



Chandler • Arizona

**City of Chandler**

Neighborhood Services Unit

# **CODE ENFORCEMENT POLICY**

## **Chapter 30 – Neighborhood Preservation**

The Code Enforcement Policy, adopted by the Chandler City Council, provides guidelines for enforcement of the Neighborhood Preservation Ordinance.



### **Neighborhood Services Unit:**

A dynamic, committed partner in building vibrant neighborhoods

## **I. Standard Enforcement of Chapter 30 of the Chandler City Code**

### **A. Purpose**

It is the intent of the City of Chandler to promote the health, safety and welfare of the residents of Chandler, Arizona. Part of this responsibility includes protecting neighborhoods from blighting and deteriorating conditions that have a negative impact on area property values and encourage social disorder and crime. Chapter 30 of the Chandler City Code was adopted by the City of Chandler toward this goal. This policy is a guide to enforcement of Chapter 30. The Neighborhood Services Unit, with the assistance of other city departments or divisions as directed by the City Manager, shall enforce the provisions of Chapter 30 of the Chandler City Code.

## **II. Standard Enforcement Policy**

City of Chandler residents shall be encouraged and supported in their efforts to maintain the physical environment of their neighborhoods through enforcement of the standards set in Chapter 30 of the Chandler City Code. To assist in this endeavor, the following Code Enforcement Policy has been established to guide the Neighborhood Services Unit and other City departments in addressing properties with code violations.

The following actions will be taken on properties where there has been no case history or history of violations and/or previous enforcement action regarding this chapter within the last 24 months:

### **A. Inspection/Pre-notification**

When a property complaint is received, Neighborhood Services will respond in the following manner:

#### **1. Immediate Inspections**

If the alleged violation concerns an imminent hazard to the neighborhood or neighbors, inclusive of open/vacant buildings, fire and/or health hazards, unsecured pools or other health and safety hazards, the City will respond with an immediate inspection. The violation must be abated to meet code requirements within 24 hours. Violations that are not abated will go straight to civil infraction citation unless the condition is being handled by another City Department with responsibility to enforce other sections in the City Code.

#### **2. Pre-Notification Letter**

If the alleged violation is not a potential health or safety hazard, if a mailing address is available, the City may issue a pre-notification letter to the owner/responsible persons notifying them that specific complaints have been received and that an inspection will be conducted within ten (10) days.

Included with the pre-notification letter will be an explanation that recidivists will receive only one official notice of ordinance violation for a violation and that future offenses of this chapter may result in legal action without issuance of further notices of ordinance violation.

### 3. Regular inspection

If the alleged violation is not a potential health or safety hazard, and if scheduling permits, the City may send a neighborhood services specialist to inspect the violation. A re-inspection will be scheduled for seven (7) days. The case will be closed if the violation has been abated. If the violation has not been abated, a Notice of Violation will be issued.

### B. Formal Notice of Violation (NOV)

If the violation has not been abated upon re-inspection, a formal Notice of Violation will be left on premises. The violation must be abated within seven (7) days or formal legal action will be initiated. A compliance action plan may be submitted within seven (7) days and approved by the Neighborhood Services Manager in lieu of legal action.

Except in cases involving health and safety violations, imminent hazards and previous code violations, the responsible person will be notified in writing that a violation has been discovered through an inspection and advised of specific corrective action required. They will also be advised through this process of what further action will be taken by the City if they do not comply. In addition, owners/responsible persons will be advised of available appropriate assistance as enumerated in Section V.C. of this policy.

Also included with the NOV to owners/responsible persons who have not previously received the information with a pre-notification letter or inspection will be an explanation that recidivists will receive only one notice of ordinance violation for a violation of this chapter and that future offenses of this chapter may result in legal action without issuance of further notices of ordinance violation.

### C. Civil Infraction Citation

Owners/responsible persons who fail to comply will be subject to the issuance of a civil infraction citation that will be adjudicated by the Chandler Municipal Court. In the case of properties that are not owner occupied, both tenants and owners are responsible persons and enforcement action may be taken against all responsible persons. However, enforcement action should first be taken against tenants for violations that typically are tenant responsibilities such as single-family residential landscape maintenance; inoperable vehicles; junk, litter, and debris; outside storage; and, vehicles parked on non-dust proofed surfaces or in nonpermitted areas of residential front or side yards.

### D. Criminal Complaint

Neighborhood Services shall file a criminal complaint against any person who meets the definition of "habitual offender" set forth in Chandler City Code § 1-8.7 B if the violation is not abated within the time specified in the Notice of Violation.

### E. City Abatement

Neighborhood Services shall follow the procedures outlined in the Chandler City Code and state law for the City to abate the public nuisance conditions listed below and to seek reimbursement of abatement costs through property liens in the following circumstances:

- (1) conditions constituting an imminent danger to the safety of persons or neighboring properties,
- (2) properties or conditions constituting an eyesore, attractive nuisance or which denigrates the value of neighboring properties and Neighborhood Services is unable to locate a responsible person or to obtain compliance in another manner.

### **III. Recidivist Persons/Properties**

#### **A. Purpose**

The recidivist process is designed to provide relief via an expedited enforcement process for neighborhoods experiencing problems with residents who repeatedly violate City property maintenance standards and who have demonstrated an inability or unwillingness to maintain their property in accordance with City requirements.

#### **B. Definition**

A recidivist case is a newly opened case where there is a history of violations involving the same responsible person or the same property. A recidivist is any person or property that on at least one (1) prior occasion within a twelve (12) month period:

- Has been issued a Notice of Violation and has failed to abate the violation(s) in a timely manner, or;
- Has had civil or criminal charges filed/initiated pursuant to this chapter; or,
- Has had abatement initiated pursuant to Chapter 26 or Chapter 30.

The twelve (12) month period will commence on the latest date that any notice of violation has expired; a civil action or criminal action has concluded; or an abatement process has concluded.

#### **C. Notification Policy**

Cases, which have been designated as recidivist, will proceed through an expedited process. Upon discovering a repeat offense the Neighborhood Services Officer will:

- Issue a formal notice of violation or civil infraction citation; or,
- Issue a criminal complaint for habitual offenders.

### **IV. Inspection/Enforcement**

#### **A. Purpose**

Chapter 30 of the City Code is generally enforced on a complaint basis. This is designed to encourage resident, neighborhood association, block watch or other City department participation in the enforcement process.

Anonymous complaints will be accepted with the following exceptions: illegal commercial

business complaints; when past complaints for the same alleged violation on the same property have been found to be invalid on three or more occasions; and in situations when a street address is not provided. Complaints in these categories will require that the complainant provide a name and contact phone number.

## B. Exceptions

Exceptions to the complaint-based enforcement policy are as follows:

### 1. Neighbors In Action

The Neighbors In Action Program is a resident mobilization effort that provides a temporary increase in City services to assist in community revitalization efforts. The increased services are targeted to reduce crime, eliminate or prevent blight and help restore or stabilize neighborhoods. Deviation from the complaint-based enforcement process will take place at the request of, and with the active support and cooperation of, area residents. The Neighborhood Services Unit will commence enforcement based on observations and inspections by the Unit and other City employees.

2. Properties in the immediate area, which are an obvious detriment or blight when an initial inspection is conducted, based on a complaint, the inspector will:

- a. Expand upon the initial complaint on the same property and determine whether other violations of this chapter exist;
- b. Inspect additional properties in the immediate area of the initial reported violation; and,
- c. Initiate appropriate enforcement action.

3. Properties that contain one of the designated eight most common neighborhood maintenance violations. Proactive enforcement will be taken against properties which contain one of the following violations that are easily visible from the public right of way:

- Over height weeds/grass or dead/dry bushes, trees, weeds and/or other vegetation
- Inoperable vehicles
- Junk, litter and/or debris
- Open/vacant buildings and structures
- Outside storage
- Vehicles parked on non-dust proofed surfaces or in non-permitted areas of residential front or side yards
- Graffiti
- Sight visibility in the right-of-way

4. The Neighborhood Services Unit will commence enforcement against properties with environmental, imminent hazard and/or fire safety conditions in order to maintain and protect neighborhoods from imminent hazards, environmental hazards, fire hazards and other types of similar conditions that may immediately endanger or place residents in peril.

### 5. Interdepartmental/Interagency Efforts

Other departments or governmental agencies may call upon the Neighborhood Services

Unit to partner on issues of community concern in areas outside of the City's designated Target Areas. It is the Unit's goal to provide seamless and coordinated service in such circumstances to facilitate the resolution of an identified community problem. In order to support and complement these interagency/interdepartmental efforts, systematic and non-complaint based code enforcement may be implemented with the approval of the City Manager/designee.

6. City-designated slum properties

In an effort to comprehensively and effectively address multiple violations at City-designated slum properties, the Neighborhood Services Unit may implement non-complaint based code enforcement against properties designated as slum properties.

7. Recidivist Properties

To address frequently recurring violations on recidivist properties, the Neighborhood Services Unit may initiate non-complaint based inspections, code enforcement on recidivist properties after case resolution to check for a recurrence of the same violation(s) and/or any of the common blight violations in this chapter. To assure lasting compliance on recidivist properties, the Neighborhood Services Unit will initiate non-complaint based exterior inspections, code enforcement on designated chronic recidivist properties after case resolution, to check for a recurrence of the same violation(s) and/or any of the common blight violations.

8. Other Designated Areas

The Neighborhood Services Unit will commence proactive enforcement in other areas designated by the City Manager identified as showing signs of decline, neighborhood blight or the need for increased services such as Neighborhood Services, Police, and Solid Waste.

## **V. Hardship Assistance/Exceptions**

### **A. Purpose**

The City desires to provide assistance to all low and very low-income households that are eligible for financial assistance, and to residents that are physically or mentally disabled and unable to meet neighborhood maintenance requirements. Assistance may be provided in the form of information, referral, counseling, the provision of volunteer labor and/or the provision of direct financial assistance.

### **B. Definition**

Residents that qualify as low and very low income households as defined by U.S. Department of Housing and Urban Development Fiscal Year Income Limits for the Public Housing and Section 8 Programs, or are physically or mentally disabled and are unable to perform the necessary requirements to bring their property in to compliance may apply to Neighborhood Services for assistance. Neighborhood Services working with the City Manager will attempt to obtain grants or other financial aid or other programs or resources to assist residents to bring their property into compliance with City Code regulations and property maintenance standards.

### **C. Available Resources**

Based upon funding availability, and in some cases participant eligibility, the Neighborhood Services Unit or other City staff, cooperating therewith may provide or coordinate the following types of assistance:

- Information
- Housing, financial, landlord/tenant counseling
- Referral to public, private or nonprofit sources of assistance
- Tool lending
- Volunteer labor assistance
- Graffiti abatement supplies and assistance
- Financial assistance to bring violations into compliance
- Housing rehabilitation/reconstruction

## **VI. Interdepartmental/Interagency Cooperation**

### **A. Purpose**

The Neighborhood Services Unit will cooperate with other City departments and governmental agencies when appropriate to further the mutual goals of nuisance abatement and neighborhood maintenance for the benefit of the entire community.

### **B. Cooperation From Other Departments**

Upon the request of the City Manager, the Police Department and any other department of the City will assist and cooperate with the Neighborhood Services Unit in the performance of duties related to the City Code enforcement. This cooperation may include assistance in enforcement or abatement actions, including removal of persons from buildings or structures to be demolished. These departments or agencies include but are not limited to: Police, Fire, City Attorney, Development Services, Neighborhood Programs, and Solid Waste Management.

### **C. Hazardous Conditions**

The City Manager/designee may order immediate abatement of a hazard without notice. The Neighborhood Services Unit may also request official concurrence from other departments as to whether immediate abatement action is necessary.

# Neighborhood Services Unit

## *Our mission*

To preserve and improve the physical, social and economic health of Chandler neighborhoods, support neighborhood self-reliance, and enhance the quality of life for residents through community-based problem solving, neighborhood-oriented services and public/private cooperation.

## Contact Us

To report a violation, ask about a case  
or get information about the Neighborhood  
Preservation Ordinance and/or Code  
Enforcement Policy, contact the Neighborhood  
Services Division at:

**(480) 782-4320.**

Learn about the Neighborhood Services  
by visiting **[www.chandlercode.com](http://www.chandlercode.com)**

For a copy of this publication in an alternate format or for reasonable accommodations contact:

Neighborhood Services Unit ADA Liaison,  
250 E. Chicago Street, Chandler Arizona 85225  
Voice (480) 782-4320. TDD 1(800) 874-9426.  
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