



AGENDA ITEM REQUEST FORM

Development Services

Department Submitting Request

Jeff Bowman *[Signature]*

Zoning/Code Supervisor *[Signature]*

REGULAR
COMMISSION MTG
Meeting Dates - 7:00 PM

DEADLINE TO
Town Clerk

ROUNDTABLE
MEETING
Meeting Dates - 7:00 PM

DEADLINE TO
Town Clerk

- June 28, 2011
- July 26, 2011

- June 10 (5:00 pm)
- July 15 (5:00 pm)

- June 14, 2011**
- July 12, 2011

- June 3 (5:00 pm)
- July 1 (5:00 pm)

FY2011 DESIGNATED HIGH PRIORITY ITEM

SUBJECT TITLE: Code Enforcement Priorities

EXPLANATION:

Background

At the April 12, 2011 Commission Roundtable meeting the Commission indicated a desire for more code enforcement activity. Staff advised that we had begun a hotel code enforcement program and that there was not enough staff to address all code violations, so we were working on a proposed list that prioritizes Code issues that we feel we should devote our limited code enforcement resources to address. Additionally, staff is now conducting inspections with the Fire Marshal on all buildings (Commercial, Hotel & Motel, and Multifamily) requiring annual inspections, which will allow us to stay on top of hazardous conditions on private property.

Only 1½ Code Enforcement Officer positions are budgeted, however, one position had been vacant since January and the other position is frequently pulled into other matters (special events permitting & monitoring, research on number of living units for the new sewer billing approach, etc.). Because Code issues are becoming more of a priority, the Town Manager converted the vacant part-time Code Officer position into a full time Code & Zoning Supervisor position for the remainder of the fiscal year. By doing so, we are able to provide the concentrated attention on improving the commercial and hospitality district. That position is being funded by the vacant Development Services Director position which we have downgraded to a Planner position and are currently recruiting to fill. Therefore, come October 1, we will be back to 1 ½ Code Officer positions unless in the budget process it is determined the Commission wishes to continue a complement of two staff positions assigned to code enforcement.

Code Enforcement handles all types of challenging issues on a daily basis. A strong Code Enforcement program has been shown to increase neighborhood livability, reduce crime, and improve property values. A community of well-maintained properties can enhance property values, increase civic pride, and improve the quality of life for the residents of the Town. In contrast, poorly maintained properties can negatively affect the neighborhoods and contribute to crime as well as health and safety hazards.

There are three primary ways code issues are identified are:

1. Code Officer-generated code cases.
2. Community identified issues that Code follows up on. Staff encourages public participation in improving the community through the Citizen Contact Program. How the program works it that any member of the public may fill out a form outlining their concerns and submit it to the Town. These concerns may be relevant to possible code violations or safety concerns such as broken sidewalk, pot hole in street, need



repairs in the park, etc. Staff currently investigates all code-related items (including anonymous calls of emails).

- 3. During certain times of the year, Code staff will conduct outreach to all properties that have a certain type of code issue/s. For example, right now we are working with property owners that may have clear sight triangle problems.

Staff has processed 852 Code violations to date in this fiscal year, 91 of which were subsequently processed through the Towns Magistrate.

Recommended Priorities

In **Exhibit 1**, staff has generated a list of code issues which do not include all code matters that could arise and listed them in order of priority as we see them, from highest priority to lowest. It is our intent that staff will deal with higher priority code violations first and they will take precedent over less significant violations. We also would proactively look for high priority code violations.

We propose that violations be prioritized as follows:

High Priorities: Violations that constitute an immediate or readily apparent threat to health, safety, the environment, and the Town's economy. (See attached Exhibit 1 for examples of such violations.) High priority violations will be attended to immediately or as soon as feasibly possible.

It should be noted that Fire Code violations (e.g. non-functioning or missing smoke detectors, alarm systems, fire sprinkler systems, etc.) fall under the purview of the Fire Marshall and are not listed here.

Medium Priorities: Violations that, if left uncorrected, have the potential to threaten health, safety, or the environment, and violations of a significant adverse impact on Quality of Life. Examples of these types of violations are also contained in Exhibit 1.

Other Priorities: Conditions which are unsightly, negatively affect the appearance of the neighborhood or business districts, zoning code violations, and others. See Exhibit 1 for examples.

Once the Commission establishes the priorities, staff will investigate complaints according to those priorities and the workload of our proactive efforts.

RECOMMENDATION: The Commission is requested to review the attached priority list (**Exhibit 1**) and adjust priorities as appropriate.

Exhibit 1: Code Priority List

Reviewed by Town Attorney
 Yes No

Town Manager Initials CA

High Priority	Medium Priorities	Other Priorities
<ol style="list-style-type: none"> 1. Dangerous Dogs 2. Discarded refrigerators 3. Emergency weather inspections (i.e. removal of sidewalk cafe' and sidewalk furniture, storage containers such as PODS, the securing of construction sites etc.) 4. Exposed electrical wires 5. Inadequate barriers for swimming pools/spas and unsanitary pools/spas 6. Infestation of rodents or insects or pests. 7. Leaking sewage 8. Mold and mildew 9. Uninhabitable living conditions 10. Unstable/Unsafe structures and signs. 11. Vacant unsecured properties. 12. Hazardous conditions. 	<ol style="list-style-type: none"> 13. Accumulation of trash and debris 14. Animal feces 15. Disabled access 16. Encroachments in the public right-of-way that are hazardous or block visibility 17. Graffiti 18. Illegal dumping 19. No building, demolition or right-of-way permit for construction (building, electrical, plumbing, and mechanical). 20. Non-permitted grading of the beaches and public or private property. 21. Overgrown hedges or trees that are hazardous or block visibility 22. Sea Turtle - lighting 23. Substandard housing conditions 24. Unlawful dumping of hazardous material into the ground or the Towns storm drains 25. Water restriction violations 26. Unmaintained buildings (i.e. chipping/peeling paint, rotten wood, unmaintained gutters, torn screening) 	<ol style="list-style-type: none"> 27. Animals on the Beach 28. Commercial vehicles, recreational vehicles, and boats on private property 29. Dog-at-large 30. Dead vegetation or grass on property 31. Garage sales – no permits 32. Garages illegally converted to living space 33. Hotel/Apartment/Condominium conversions 34. Illegal uses 35. Inoperable vehicles 36. News racks 37. No Business Tax Receipt 38. Noise disturbances (i.e. construction prior to 8:00am or after 5:30pm) 39. Non-permitted accessory structures 40. Odors 41. Outdoor merchandise displays 42. Overgrown properties 43. Removal of required landscaping 44. Setback violations 45. Signs 46. Subdividing of dwelling units 47. Trash cans left out after pick-up 48. Tree removal without a permit 49. Vacation rentals 50. Vehicle repair in residential areas 51. Unlicensed contractors performing work 52. Special event violations and inspections

High Priorities: Violations of an immediate or readily apparent threat to health, safety, or environmental.

Medium Priorities: Violations that, if left uncorrected, have the potential to threaten health, safety, or the environment, and violations of a significant adverse impact on Quality of Life.