

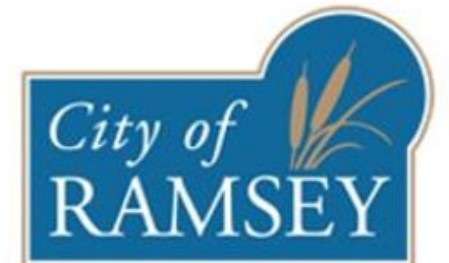
CODE ENFORCEMENT PROGRAM OVERVIEW

City Council

POLICY QUESTION:

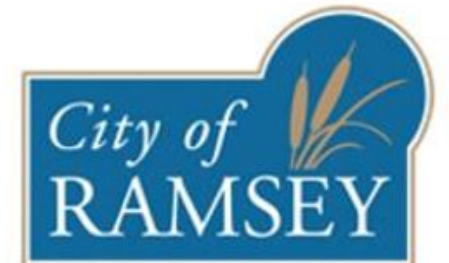
WHAT ARE WE TRYING TO ACHIEVE?

- Based on feedback from residents:
 - IS OUR CODE ENFORCEMENT PROCESS INEFFECTIVE AND IN NEED OF UPDATE?
- Staff Recommended Scope of Discussion
 - Enforcement of Zoning and Building Code Violations
 - Home Based Businesses
 - Blighted Buildings and Accessory Buildings
 - Hazardous Building
 - Enforcement in Commercial Districts
 - Enforcement of Routine Violations Adequate
 - Long Grass
 - Motor Vehicles

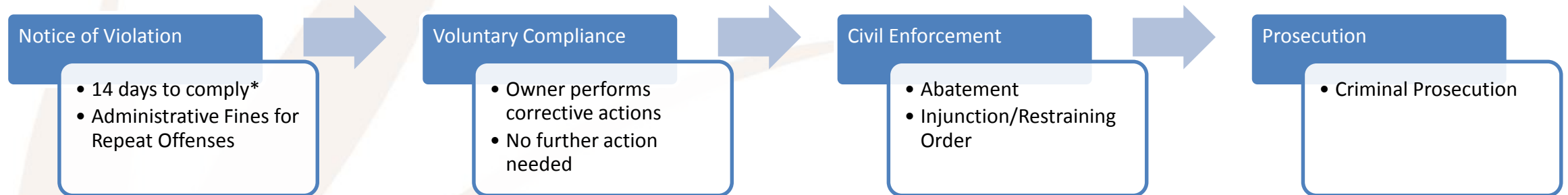


SCOPE OF POLICY REVIEW

- Policy Issue or Enforcement Issue?
- Strategic Priorities
 - A Balance of Rural Character and Urban Growth
 - Smart, Citizen-Focused Government
 - Financial Stability
- Commercial Enforcement vs. Residential Enforcement
- Do standards need to change?
 - Is City Code Effective?
 - Is City Code Too Restrictive?
- Does the fine structure need to change?
- Cost and Budget Implications of Abatement?
- Dedicated Code Enforcement Coordinator?
 - Future Budget Impact

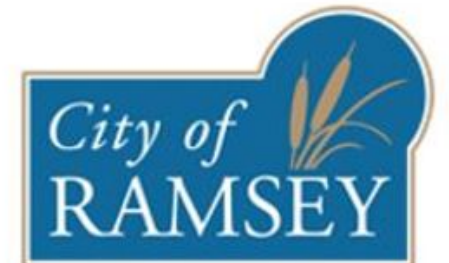


CODE ENFORCEMENT STANDARD PROCESS



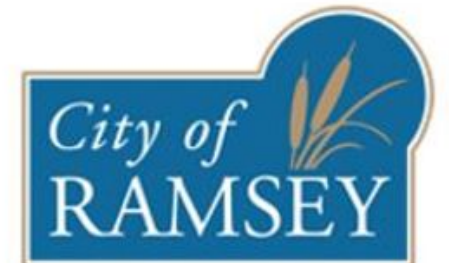
CIVIL ENFORCEMENT

- City issues Notice of Violations
- No impact to Criminal Record
- No potential for arrest for outstanding warrant
- Can be lengthy if no action by owner.
- Can be costly if no action by owner.
- “So What?” – You’re a Planner, not a Police Officer
- Other Options (avoiding the “So What?”)
 - Injunctions
 - Restraining Orders
 - Both have limited application



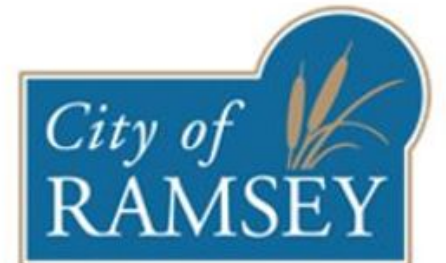
ABATEMENT – NEXT LEVEL CIVIL ENFORCEMENT

- City removes the issue
- City incurs initial costs, costly
 - Assesses costs to property
- Removing items related to home-based businesses
 - Income stream
- Not effective for Blighted Structures
 - City doesn't want to be a home improvement contractor
 - Costly, even though costs are eventually recovered
- Statutory Authority for Hazardous Structures

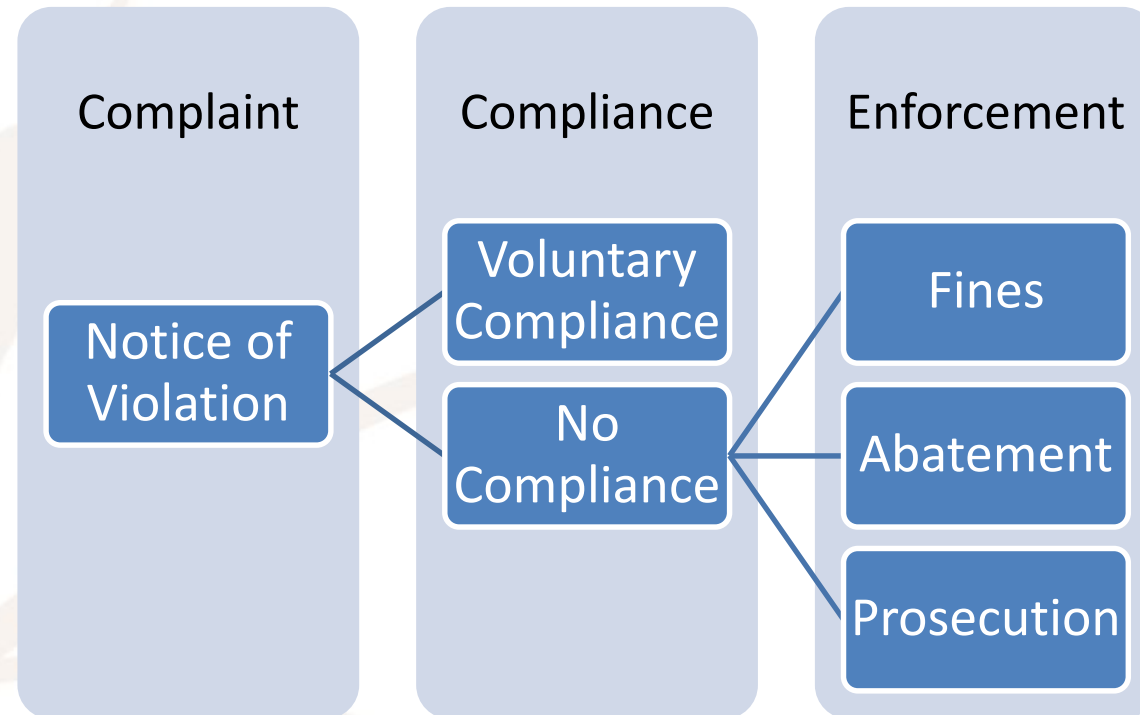


CRIMINAL PROSECUTION

- Quick direction from District Court
- Misdemeanor on record
- Potential for arrest for outstanding warrant
 - Many nuisance violations are per
- Mixed success
- “So What?” – I’ll just pay the fine, but not correct the issue

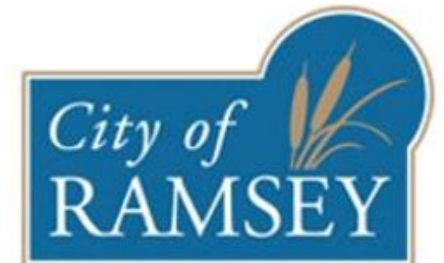


ESCALATING ENFORCEMENT ACTION: HOW QUICKLY SHOULD WE CLIMB THE LADDER?



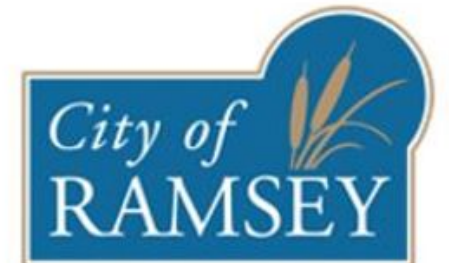
CURRENT ABATEMENT POLICY

Abatement Authorized: “Level 1 Violations” (not official designation)	Abatement Not Authorized - Proceed to Criminal Prosecution: “Level 2 Violations” (not official designation)
Long Grass	Home Occupations
Inoperable Vehicles	Blighted (but safe) Buildings
Outdoor Storage	
Hazardous Structures; Not fit for human occupancy	



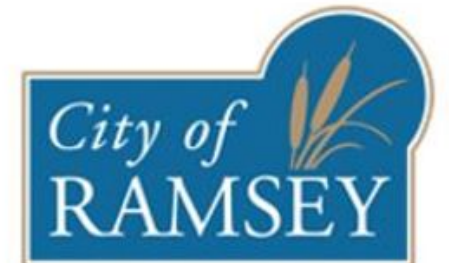
SUGGESTED EXTENSION POLICY: LEVEL 2 VIOLATIONS

Extension Request	Required Authorization
1 st 14 Day Extension	Case Manager
2 nd 14 Day Extension	Case Manager
3 rd 14 Day Extension	Department Head
4 th 14 Day Extension	City Administrator
Additional Extensions	City Council



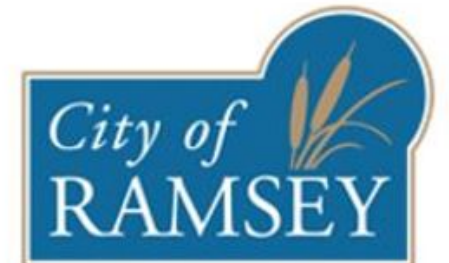
CASE STUDY A: MOTOR VEHICLE REPAIR IN RESIDENTIAL DISTRICT

- Multiple Vehicles, not all owned by Property Owners
 - “Friends and Family”
- Some are inoperable, some are operable
- Rotating Stock



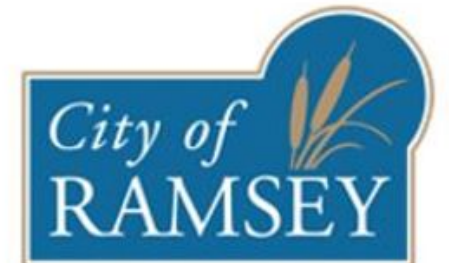
CASE STUDY B: LANDSCAPE CONTRACTOR IN RESIDENTIAL DISTRICT

- Commercial Vehicles
- Outside Storage
- Non-Resident Employees
- Potential excessive traffic
- Numerous complaints



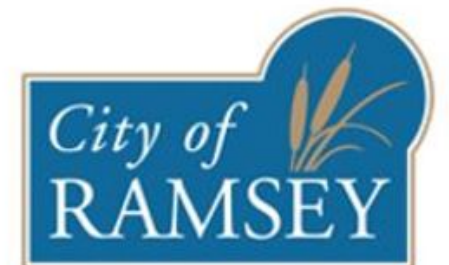
CASE STUDY C: TEMPORARY SIGNS IN BUSINESS DISTRICT

- Repeat Violator
- Used majority of the year; same sign, changing message
- Popular destination



CASE STUDY D: OUTSIDE STORAGE AND PARKING IN COMMERCIAL/INDUSTRIAL DISTRICT

- Reputable business
- Large employer
- Parking on unimproved surface
- Exceeding outside storage allowances and screening



HOME BASED BUSINESS EXAMPLE (HOME OCCUPATIONS)

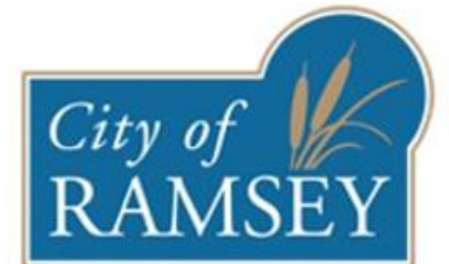


TEMPORARY SIGN EXAMPLE

OK FOR A TEMPORARY PERIOD OF TIME



OTHER TEMPORARY SIGNS



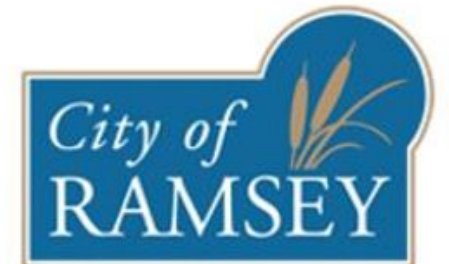
INOPERABLE VEHICLE EXAMPLE



BLIGHTED BUILDING EXAMPLE



TEMPORARY ACCESSORY STRUCTURE EXAMPLE



FENCE EXAMPLE



- Other fence issues
 - Maintenance and Upkeep
 - Fences in wetlands

POLICY DIRECTION

Violation Type	Council Direction
Home-Based Businesses	Abate or Prosecute or Seek Council Authorization?
Hazardous Structures	Abate or Prosecute or Seek Council Authorization?
Temporary Accessory Structures	Abate or Prosecute or Seek Council Authorization?
Temporary Signs	Abate or Prosecute or Seek Council Authorization?
Commercial Districts	Abate or Prosecute or Seek Council Authorization? Refine Notice of Violation?
Administrative Fines	Use more regularly?

