

Inter-department Memorandum

TO: Honorable Mayor
and Councilmembers

FROM: Jim Flint
City Manager

DATE: February 17, 1999

RE: **Accept and Ratify Guidelines for Municipal Code Priorities for Code Enforcement Program**

BACKGROUND

In 1995, the Council approved the creation of a comprehensive Code Enforcement program consisting of one full-time Code Enforcement Officer and one full-time clerical support position to actively enforce provisions of the Alameda Municipal Code. It was projected that enforcement, fines and penalty fees would generate approximately \$30,000 in revenue, including those fees for monitoring and enforcing the Vacant Building Ordinance. The City also adopted the Uniform Housing Code at that time, along with several other ordinances, recognizing that two part-time code enforcement positions had been eliminated from Building Services and Planning.

DISCUSSION/ANALYSIS

A comprehensive code enforcement program typically is involved with building, housing, zoning and neighborhood preservation issues. A review of the numerous code complaints shows that the complaints received in Alameda are almost exclusively based on these issues. An efficient and cost-effective code enforcement program should have specific areas of responsibilities and priority guidelines attached to the complaints that come to the City's attention.

For approximately the last five months, the areas of responsibility of the Code Enforcement program, the structure of the program, the specific duties of the Code Enforcement staff and the most efficient use of these scarce staff resources have been under review and the subject of interdepartmental meetings.

It is clear that the number of complaints far exceeds the limited staff resources available to investigate, monitor and abate violations. In order to better serve the community, specific codes and priority guidelines have been developed by staff, as well as standardized code enforcement procedures and on-going training programs. The proposed areas of responsibility and priority rankings are based on the history of the implementation of the Code Enforcement Program, each affected department's suggested priority list, and the present utilization and

capabilities of the two code enforcement positions. Health, safety and welfare issues were assigned the top ranking with less serious complaints having a lower priority. In addition to ranking each municipal code section as either high, medium or low priority, specific areas are also assigned as either primary and secondary responsibilities. A complaint tracking system has been created to provide better accountability and consistent and uniform enforcement procedures, and to provide statistical data for the Code Enforcement Program.

The attached proposed guidelines were developed with the City Attorney's Office, as well as other departments and takes into consideration Council's earlier request for a Property Maintenance Ordinance that addresses such neighborhood blight issues as junked or inoperable vehicles on residential property, unenclosed storage, use of trailers and various recreational vehicles for habitation in residential districts, accumulation of trash, rubbish and debris and major vehicle repair in residential districts.

The proposed plan recognizes that these are guidelines only and the specific facts and history of a complaint will determine its priority ranking. Flexibility for the supervisor of the code enforcement program is anticipated and required as the various municipal codes are amended, repealed or added and the workload fluctuates.

BUDGET CONSIDERATION

No additional fiscal impact.

RECOMMENDATION

It is recommended that the City Council accept and ratify the attached guidelines for specific areas of responsibilities and priority rankings for the code enforcement program.

cc: Assistant City Manager
Deputy City Manager
Special Counsel
Chief of Police
Building Official
Planning Director

Specific Municipal Codes and Pories for Enforcement by Code Compliance Officer

The following are the specific codes for which the Code Compliance staff has primary responsibility to investigate and enforce, as well as those codes for which the Code Compliance staff may provide secondary or backup enforcement on a limited basis.

If a municipal code section has not been designated here as primary or secondary, the Code Compliance Officer will not be responsible for its enforcement unless specifically directed by the department supervisor. This direction is necessary due to the limited code enforcement resources available at the present time and to maximize the efficient use of the current program.

The priority listing is a guideline, since the facts of each case may cause the priority rating to increase or decrease. Even those codes given a low priority are expected to be addressed as soon as possible, especially if there are no outstanding high or medium priority complaints. The listing includes anticipated new ordinances and excludes those municipal codes which, as currently written, are unenforceable.

Primary

High Priority

Substandard/Unsanitary Housing -Alameda Housing Code (Chapter 13);
Dangerous Buildings- Alameda Code for Abatement of Dangerous Buildings
(Chapter 13);
Illegal Units- Alameda Housing Code (Chapter 13)

Medium Priority

Vacant Building Monitoring and Fee Assessment (Chapter 13)
Graffiti (Chapter 4)
Construct/Alter/Convert/Occupy structures without required permits- Alameda
Administrative Code (Chapter 13)
Abandoned/Inoperable Vehicles-referred to Vehicle Abatement Officers after
verification of violation.
Property Maintenance Ordinance- when adopted (Chapter 4) (proposed ordinance
covers unenclosed storage, park/store inoperable/disassembled vehicles on
private property, major vehicle repair in residential district, recreation vehicles
used for living purposes, and other neighborhood blight issues)

Low Priority

Litter (Chapter 4)
Prohibited Freestanding Signs (Chapter 30)
Front Yard Parking (Chapter 30)
Front Yard Paving (Chapter 30 after necessary language amendment adopted)
Prohibited Commercial Wind-blown/Inflatable Devises (Chapter 30)
Fence Materials violations (Chapter 30)

Note: If the proposed Garage Sales Ordinance is subsequently adopted, it would become a primary responsibility of Code Compliance and be a low priority.

Secondary

The following code complaints have a low priority when referred to Code Compliance, since they are secondary or back-up duties and should be referred to Code Compliance on a special need basis only. The enforcement workload, based on current resources, is too great to permit routine investigations and enforcement of these codes by the Code Compliance Officer:

Fence Height violations
Noise violations
Other construction without permits (fences, decks, etc.)
Weeds
Newsracks