

Enhanced Code Enforcement Recommendations - 4/15/2018 - Anne Ruby

I'm very happy that you've decided to put enhanced code enforcement on your list of recommendations. Residents have been raising this before the City Commission on a regular basis for years. I hope your committee's recommendation will bring action, sunshine, accountability, and possibly more staff to make this department more effective. Something has GOT to change.

Here are the issues and solutions I think would lead to an enhanced, effective, code enforcement process:

ISSUES:

1. Until recently code enforcement has been reactive - only responding to complaints rather than issuing citations without a complaint. Currently we are told that they've switched to proactive code enforcement but that activity is not readily visible.
2. There seems to be a disconnect between stated policies and actual practice. For example:
 - a. Policy: When a property is sold the code violation should remain at the same point in the process as it was with the previous owner. The new owner should receive notice but the process should not start all over for the existing violation. The practice does not appear to follow this policy.
 - b. Policy: A code enforcement case is considered to be in compliance once the issue that was cited is resolved. The case is not resolved until the work required to correct the violation is permitted, performed, inspected and approved. The practice does not appear to follow this policy; numerous cases are listed as resolved, building permit issued but the building permit expires without ever having had a final inspection and the property remains unchanged.
3. Fines and liens may be forgiven too easily and go uncollected for too long.
4. Not enough information is entered into the system on the resolution of cases and is only available on a property by property basis. This makes patterns of violations/resolutions and code officer activity difficult to see.
5. It appears code officers may be spending too much time pro-actively citing properties for short-term rental violations rather than pro-actively citing other properties for blighted conditions.

POTENTIAL SOLUTIONS:

1. Use a third party to collect unpaid fines and liens - it would be worth the cost to set serious boundaries.
2. Report all code officer activity on a daily basis and make it readily available online.
3. Communicate and educate. Set clear guidelines, make them public, and make sure they are followed.
4. Provide grants or forgivable loans for those unable to afford the cost to cure their code violations.
5. If passed, use the property appraiser's program to collect unpaid liens on the tax bill for city expenses to bring properties into compliance.
6. Provide a regular list report at the property address/citation level to allow an overall picture of activity.
7. Provide more information in each case on what's happening and on how it was resolved.
8. BEGIN discussion on scope and enforcement of short term rentals.

Thank you for your service. I hope the City of Daytona Beach will take some of your recommendations as action items. **I think it is particularly important that someone be held accountable for producing positive results.**