

~ Workshop Overview~

Discuss a range of possible tools and initiatives to enhance City's ability to preserve and enhance neighborhoods and address neglected property.

Today's main topics:

- Adding property maintenance/conservation provisions to S.M.C.
- Strengthening the code enforcement process
- Ability to address problems in backyards
- Vacant property registration



~ Other Possible Options & Initiatives ~

- Coordinated multi-departmental and geographically targeted code enforcement initiatives.
- ☐ Targeted CIP Investments
- More resources directed to housing rehabilitation, including more of City's CDBG funds.
- ☐ Enhanced right-of-way and public property maintenance.



~ Other Possible Options & Initiatives ~

- □ Vehicles in the public right-of-way.
- ☐ Additional use of volunteers e.g., for weeds
- Greater enforcement of building code violations.
- ☐ Greater fire code enforcement (e.g., defensible space, storage of flammable materials).



~ Property Maintenance Code ~

| In | e City's code enforcement staff work primarily with: |
|----|-------------------------------------------------------|
| | Title 20 (Zoning and Land Use); |
| | Title 7.16 (Health and Welfare – Nuisances); |
| | To a limited degree, with Title 5 (Business Licenses, |
| | Taxes and Regulations) and Title 12.16 (Sidewalk |
| | Construction and Repair) |



~ Property Maintenance Code ~

The City receives many complaints about the condition of properties that do not constitute violations of City codes. Common "un-actionable" complaints include:

- Landscaping
- Vehicle storage
- Condition and appearance of structures

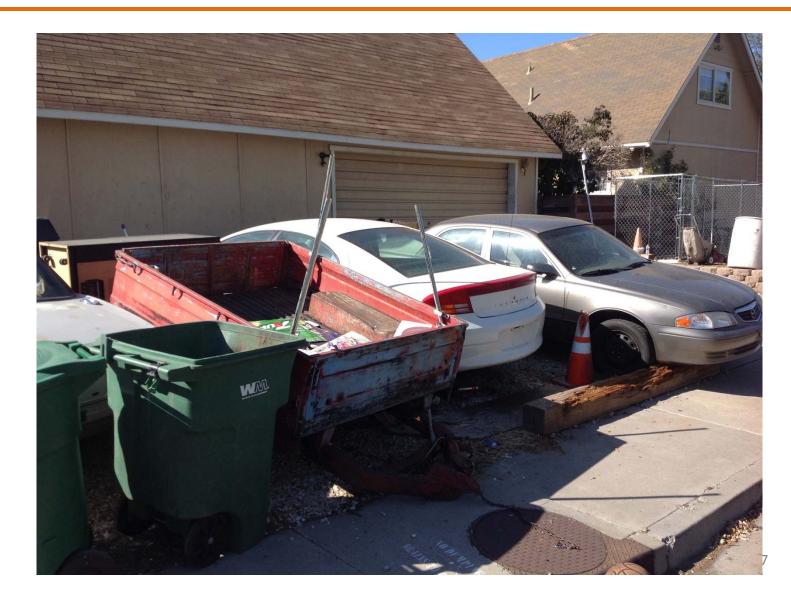




Lack of front yard landscaping



Vehicle storage in a side yard

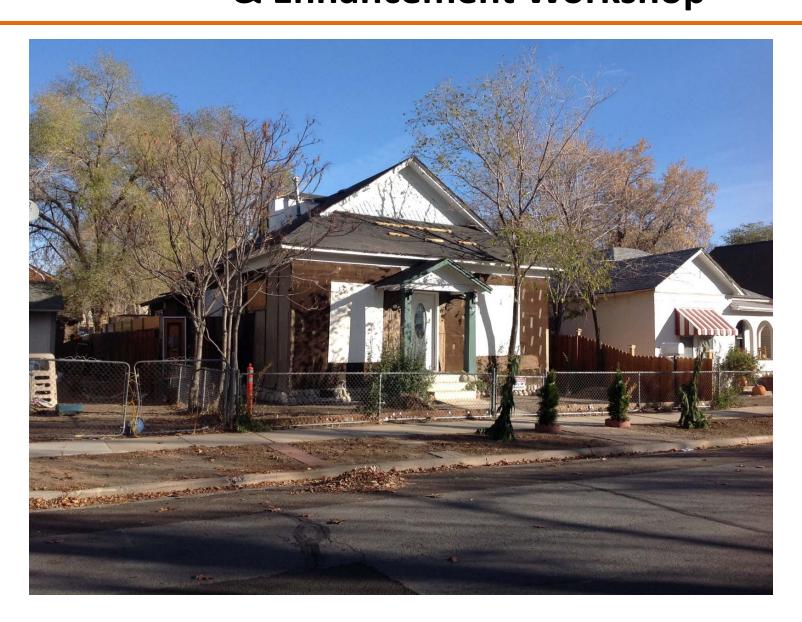






Boarded-up windows





Unfinished front façade



Partial foundation for a structure





~ Property Maintenance Code ~

| cor ob | nservation" or "property maintenance" codes that ligate property owners to meet certain maintenance and and range from: |
|-----------|-------------------------------------------------------------------------------------------------------------------------|
| | Wholesale adoption of the model International Property Maintenance code (e.g., Henderson, San Jose) |
| | Custom property maintenance code (e.g., Sacramento & Redding, CA) |
| | Adding selected property maintenance requirements to the S.M.C. to address the most common concerns and complaints. |



| ~ | Property Maintenance Code: Things to Consider ~ |
|---|--------------------------------------------------------------------------------------------------------------------------------------|
| | City code enforcement officers would gain ability to address additional complaints and problems . |
| | Adding property maintenance requirements means that conditions that are not currently a code violation would become code violations. |
| | Need <u>community</u> buy-in. |
| | Allowance for hardship cases (i.e., lack of financial capacity to correct violations)? |



- ~ Property Maintenance Code: Things to Consider ~
- Differentiate between owner-occupied, vacant and rental properties?
- More "actionable" code complaints and violations would necessitate more code enforcement resources to respond effectively



~ Strengthening the Code Enforcement Process ~

| <u>Th</u> | e code enforcement process: |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | Complaint investigated to determine if a violation exists. |
| | Identify and contact property owner (phone, in person, by letter) to explain violations and provide timeframe to correct. Second and third letters may follow. |
| | Violation notices are sometimes posted at the property. |
| | A high percentage of property owners respond by correcting the code violations. |
| | Certain cases absorb disproportionate staff resources. Last few years many such cases involve vacant homes or those in foreclosure process. |





Violation Notice sticker



~ Strengthening the Code Enforcement Process ~

Options when owner fails to correct violation:

- File a criminal complaint.
- Directly abate the problem and lien the property for the associated costs. This applies only in those instances where the violation poses a threat to the public (e.g., a vacant and dangerous unsecured building).



~ Strengthening the Code Enforcement Process ~

| <u>Ре</u> | rmitting code enforcement officers to issue citations: |
|-----------|--------------------------------------------------------------------------------------------|
| | To increase property owner compliance and code enforcement officers' efficiency. |
| | Criminal versus civil citations |
| | Need an appeal mechanism such as a hearing officer or hearing board before judicial review |
| | Impacts City prosecutors and Municipal Court. |



~ Backyards ~

- Currently, City's code enforcement officers do not address complaints regarding out-of public view conditions (e.g., trash and debris) in the backyards of properties.
- ☐ Fourth Amendment considerations
- Doing more to address backyard concerns likely requires cooperation of other agencies such as District Health and more aggressive enforcement of building and fire codes.



~ Vacant Property Registration ~

- Intent of these programs is to address problems with properties, primarily single family homes, caught up in loan defaults and foreclosure processes.
- Neighborhoods suffer from the extended presence of neglected, increasingly unattractive properties that detract from their neighbors or are outright nuisances.



~ Vacant Property Registration ~

Some communities, including Las Vegas, have adopted ordinances that:

- Require mortgagees upon issuance of a notice of default – to register the property with local government.
- Require the mortgagee to pay a registration fee.
- Makes the mortgagee responsible for regularly inspecting and maintaining the property until it is no longer vacant.



~ Vacant Property Registration ~

| • | | . • | | | |
|------|----|------|-----|----|-----------|
| Cons | Id | lera | ati | or | IS |

- Program design and ordinance adoptionSelf-administer or contract administration out
- Pending court challenges
- Mortgagee techniques to avoid responsibility for vacant properties