



Ordinance 2341: Code Enforcement & Administrative Hearings

August 2, 2021

Proposed Code Updates

- Administrative hearing procedures:
 - Licensing
 - Non-judicial code enforcement
 - Protests of code enforcement notices
- Better organize and clarify code enforcement citation procedure
- Confirms penalty, abatement and hearing cost, and other liability recovery mechanisms



Notice of Violation Process

- Organizes “notice of violation” chronologically
- Establishes more clear requirements for contents of notices (including specificity, correction deadline, and advisements of consequences and protest rights)
 - No more than 21 days (subject to extension), except for snow/ice
- Clarifies requirements for service of notices
- Establishes default procedures (coupled with “enforcement order” solely on abatement)

(Chapter 3, Article II, Division 2; 3-2303 – 3-2304)



Protest Hearings

- Organizes protest procedures chronologically and sets general procedures
- Allows Director to require a deposit for a protest in certain circumstances
- Creates interim review procedures to allow disposition short of hearing officer review
- Establishes clear requirements for protest documents and submittal timing (21 days usually) with limitations on review for non-compliance

(Chapter 3, Article II, Division 2; 3-2102)

Penalties and Cost Recovery

- Consolidates penalty and hearing cost recovery sections under administrative proceedings without changing those penalties
- Creates more clear process for assessment, notice, and cost recovery through liens or other collection methods
- Clarifies and highlights process for objections and relief from assessments

(1-3003 – 1-3004; 3-2103 – 3-1205)

Violation Abatement

- Confirms requirement of hearing officer determination before city abatement (except in emergencies)
- Establishes procedure for “enforcement order” in absence of a protest
- Links other penalty provisions to Chapter 3, Article II

(1-1004; 3-2103; 3-2203(c); 3-2303; 3-2306)



Nuisance Provisions

- Clarifies authority of peace officers to issue summons or administrative violation notice
- Removes duplicative cost recovery and dispute provisions to refer to Chapter 3, Article II (6-1004)

Business Licensing

- Clarifies authorities and roles of City Clerk and hearing officer regarding application and renewal review and suspension and revocation actions
- Removes duplicative appeal section to refer to procedures established in Chapter 3, Article II (9-1009 – 9-1010; 9-3710; Chapter 3, Article II, Division 2)



Discussion

