

## CITY OF CHARLOTTE

### AD HOC CODE ENFORCEMENT COMMITTEE

#### Recommendation to Council

April 26, 2021

#### Summary

The Code Enforcement Ad Hoc Committee was formed by Council via resolution 2021-20 to undertake an evaluation of the City's current code enforcement policies, practices, and methods and make a recommendation to Council. Per the resolution, the Ad Hoc Code Enforcement Committee shall 1) evaluate and make recommendations to the City Council on code enforcement operations; 2) develop a projected cost estimate for providing such services as deemed necessary; and 3) make a recommendation to City Council for alternatives to provide such services. The Committee consisted of members: Daryl Baker, Christopher Lake, Ann Sovey, Jo Vanderstelt, Tamra Weissenborn, and ex-officio member Bryan Myrkle. They generally met weekly from March 25, 2021 through April 27, 2021 and reviewed the current code enforcement policies and procedures, discussed priorities for future code enforcement operations, received input from staff and the public, and considered the options to provide such services.

#### Findings and Recommendations

The Committee found that a dedicated code enforcement official was warranted to effectively provide enforcement services for commercial and residential properties throughout the community. They determined that a full time person would be the best option, if financially viable, and recommended enacting a rental licensing program. Overall, the Committee determined that education and community outreach were an integral part of a successful code enforcement program, coupled with an accountable staff person who could ensure appropriate follow-through on violations.

An overview of the recommendations is provided below. Additionally, a copy of the minutes of the meetings are attached as Appendix A. The Committee is prepared to present the findings to Council at the meeting scheduled for May 3, 2021.

#### Recommendation 1 - Priorities for Code Enforcement

The Committee reviewed the current code enforcement activity including the historical complaint records and have ranked the priorities for code enforcement as follows:

1. Community Outreach and Education - this would involve city-wide communications in addition to direct enforcement action to help educate the community on the current regulations and requirements under our ordinances. Additionally, this could involve connecting residents with local, regional or state resources to aid in compliance, if such resources are available.
2. Exterior maintenance such as trash or junk storage, including household furniture - this includes exterior cleanup such as trash/debris removal, storage of household furniture outside or dumping

at curb on move-out, general lawn maintenance such as mowing and shrub trimming. These are all public health concerns or public nuisances, and some can create habitat for unwanted wildlife.

3. Inoperable/unregistered vehicles, improper vehicle storage/parking - this will include inoperable vehicles/junk vehicles stored on properties as well as trailers/RV storage in improper locations.
4. Unsafe buildings and property maintenance (e.g. broken windows, parking lots, roof repair) - this item includes larger maintenance and repair items, such as roofs missing shingles, commercial parking lots in need of repair, missing or broken windows on commercial buildings, residential properties with broken support posts, railings, or similar.

### **Recommendation 2 - Staffing**

The Committee reached consensus that a full-time code enforcement officer was warranted given the scope of enforcement desired. This dedicated code enforcement official would be accountable for communicating with residents and following-up on complaints and violations.

Staff conducted some initial research into how other communities address code enforcement. Most employ city personnel who are responsible for code enforcement and are often part of the building department services. Some communities employ a full time person, some employ one or more part time persons, and some employ a combination of full and part time persons. The pay range based on the most recent MML wage and salary survey for communities of similar population (5,000 - 15,000) was \$14 to \$32 per hour; with an average of \$19.50 per hour. In addition to salary, the costs for providing enforcement will also include equipment and a city vehicle. The city could employ one or more part time employees, or utilize one full time employee. Surrounding communities generally have at least one dedicated code enforcement staff person.

The city could contract out this service to a private company as there are a few well-known firms who provide this service. Initial cost estimates based on prior contracts with other communities show a range of \$48-\$87 per hour, depending upon whether the firm is providing full time or part time services. Given the expense of utilizing a contract with a private company, the committee is recommending the city consider hiring a staff person for this work.

### **Additional Recommendation - Rental Properties**

The Committee discussed whether the City Council should consider a rental licensing program as a long term goal. This will require an ordinance amendment requiring that residential rental units register with the city and obtain a license to rent their property for housing purposes. The city could conduct an inspection of the premises and interior for basic safety of the residents, including proper ingress and egress, functioning furnace/HVAC, working smoke detectors, etc. This could be done on a periodic basis, such as every other year and be a part of the duties of a full time code enforcement officer. In addition to ensuring safe living conditions for the residents, this would provide staff with a point of contact for any potential concerns regarding the property.

The City currently has 563 homes that are non-exempt as principal residences and are assumed to be rentals. In addition, we have approximately 1,500 known residential rental units. This number includes multi-family homes, apartment buildings and apartments above stores in the central business district.

Given the significant number of impacted property owners, the city will want to ensure there is communication between the city and property management from the onset as part of enacting any rental licensing program. Consideration should be given to implementing this program in a positive manner as a partnership between the city and property owners. Additionally, if the mobile home parks are included, there are state regulations that must be followed. There were a variety of opinions regarding the scope of such a program and its implementation.

**Conclusion:**

The Committee recommends the Council move forward with hiring a dedicated code enforcement official. Based on public feedback during this process, and other recent citizen outreach efforts, this is a priority for the community. Ensuring city codes are equitably enforced is valuable in building community pride as well as protecting the safety and health of the community at large.

In addition the Committee recommends Council consider extending the assignment to include reviewing and making recommendations on potential ordinance amendments in coordination with the code enforcement officer.

Respectfully submitted,

Ann Sovey, Chairperson  
Tammy Weissenborn, Vice-chairperson  
Daryl Baker, Member  
Christopher Lake, Member  
Jo Vanderstelt, Member