

# Board Inquiry Form

Board Member	
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Inquiry Number: 10

Department: Planning & Development

Date: 6/7/2013

Page(s) of Budget Book: D- 163, 164, 168

**Request/Question:** Budget Book page D-163 mentions "streamlining" of code enforcement. What will be "streamlined"?

D-168 reflects a .57 reduction in code enforcement that is not listed as a service level impact. What will the impact be of that reduction and how can that be justified with so many complaints.

Response Prepared by: Glen Russell, Joe Toney

**Response:**

*D-163 mentions "streamlining" of code enforcement. What will be "streamlined"?*

- Amend Chapters 35-1, 35-2 and Article II to reclassify violations so that they are not subject to the "infraction" fining structure. Under the Government Code, infractions may only be fined per the \$100/\$200/\$500 fining structure. One time violations of Chapter 35 may only be fined a maximum of \$100 for the first violation, \$200 for the second, and \$500 for the third within that same year. This amendment would allow fines to increase up to \$1000 per one-time violation which are available for other violations that are not specifically deemed an "infraction" under their codes. This increased fine will be a deterrent for "one-time" violations.
- Amend Chapters 10, 14, 14C and 25 to provide an appeal process for staff costs on enforcement related actions. Chapter 35 allows appeals of staff costs while these other chapters do not. This will provide fair and consistent treatment of owners that violated both zoning and building codes.
- Amend Chapters 10, 14, 14C, 25, and 35 to allow for alternate method to recover staff costs that have been deemed final. Currently, there is no real ability to collect on outstanding costs if the violator chooses to ignore invoices for staff costs. This will allow P&D to recover costs more effectively.
- Amend Chapter 35 to allow recordation of a Notice of Non-Compliance against properties where the owner is non-responsive to enforcement efforts. This will provide prospective buyers of properties with violations, increasing the likelihood that the violation will be resolved.

*D-168 reflects a .57 reduction in code enforcement that is not listed as a service level impact. What will the impact be of that reduction" and how can that be justified with so many complaints.*

- The reduction in staff mirrors reduced volume of new enforcement cases resulting in no impact to service levels. Code complaints have declined by 40% from two years ago. Our case load is lower than it has been each of the past five years. While we do have some significant and challenging code cases open and underway, new reports are down.