

**REGULATION GOVERNING CRIME PREVENTION STANDARDS
PURSUANT TO THE NUISANCE ABATEMENT ORDINANCE**

1.0 AUTHORITY

- 1.1 This Regulation is promulgated pursuant to ROA 1994, Sections 11-1-1-1 to -2-12, hereafter the “Nuisance Abatement Ordinance” or “NAO.”
- 1.2 In the event that this Regulation is in conflict with the provisions of the NAO, the provisions of the NAO shall prevail.

2.0 SHORT TITLE

- 2.1 This Regulation may be referred to as the Nuisance Abatement Regulation.

3.0 APPLICABILITY

- 3.1 This Regulation applies to all properties that have been determined to be a public nuisance by the City of Albuquerque’s Abandoned and Dilapidated Abatement Property Team (“ADAPT”).

4.0 DEFINITIONS

- 4.1 **CRIME PREVENTION SPECIALIST.** An employee of the City of Albuquerque who has been trained in Crime Prevention Through Environmental Design (“CPTED”) principles.
- 4.2 **CRIME PREVENTION STANDARDS.** Standards for the design, management and operation of a property or business that aim to deter criminal activity.
- 4.3 **NUISANCE PROPERTY.** A property that has been determined to be a public nuisance by ADAPT due to the amount of criminal activity occurring on the property.

5.0 CRIME PREVENTION STANDARDS

- 5.1 Nuisance properties shall implement the crime prevention standards listed in Exhibit A that are determined to be reasonably related to the criminal activity occurring on the property and may be reasonably effective in deterring such criminal activity.
- 5.2 The determination of what crime prevention standards are reasonably related to the criminal activity occurring on a property and may be reasonably effective in deterring such criminal activity shall be made by a crime prevention specialist.

These regulations shall become effective on _____ upon signature by the Chief Administrative Officer and filing with the City Clerk.

Chief Administrative Officer

Date



Timothy M. Keller
Mayor

City of Albuquerque

ADAPT

Exhibit A



Kristopher Romero
Fire Marshal

Crime Prevention Standards

101.0 DESIGN CONCEPTS – The modification of the fundamental principles of a property’s design to reduce criminal activity.

101.1 ACCESS CONTROL – The selective restriction of access to a property through natural, mechanical and organized means.

101.1.1 Natural Access Control – The physical guidance of people coming and going from a property by the strategic placement of entrances, fences and landscaping. Implementing natural access control onto the property can establish ownership of the property, deter criminal trespassing and increase the perceived risk of conducting criminal activity on the property.

101.1.1.1 Fencing Needed – Perimeter fencing that is not less than six (6) feet in height shall be added to the property. Chain link fencing should only be used temporarily. All permanent fencing should be wrought iron or another type of secure, see through fencing.

101.1.1.2 Fencing Inadequate – The property’s current perimeter fencing shall be replaced with wrought iron fencing or another type of secure, see through fencing not less than six (6) feet in height.

101.1.1.3 Marked Property Lines – Signage, fencing and natural barricades shall be added to the property that are sufficient to establish the property’s perimeter.

101.1.1.4 “No Trespassing” Signage – “No Trespassing” signage that meets the requirements of NMSA 1978, Section 30-14-6 shall be added to the property.

101.1.1.5 Landscaping Design – The property’s landscaping shall be redesigned to limit unintended access to the property and discourage loitering.

101.1.1.6 Entrance Map – A map of the property shall be placed at all entrances to the property to allow emergency responders to quickly identify and respond to individual buildings on the property.

101.1.2 Mechanical Access Control – The physical guidance of people coming and going from a space by operable devices such as gates and locks.

101.1.2.1 Secured Gating Needed – The property shall add secured gating that is able to open, close and restrict access on the property to only authorized individuals.

101.1.2.2 Exterior Deadbolt Needed – All exterior doors on the property shall be locked with deadbolts. Such deadbolts shall have a minimum 1” throw, and the strike plates shall be anchored to the door frame with minimum 3” screws.

101.1.2.3 Shrouded Locks Needed – All traditional padlocks on the property shall be replaced with shrouded locks that are resistant to being cut.

101.1.2.4 Unsecured Roof Access – Rooftop access shall be limited to authorized personnel, and adequate measures shall be taken to prevent unauthorized persons from gaining access to the property’s roof.

101.1.2.5 Unsecured Dumpster Access – Dumpster access shall be limited to authorized personnel, and adequate measures shall be taken to prevent unauthorized persons from gaining access to the property’s dumpster(s).

101.1.3 Organized Access Control – The physical guidance of people coming and going from a space by property ownership, its agents and its employees.

101.1.3.1 Security Guard Needed – There shall be a uniformed security officer present on the property who is lawfully capable of monitoring the property, detaining shoplifters and removing criminal trespassers. The security officer shall be of the level specified by the Crime Prevention Specialist.

101.2 SURVEILLANCE – The ability to see and be seen by others on the property through the use of natural, mechanical and organized means.

101.2.1 Natural Surveillance – The placement of physical structures and features in a way that maximizes visibility.

101.2.1.1 Window Coverage and Obstructions – No more than 10% of a window’s surface shall be covered with signage or otherwise obstructed from view. The windows on the property shall be unobstructed to the point that the interior of the property is visible from the street and the street is visible from the interior of the property.

101.2.1.2 Wide-Angle Mirrors Needed – Wide-Angle mirrors shall be installed at blind corners within the property. Such mirrors shall allow for up to 180 degrees of vision, which will improve visibility throughout the property and reduce accidents at blind angles and doorways.

101.2.1.3 Peephole Needed – Peepholes shall be installed on all residential front doors to allow for up to 180 degrees of vision and the identification of potential threats prior to opening the door.

101.2.2 Mechanical Surveillance – The placement of operable devices in a way that maximizes visibility.

101.2.2.1 Improved Exterior Lighting Needed – The property’s exterior lighting shall provide sufficient lighting on all walkways to allow for facial recognition at night up to thirty (30) feet away. To achieve this, additional lighting shall be installed on the property and/or the property’s current lighting shall be replaced with lighting that it is able to provide a minimum vertical illuminance of 0.25 fc, a minimum horizontal illuminance of 0.5 fc and yield an illuminance uniformity ratio of not more than 15:1 between the most lit and the least lit areas of the property’s walkways. All exterior lighting must comply with the requirements of the City of Albuquerque’s Integrated Development Ordinance, ROA 1994, Chapter 14, Article 16.

101.2.2.2 Surveillance Cameras Needed – Surveillance cameras that monitor and record activity shall be added on the property. Signage indicating that surveillance cameras are present on the property shall also be added.

101.2.2.3 Automated License Plate Reader Needed – Automated license plate readers shall be installed on the property. Such automated license plate readers shall be capable of automatically notifying law enforcement when stolen and/or wanted vehicles are present on the property.

101.2.3 Organized Surveillance – The strategic placement and direction of the personnel throughout the property to maximize their presence and visibility and to increase the perceived risk of conducting criminal activity on the property.

101.2.3.1 Access Visibility and Monitoring – Personnel shall be strategically placed on the property to monitor individuals entering and exiting the property.

101.2.3.2 Monitored Surveillance Cameras Needed – Surveillance cameras on the property shall be monitored in real time to help identify crimes in progress on the property and improve the response time of the property’s security.

101.3 POSITIVE ACTIVITY GENERATORS – Creating a positive use for spaces can attract intended users and discourage unintended users.

101.3.1 Public Displays – Public displays of art or other means of drawing public attention shall be installed in the areas of the property where criminal activity frequently occurs.

101.3.2 Public Activities – Areas for public activities shall be installed in the areas of the property where criminal activity frequently occurs.

102.0 OPERATIONAL CONCEPTS – The modification of the fundamental principles of a property's operation to reduce criminal activity.

102.1 BUSINESS PRACTICES – The implementation of new routines and procedures that govern the operation of a business to reduce criminal activity.

102.1.1 Interior Lighting After Closing – The business' interior shall be illuminated after it is closed to discourage criminal activity and enhance the quality of video surveillance on the property.

102.1.2 Abandoned and Inoperable Vehicles – The property shall be regularly monitored for abandoned and inoperable vehicles. If any such vehicles are found, they shall be removed in accordance with ROA 1994, Section 8-5-2-3.

102.1.3 Secure Exterior Water Spouts When Not in Use – Exterior water spout access shall be limited to authorized personnel, and adequate measures shall be taken to prevent unauthorized persons from gaining access to the property's exterior water spouts.

102.1.4 Secure Exterior Electrical Outlets When Not in Use – Exterior electrical outlet access shall be limited to authorized personnel, and adequate measures shall be taken to prevent unauthorized persons from gaining access to the property's exterior electrical outlets.

102.1.5 Hours of Business – The hours of operation of businesses on the property shall be adjusted so that the businesses do not operate at times where criminal activity is occurring, if the operation of such businesses is contributing to, promoting or otherwise facilitating such criminal activity.

102.1.6 Removal of Problem Individuals – All individuals who have caused problems on the property or have been cited for conducting criminal activity on the property shall be permanently barred from the property. If such individuals are a tenant or occupant of the property, they shall be evicted and permanently barred from the property as expeditiously as allowed by law.

102.2 TENANCY PRACTICES – The implementation of new policies and procedures that govern tenancies to reduce criminal activity.

102.2.1 Background Checks – Background checks shall be performed on all prospective tenants who intend to stay on the property for a period of time greater than twenty-eight (28) days.

102.2.2 Acceptance of Cash Rental Payments – A policy shall be implemented whereby cash rental payments are not accepted. That policy shall require that a credit or debit card be placed on file prior to the renting the room.

102.2.3 Photo IDs – A policy shall be implemented whereby a room will not be rented unless the prospective renter's identity has been verified with a government-issued photo ID, and photocopy of that government-issued photo ID has been made. That policy shall also require that the photocopy of the government-issued photo ID is maintained for a period of not less than ninety (90) days from the date the room is rented.

102.2.4 Tenant Cleanliness Policies – A policy shall be implemented whereby tenants are required to maintain any exterior areas, including balconies, under their control in a clean manner. The policy shall further require that tenants do not place personal objects, including patio furniture, in areas that are not under their control.

102.3 MAINTENANCE – A well-maintained space indicates that a property is owned and cared for by a responsible party. This creates a positive community image that attracts law-abiding individuals and discourages criminal activity.

102.3.1 Lighting Not Maintained – The property's exterior lighting shall be maintained in proper working order so that it can provide sufficient lighting on all walkways to allow for facial recognition at night up to thirty (30) feet away. To achieve this, the inoperable lighting on the property shall be repaired or replaced so that it is able to provide a minimum vertical illuminance of 0.25 fc, a minimum horizontal illuminance of 0.5 fc and yield an illuminance uniformity ratio of not more than 15:1 between the most lit and the least lit areas of the property's walkways. All exterior lighting must comply with the requirements of the City of Albuquerque's Integrated Development Ordinance, ROA 1994, Chapter 14, Article 16.

102.3.2 Fencing Not Maintained – The fencing on the property shall be maintained so that it is able to adequately deter criminal trespassing.

102.3.3 Gating Not Maintained – The gating on the property shall be maintained so that it is able to open, close and lock as intended.

102.3.4 Windows Not Maintained – The windows on the property shall be maintained so that they are able to open, close and lock as intended. Any broken windows shall be repaired and/or replaced.

102.3.5 Boarded Windows – The broken and/or boarded windows on the property shall be repaired or replaced.

- 102.3.6 Surveillance Cameras Not Maintained – The surveillance cameras on the property shall be maintained so that they are able to function as intended and provide adequate surveillance throughout the property.
- 102.3.7 Trees and Shrubbery Not Maintained – All trees on the property shall be trimmed so that their branches do not fall below six (6) feet in height. All shrubbery shall be trimmed so that it does not rise above two (2) feet in height.
- 102.3.8 Weed Overgrowth – It is a violation of ROA 1994, Section 9-8-4 to allow weeds whose height, width or spread is greater than four (4) inches to be present on a property. All such weeds shall be removed from the property, and the property shall be regularly patrolled to locate and remove weeds.
- 102.3.9 Accumulation of Litter – It is a violation of ROA 1994, Section 9-8-4 to allow litter to accumulate on a property. All accumulation of litter shall be removed from the property, and the property shall be regularly patrolled to locate and remove litter.
- 102.3.10 Parking Lot Not Maintained – It is a violation of ROA 1994, Section 14-20-4 to allow broken pavement, unsealed cracks exceeding two (2) feet in length and one (1) inch in width or potholes exceeding one square foot to be present on a commercial property. All such broken pavement, unsealed cracks and potholes on the property shall be repaired, and the property shall be regularly patrolled to locate and remedy all such conditions. Additionally, all parking spaces should be clearly marked and maintained, including the requisite signage.
- 102.3.11 Graffiti – All unauthorized graffiti shall be removed from the property, and the property shall be regularly patrolled to locate and remove graffiti.
- 102.3.12 Illuminated Signage Not Maintained – The illuminated signage on the property shall be maintained so that it is able to function as intended.
- 102.3.13 Landscaping Not Maintained – The property’s landscaping shall be maintained in a manner that creates a positive community image and does not disrupt the critical areas of natural surveillance.
- 102.3.14 Walkway and Parking Lot Cleanliness – The walkways and parking lots on the property shall be maintained in a clean manner. All stains shall be removed.