



Legislation Text

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City Council Agenda

Memo to: Manteca City Council

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Date: September 3, 2019

Subject: Code Enforcement Discussion

Discussion regarding moving Code Enforcement from the Police Department to Community Development; provide direction if necessary.

Background:

At the direction of the Council, the Police Department and the Community Development Department (CDD) were asked to provide information as to the potential movement of Code Enforcement from the Police Department to the Community Development Department.

Currently there is a Code Enforcement Supervisor, Code Enforcement Officer, and a part time Code Enforcement Aide. While most of their cases are complaint driven, all three department employees remain busy throughout the work day.

Last fiscal year, Code Enforcement closed 2,431 cases. To date, there are 448 open cases of which 15% are zoning or building code violations. The overwhelming majority of cases relate to nuisance violations involving junk, debris, vacant properties, inoperable vehicles, property maintenance and graffiti. Other violations are health and safety violations, lack of required services (trash and water), business license violations, encroachment onto public property, alarm permit violations, and vacant property violations. Nuisance cases often involve abatements, board ups, and enforcement actions beyond notices and citations prolonging the timeframe to close the case.

Code enforcement frequently must research to determine the responsible party using various data bases available only at the Police Department such as CLETS, CLEAR, and New World LERMS. Access to these tools have a dramatic impact on efficiency and effectiveness of resolving cases in a timely manner. Alarm permits are entered and verified in police dispatch software New World LERMS. Code enforcement reviews excessive false alarm bills through New World LERMS to determine the validity of charges assessed through Finance.

Code Enforcement recently completed legal action on three multiunit apartments in the 400 block of S. Union Road. Code Enforcement used a newly approved ordinance written specifically to address difficult nuisance and distressed properties utilizing the receivership process. The receivership

process allows the City, by court order, to rehabilitate the property or force the property owner to sell to a responsible property owner. The properties at in the 400 block of S. Union Road were purchased by a new owner and are in the early stages of a complete renovation. Code enforcement has been working with a law firm to ensure the needed corrections and improvements will be addressed. The new owner is legally obligated to expeditiously rehabilitate the property and has agreed to meet all City requirements as part of the rehabilitation. As part of the property transfer, the City has recovered all legal costs and \$71,280.74 in fines and abatement costs related to enforcement actions.

There are numerous officer safety advantages having Code Enforcement as part of the Police Department. Officers routinely check addresses and occupants for incidents related to the violation. Knowing who is associated with the parcel, including their criminal history provides valuable information to the code officers who take needed precautions to ensure their safety. Code officers work symbiotically with sworn officers on cases that involve drugs, prostitution, stolen vehicles and theft of personal property.

Code Enforcement and CDD maintain great communication and work together as a team when the need arises. CDD has access to all Code Enforcement cases that deal with permitting and zoning violations. This allows them to review all photos, case notes, documents and other details to assist citizens and staff in the resolution of cases.

Having Code Enforcement as part of the Police Department has an added benefit with the appearance they have more authority when dealing with citations and fines. Citizens are more likely to comply with them as a Police Department employee than a Community Development Employee.

Finally, there are space limitations within the Community Development Department building at City Hall. Currently, the Code Enforcement division in the Police Department building has an office that is able to house all three employees, however if there is an increase in staffing, there will need to be some changes made in house as space is limited in the Police Department as well.

For the reasons stated above, staff is recommending that Code Enforcement stay within the Police Department and staff will provide quarterly updates on the total number of cases filed, number of cases remaining open and number of complaints by type. See attached report.

Fiscal Impact:

There is no fiscal impact associated with this item. If the Council desires a more proactive approach to Code Enforcement, a consideration should be made to add one or more additional Code Enforcement Officer(s). During the upcoming mid-year budget review, staff can do a cost analysis of adding an additional officer to Code Enforcement which would allow for a more proactive approach.

Documents Attached:

1. Attachment 1 - Fiscal Year Analysis 2018-19