

Neighborhood Preservation & Enhancement Workshop



~ 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**

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~ 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.

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~ 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).

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~ Property Maintenance Code ~

The 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)

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~ 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

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**Lack of front
yard
landscaping**

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Vehicle
storage
in a
side
yard



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**Boarded-up
windows**

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**Unfinished
front
façade**



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**Partial
foundation
for a
structure**



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~ Property Maintenance Code ~

Many jurisdictions have adopted “property conservation” or “property maintenance” codes that obligate property owners to meet certain maintenance standards. Options are varied 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.

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~ 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 community buy-in.
- Allowance for hardship cases (i.e., lack of financial capacity to correct violations)?

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~ 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

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~ Strengthening the Code Enforcement Process ~

The 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.

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Violation
Notice
sticker

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~ 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).

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~ Strengthening the Code Enforcement Process ~

Permitting 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.

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~ 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.

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~ 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.

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~ 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.

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~ Vacant Property Registration ~

Considerations

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