

On March 20, 2020, City Manager Gregory Rose declared a State of Emergency for the City of University City due to the COVID-19 Pandemic. Due to the ongoing efforts to limit the spread of the COVID-19 virus, the November 23, 2020 meeting will be conducted via videoconference.

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**NOTICE OF STUDY SESSION  
Code Enforcement Update  
VIA VIDEOCONFERENCE  
November 23, 2020 at 5:30 p.m.**

**AGENDA**

Requested by the City Manager

1. Meeting called to order
2. Changes to Regular Agenda
3. Code Enforcement Update
4. Adjournment

**Members of the public can view the meeting by one of the following:**

**Webinar** via the link below:

<https://us02web.zoom.us/j/81452729871?pwd=ZHprT05FeHFjd3R0Tkx1UUhMMlpBdz09>

Passcode: 685586

**Live Stream via YouTube:**

[https://www.youtube.com/channel/UCyN1EJ\\_-Q22918E9EZimWoQ](https://www.youtube.com/channel/UCyN1EJ_-Q22918E9EZimWoQ)

**Audio Only Call**

Or iPhone one-tap :

US: +13017158592,,81452729871# or +13126266799,,81452729871#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or  
+1 346 248 7799 or +1 669 900 6833 or 888 788 0099 (Toll Free) or 877 853 5247 (Toll Free)

Webinar ID: 814 5272 9871

International numbers available: <https://us02web.zoom.us/j/81452729871>

Posted this 20<sup>th</sup> day of November, 2020.

LaRette Reese  
City Clerk





## Council Agenda Item Cover

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**MEETING DATE:** November 23, 2020

**AGENDA ITEM TITLE:** Code Enforcement Update

**AGENDA SECTION:** City Council Study Session

**CAN THIS ITEM BE RESCHEDULED? :** Yes

**PREPARED/SUBMITTED BY:** Clifford Cross, Director of Planning and Development

### **BACKGROUND REVIEW:**

At an upcoming City Council Study Session, the Council will be provided an update pertaining to the Code Enforcement Division that operates under the Planning & Development Department. Specifically, staff intends to provide City Council an update pertaining to our current operations and staff's thoughts on how to move forward.

The primary purpose, of the study session, is to provide City Council an update on a strategic code enforcement plan that could be utilized as part of a Comprehensive Code Enforcement and Property Maintenance program. The ultimate goal is to obtain feedback and address any questions that the City Council may have concerning a prospective program. Prior to the Study Session City Council members are encouraged to review the associated "Strategic Code Enforcement Plan Summary" pertaining to the discussion.

### **Attachments:**

1. Strategic Code Enforcement Plan Summary
2. PowerPoint Presentation

## **Strategic Code Enforcement Plan Summary**

### **OVERVIEW**

The strategic Code Enforcement plan is a set of recommendations for updating University City's current code enforcement policies and procedures. This is part of the larger goal of investing in neighborhoods to insure quality housing and safe neighborhoods for all U City residents.

This Plan outlines a series of proposed updates to the current set of policies and procedures. These updates are intended to support the goal of code enforcement which is compliance with codes and maintenance of housing, commercial properties, and neighborhoods throughout University City. The ultimate goal is a high quality of life for all U City residents.

According to the 2005 Comprehensive Plan Update, "the lack of routine and critical maintenance to some of the housing stock is the most critical housing concern in University City" (p. 31). Maintenance of the existing housing stock is critical to quality of life in the community. Much of the Code Enforcement activities are focused on inspecting homes and bringing them into compliance to insure the safety of the residents and proper maintenance of the buildings. In the long run, as U City develops additional housing resources, enforcement and support will go hand in hand to support healthy neighborhoods and a high quality of life.

### **METHODOLOGY**

An early step in this process is to bring together the Code Enforcement Division to review this draft plan, get input, and gather data. The initial meeting would be gathering information on current practices and the state of the division. From there, CE officers could review the current draft plan and give feedback on the proposed changes.

The CE staff's perspective on the effectiveness of code enforcement in U City is critical to understanding the specific challenges confronting officers in this community. It is also essential to have their buy-in and insure that the division is a cohesive team who are all on the same page and understand the direction of the strategic plan.

From this input, as well as further data gathering from P&Z staff, staff will refine the plan and set priorities – what are the immediate steps to improving efficiency, and what are the levels of priority for the different action steps. Further data gathering would include statistics on code enforcement cases over the previous 5 years, parcel survey data, setting up a GIS database to link enforcement cases with locations, and further research on costs of implementation.

## **CODE ENFORCEMENT DIVISION:**

Division Head (Tim) – Tim assigns cases, handles any off-hour condemnations, is involved in nuisance property demolition process, staffs the Police Focus Group, and is point-of-contact for public inquiries, disputes, etc.

### **Code Enforcement Officers (5/6)**

Animal Control (Jim) – In addition to normal compliance (exterior violations and occupancy inspections, Jim Blizzard handles animal control calls

2 Exterior Violations Specialists (Rachel, Dennis) – In addition to occupancy inspections and normal violations, Rachel and Dennis do proactive code enforcement for exterior violations

No Planning Enforcement – Cliff currently addresses this. Was previously responsibility of Zoning Administrator. This position addresses planning and zoning enforcement (signs, outdoor dining, CUP compliance, etc.), as well as some code compliance and occupancy inspections. In addition, this position will be involved in long-range planning and how code enforcement and housing programs are related and respond the Comp Plan.

All CE Officers perform Occupancy Inspections on newly purchased homeowner occupied homes and rental homes. The inspection is required upon sale of a home as well as change of tenancy in a rental property.

### **Current Policies, Procedures**

Current Code Enforcement is based on City Code Chapters 200 (especially the Property Maintenance Code, Chapter 240), as well as the Land Use Code (Chapter 400). University City has adopted the International Property Maintenance Code of 2012.

There are currently two main jobs for Code Enforcement officers; Occupancy inspections and code enforcement.

### **Occupancy Inspections:**

Code Enforcement generally performs approximately 4925 occupancy inspections over a 12-month time frame. This is estimated to take up 70-75% of their time. Many of these inspections are on commercial properties for rent whenever a new tenant is introduced. This takes a large amount of time and in some cases may be redundant. This issue of the time taken to do occupancy inspections could be addressed through the rental licensing process with the Landlord Grading System or incentive program.

**Code Enforcement:**

Reactive Code Enforcement: This is when inspectors receive a complaint and follow up with an inspection. If the complaint was valid, a notice is issued, giving the property owner a certain number of days to come into compliance. If they fail to come into compliance (without any extension given), a citation is issued to go to housing court.

Proactive Code Enforcement: This is when an inspector identifies a code violation during a patrol. Officers are assigned a geographic portion of the City in order to become aware of violations that may occur within that area. Once the violation is observed, a citation is issued, and the procedure is the same as above.

Animal Control: CE Officers currently handle animal control calls during business hours. This is a service the County offers and is time-consuming. It may be worth exploring options to outsource this in order to free up extra hours for proactive CE.

Zoning Enforcement: Enforcement of all zoning codes as applicable including signs, outdoor dining permits, etc. This enforcement can be done by the zoning administrator. It is currently split between the Building Division and the CE Division.

Other Code Enforcement: Public Works is involved in enforcing stormwater and runoff issues when they involve the public right-of-way. Clarification is needed as to who is responsible for enforcement and citation in these cases.

**Action Steps**

**The Constellation of Strategic Code Enforcement**

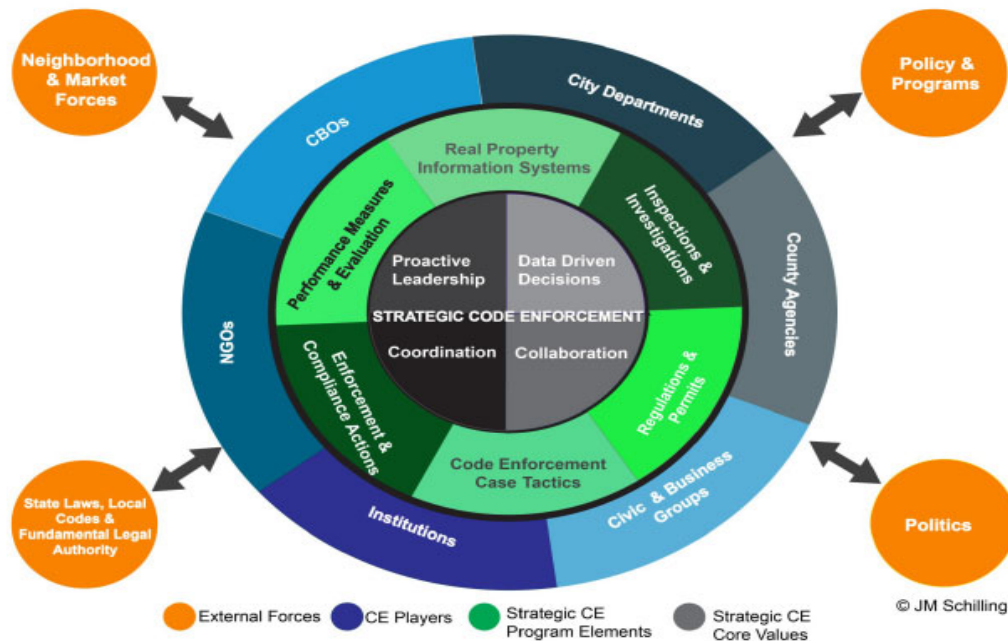


Figure 5: The Constellation of Strategic Code Enforcement

## 1. COMMUNITY OUTREACH

Code officers are often faced with situations in which a simple citation will not suffice. For example, elderly or disabled homeowners may be unable to properly maintain their home due to physical or financial constraints. They may even be mentally or physically unfit to live on their own any longer. Other families with financial constraints may have difficulty paying for more costly repairs such as tree removal or tuckpointing.

## 2. RESIDENTIAL

The property maintenance and zoning codes are intended broadly to maintain a standard of quality for residents. The goal of code enforcement is to achieve compliance so that all residents and visitors to University City can enjoy the City's neighborhoods, commercial, and public districts, and that this quality is maintained over time. The goal is NOT punitive or raising funds. The City seeks to bring owners into compliance. In some cases, owners may be financially or physically incapable of abating the issues they are cited for. In these cases, the City should attempt to make resources available to assist these homeowners.

Rental properties have increased in the City, and the enforcement strategies for rentals may be different than those for homeowners.

## 3. DATABASE

### Parcel Survey of University City

Using volunteers and staff, and with the Loveland Technology app, University City will perform a parcel survey to determine the conditions of all parcels (starting in Ward 3). This information would be entered into U City's GIS database. The survey could be repeated (every 5 years or so) to determine progress and identify success of specific programs and strategies. It is also a crucial component of tailoring housing and neighborhood strategies to specific target areas in which to intervene.

This will be used as baseline data to determine the current condition of the housing stock

### Create a housing database for U City using GIS

- County Data (Ownership, Assessed value, Sale Price)
- CE Data (Citations, Nuisance status, Vacancy Registration, Rental Licensing, Business Licensing)

## 4. RESOURCE LIST

Create resource list and training for CE inspectors dealing with residents in need: what services can we offer or what referrals can we offer to get people assistance they need?

Seniors, Disabled, Low-Income

## **5. RENTAL LICENSE**

### Consider a Rental Licensing Program

#### Incentives/Penalties for Landlords

Graduated Fee Schedule

-Landlord Training

-Assistance with tenant screening

-Education on Maintenance

-Landlord Rating system (public)

-Reduce Occupancy Inspections – More Time for Inspectors to Enforce P-Maintenance

## **6. NUISANCE PROPERTIES (VACANT)**

### Nuisance Property Abatement

-Process for demolitions

-Funding (Cost of Demolition)

-Partnerships

## **7. INCENTIVIZE DEVELOPMENT**

## **8. HOUSING PROGRAMS**



Action Steps	Sub-Step	Description	Who	When	Cost	Relevant Data/Research
<b>Create CE Manual</b>						
	Clear Guidelines and Regulations	Manual should include relevant codes, policies, and procedures. Example; entering someone's yard	Tim, CE Division, Cliff	Spring/Summer 2021	In-Kind (Staff Time), printing costs (negligible)	Look at past draft manuals, other City's manuals
	Training Procedures	The Manual could include training procedures for CE officers - a schedule or ride-alongs, software training, vehicle protocols, etc.	Tim, CE Division	Spring/Summer 2021	In-Kind (Staff Time)	Past training materials from files/Other municipalities/CE Agencies
	Routes/Areas of Coverage	Manual would outline and delineate areas of the city, routes recommended or required of inspectors, include zoning information, etc.	Tim, CE Division	Spring/Summer 2021	In-Kind (Staff Time)	Eventually based on GIS/Parcel Survey Data to focus on hotspots
<b>Additional Code Enforcement Staff</b>				Spring/Summer 2021		
	Hire a new CE Officer	Additional CE officer in the field focused on proactive CE, especially in hot-spot areas where we are looking to focus	Cliff, Tim	Spring/Summer 2021	CE Officer Salary/Benefits (Approx \$50K)	
	Outsource animal enforcement	County Animal Control can handle our area - if needed a part-time specialist could be hired at a lower cost than a full-time inspector. This would allow current inspectors to focus on CE.	Cliff, Tim	Spring/Summer 2021	TBD based on research	Data from Tim on % Time CE Officers do Animal Control, Contact County to confirm services, research cost of outsourcing
	Reduce Occupancy Inspections	The CE officers spend a large amount of time on occupancy inspections - by reducing the number of these inspections CE officers can focus more on proactive CE - SEE RENTAL LICENSE	Cliff, Tim	2021		Data from Tim on % Time CE Officers do Occupancy Inspections, Estimate reduction through Rental License Program
<b>Increase/Update Enforcement Tools</b>						
	Vacant Property Actions	CE Officers in collaboration with Zoning Administrator will have a set of tools to address vacant properties within U City, including fines, warrant, demolition with liens, possibility of LAND BANKING (see Housing Programs)	Tim, Cliff	Ongoing	Cost of Demolition: Generally \$10K-\$15K per house	Property data - ownership, title, etc.
	Revise Fine Structure	CE Fines could be revised to increase more quickly with repeated failures to abate or come into compliance, incentivizing more compliance from problem owners	Tim, Cliff	2021		State regulations on fines
	Additional Court Dates	Create monthly Housing Court dates in order to increase frequency and efficacy of enforcement follow-through	Cliff, Tim, Court Staff	2021	Cost of additional court staff time	
<b>Planning/Zoning Inspector</b>						
	Zoning Enforcement	Planning/Zoning Inspector (Zoning Administrator) covers enforcement of zoning codes including sign codes, outdoor dining, business operations (Occupancy Permits, Home Occupations), etc.	Cliff, Tim	Spring 2022	In-Kind (Staff Time)	
<b>Public Works Enforcement</b>						
		Clarify what CE Public Works is responsible for OR roll their enforcement into P&Z Enforcement - stormwater/drainage, anything that comes onto public ROW	Cliff, Tim, Sinan	Spring 2021	In-Kind (Staff Time)	How many citations are Public Works staff issuing?
<b>Data Gathering</b>						
	Housing/Parcel Survey	Conduct a parcel survey of all properties in U City, starting with the 3rd Ward. Rate condition of all properties.	CE Division, Neighborhood Volunteers	Spring 2021	Cost of Loveland Technologies (Parcel Surveying Tool)	
	Create GIS Database	Using Parcel Survey data, County Data, and CE Data, create a database which tracks violations, ownership, property condition, etc., for more targeted code enforcement activity	Cliff, CE Division	Fall 2020 - Spring 2021	In-Kind (Staff Time)	Compile data from mygov (or other software), County Data, Parcel survey
	CE Data	Using New Software, track CE Data as baseline, incorporate with GIS Database and use current data as benchmarks for CE tracking going forward, set up so that all CE Data can be tracked geographically and mapped for analysis		Fall 2020		Data from mygov, govern, transferred over to new software system and GIS Database
<b>Create Rental License Program</b>						
	Rental License	Create a rental license program in order to further regulate landlords in U City - SEE MODEL ORDINANCE	Cliff, Tim			Estimate Cost of Roll-Out,
	Landlord Rating System (See Brooklyn Ctr Example)	In addition to rental license, create a landlord rating system in order to incentivize good behavior by landlords - SEE MODEL RATING SYSTEM MODEL	Cliff, CE Division, Clerks	2021	In-Kind (Staff Time), PR Materials (Mailings, etc)	Note: Brooklyn Center example

	Create Landlord Association	Organize a Landlord Association where landlords can meet with City Staff to discuss code, inspections, etc., and where information can be disseminated			In-Kind (Staff Time), PR Materials (Mailings, etc)	
	Landlord Training	Organize landlord training in maintenance best practices, tenants rights, lease addendums, City code, etc.				
	Tenant Screening Services	Develop assistance services for tenant screening	Cliff, Tim, non-profit partners	2021		Tower Grove South model: <a href="https://www.myhomescreen.org/">https://www.myhomescreen.org/</a>
<b>Develop/Identify Additional Housing Resources*</b>						
	List for CE Officers	Create list of resources for CE Officers for cases involving seniors, disabled, or low-income residents who may not be able to abate problems or pay fines without assistance.	Cliff	Spring 2021	In-Kind (Staff Time)	
	Flier	Create a flyer with list of resources to be distributed in similar cases to above by CE Officers	Cliff	Spring 2021	In-Kind (Staff Time), Cost of Printing	
	Include in Citation Letters	Re-Write citation letters to include resources listed from above.	Cliff, Tim	Spring 2021	In-Kind (Staff Time)	
<b>Community Engagement/Collaboration</b>						
	Focus Group	The police Focus Group is a potential resource for Code Enforcement - steps could be made to recruit more members of Focus Group and re-invigorate block programs	CE, Police, Tim Scott	Spring/Summer 2021	In-Kind (Staff Time)	
	Neighborhood Groups	Reaching out to engage neighborhood groups for assistance with CE activities, promote further development of neighborhood groups	CE Officers	Spring/Summer 2021	In-Kind (Staff Time), PR Materials	
	Education on Code	Producing materials and workshops on property maintenance for home owners and landlords in order to educate the public on the relevant codes and how to maintain homes properly.	Tim, Cliff	2022 (with roll-out of updated code)	In-Kind (Staff Time)	
<b>Roll-Out of New Code</b>						
		Based on the Comprehensive Plan Update, re-write existing Zoning Code and roll-out.	Cliff, Plan Commission	2022		
<b>Housing Programs</b>						
	SEE HOUSING PROGRAMS MATRIX	Develop a set of housing programs to invest in neighborhoods with old and deteriorating housing stock, as well as promoting homeownership at a variety of income levels.		2022		

\*Note: Additional Housing Resources would eventually include U City Housing Programs (currently in development by P&Z Staff)