



Administration of a Code Enforcement Hearing

1. The Code Officer prepares a case for hearing by creating an item in Agenda Quick and forwarding it to the Code Enforcement Clerk.
 - a. Standard procedure is to assign the case to the next available hearing, with several exceptions.
 - b. Due to recent code changes, all citations – code enforcement, animal control, parking and alarm violations – are scheduled before the Special Magistrate.
 - c. Any case in which we receive a notice to appear from an attorney is scheduled before a Special Magistrate.
 - d. For consistency due to recent legal challenges, all short term rentals are scheduled before Special Magistrate Ross.
 - e. Any special cases that require a special hearing and usually involve intense legal issues are placed before a Special Magistrate.
 - f. TIME REQUIRED – Approximately 10 minutes per case.
2. The Code Enforcement Clerk takes the following actions:
 - a. Send out Notice of Hearing:
 - i. Check public records to ensure the property has not been sold nor had foreclosure action initiated since the start of the case.
 - ii. Print out the Notice of Hearing, which is mailed certified mail, along with a copy of the original Notice of Violation to the property owner and all interested parties.
 - iii. TIME REQUIRED: Approximately 15 minutes per case.
 - b. 10 days prior to the hearing, if the green card is not returned signed, postings are prepared.
 - i. A notice of posting is printed, signed by the Code Officer and notarized by the Code Enforcement Clerk.
 1. The signed notice and copy of the original Notice of Violation is placed in a plastic bag and posted at the property.
 2. A copy of the signed notice and copy of the Notice of Violation is posted in the lobby of City Hall.
 3. A copy of the signed notice is placed in the file.
 - ii. A notice of mailing is printed, signed by the Code Officer and notarized by the Code Enforcement Clerk.
 1. The signed notice and a copy of the original Notice of Violation is mailed regular mail to the property owner and all interested parties.

2. A copy of the signed notice is placed in the file.
 - iii. TIME REQUIRED: Approximately 15 minutes per case.
3. 1 week prior to the hearing, the Code Enforcement Manager reviews all cases scheduled for hearing and approves agenda.
 - a. TIME REQUIRED: Approximately 30 – 45 minutes.
4. The Thursday before the hearing, the Code Enforcement Clerk finalizes the agenda and publishes it via Agenda Quick.
 - a. TIME REQUIRED: Approximately 5 minutes per case to review for spelling, completeness and formatting.
5. The day before the hearing staff meets to review the cases scheduled for hearing:
 - a. For Special Magistrate hearings, Assistant City Attorney Iola Mosley attends the pre-hearing meeting and reviews all the case files.
 - b. For Code Enforcement Board, there is no legal review – staff only.
 - c. Cases that have complied prior to the hearing are identified.
 - d. TIME REQUIRED: Approximately 1 hour.
6. Hearing Day
 - a. Staff prepares chambers and meets with respondents prior to the hearing in an attempt to have a stipulation signed or to review the hearing procedures.
 - i. TIME REQUIRED: Approximately 20 minutes.
 - b. Special Magistrate Blandino's average time (including special hearings) per case: 7.51 minutes per case.
 - c. Special Magistrate Ross's average time (including special hearings) per case: 13.86 minutes per case.
 - d. Code Enforcement Board's average time (including Board discussion time) per case: 19.33 minutes per case.
 - i. TIME REQUIRED: Please refer to the attached chart showing average number of cases and time required per hearing.
7. Code Enforcement Clerk prepares Orders for signature
 - a. TIME REQUIRED – Average 10 minutes per case.
8. Code Enforcement Clerk types the minutes
 - a. TIME REQUIRED – Varies greatly – Summary minutes are typed. Estimate the time of the hearing plus 1 hour, which includes any playback, review, formatting by the Code Enforcement Clerk and review and correction by the Code Compliance Manager.