance shall constitute a separate offense for each day it shall continue or recur. Each condition that exists in violation of this ordinance is a separate violation:
  - a. Each day a property remains unregistered when required to be registered by this ordinance is a separate offense for each day it shall continue or recur.
  - b. Each day a property is not inspected as required by this ordinance is a separate offense.
  - c. Each day a property is not secured as required by this ordinance is a separate offense.
  - d. Each day a condition violating the City of Lynn’s minimum housing codes or property maintenance codes exists on a property subject to registration under this ordinance is a separate offense.
- (D) Violations of this chapter shall be treated as a strict liability offense regardless of intent.