



Memorandum

To: Town Council
From: Thomas Dansie, Town Planner
Date: March, 2021
Re: Resolution 2021-03: Code Enforcement Policy

Executive Summary

In the February meeting the Council directed staff to draft a resolution updating the Town's code enforcement policy. The updated policy reflects the Town's added capacity to be more proactive in enforcing Town Code. The Council requested the policy reflect the need to seek compliance first, and to use penalties only after first making an attempt for compliance. The Council also requested that the policy address construction projects not developed in compliance with approved DDR plans.

Staff has drafted Resolution 2021-03 which amends the Town's code enforcement policy based on this direction.

Recommendation

Staff recommends the Council approve Resolution 2021-03: Springdale Code Enforcement Policy.

RESOLUTION 2021-03

TOWN OF SPRINGDALE CODE ENFORCEMENT POLICY

Whereas, the Town of Springdale has adopted ordinances regulating land use, nuisances, noise, weeds, and other issues impacting the health, safety, and welfare of residents and visitors of the Town; and

Whereas, the Town Council finds enforcement of these ordinances is essential to help promote the Town's character and preserve a high standard for quality of life for residents; and

Whereas, the Town's General Plan identifies enforcement of Town ordinances as one of the Town's top priorities; and

Whereas, the Town Council desires the Town ordinances to be enforced in a fair, consistent, and effective manner; and

Whereas, in 2014 the Town Council adopted Resolution 2014-10 establishing a Code Enforcement Policy, and

Whereas, since Resolution 2014-10 was adopted the Town has enhanced its code enforcement capacity by hiring a full-time Code Enforcement Officer and implementing a civil citation process for code violations; and

Whereas, the Town Council now desires to make revisions to the policy established in Resolution 2014-10 to more fully reflect the Town's enhanced enforcement capacity;

Therefore Be It Resolved by the Springdale Town Council that the following policy become the Town's enforcement policy, and Resolution 2014-10 be repealed.

TOWN OF SPRINGDALE CODE ENFORCEMENT POLICY

I. The Code Enforcement Officer, acting under the direction of the Director of Community Development, will investigate potential violations of the Town Code. The Code Enforcement Officer will take necessary actions to correct violations pursuant to the processes in Chapters 1-4, 4-3, and 10-4 of the Town Code.

II. The Code Enforcement Officer will investigate potential violations of the Town Code under any of the following circumstances:

a. The Code Enforcement Officer has received a citizen or resident complaint concerning a potential violation.

b. The Code Enforcement Officer has become aware of a potential violation which would cause immediate, permanent, or irreparable harm, whether or not a complaint has been received. Examples of these violations include grading without a permit and building without a permit.

c. The Code Enforcement Officer has become aware of a potential violation of the following ordinances, whether or not a complaint has been received:

- i. Nuisances, specifically including junk, debris, and abandoned machinery or equipment on a property (Chapter 4-3)
- ii. Weeds (Chapter 4-3A)
- iii. Noise (Chapter 4-3B)
- iv. Operating a business without a license (Section 3-1-4)
- v. Unauthorized Outdoor Sales/Vendors(Section 3-1-16)
- vi. Any violation of the land use ordinance (Title 10), specifically including:
 - (a) Development projects not constructed in compliance with approved Design/Development Review plans (section 10-15-12)
 - (b) Outdoor Lighting (Chapter 10- 15C)
 - (c) Sign Regulations(Chapter 10- 24)

d. The Town Council directs the Town Officials to investigate the potential violation in a properly advertised public meeting.

III. In general, the Code Enforcement Officer will seek to help persons / property that are in violation of Town ordinances to come into compliance as a first priority before issuing notices of violation, citations, or other enforcement penalties. However, nothing in this policy prevents the Code Enforcement Officer from taking any enforcement action authorized by Town Code in responding to violations.

This Resolution shall become effective immediately upon passage and posting.

Passed and adopted Mach 10, 2021.

Stanley J. Smith, Mayor

Attest:

Darci Carlson, Town Clerk

RESOLUTION 2014-10
SPRINGDALE TOWN CODE ENFORCEMENT POLICY

WHEREAS, the Town of Springdale has adopted ordinances regulating zoning, nuisances, noise, weeds and other issues impacting the health, safety and welfare of the residents of the Town; and

WHEREAS, the Town Council desires these ordinances to be enforced in a fair, consistent and effective manner; and

NOW THEREFORE, BE IT RESOLVED by the Town Council of Springdale, Utah that all Code Enforcement activities and actions in the Town will be conducted according to the following policy:

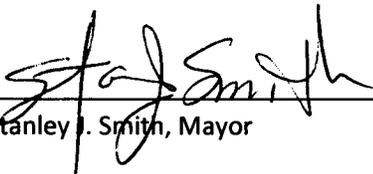
CODE ENFORCEMENT POLICY

- I. The Director of Community Development, acting in conjunction with the Chief of Police and Code Enforcement Officer, will investigate potential violations of the Town Code and take necessary actions to correct violations pursuant to the standards established in Chapter 4-3 and 10-4 of the Town Code.

- II. The Town Officials described above will investigate potential violations of the Town Code under any of the following circumstances:
 - a. The Town Officials have received a written and signed complaint describing the potential violation.
 - b. The Town Officials have become aware of potential violations which would cause immediate, permanent or irreparable harm, whether or not a written and signed complaint has been received. Examples of these violations include grading without a permit and building without a permit.
 - c. The Town Officials have become aware of potential violations of the following ordinances, whether or not a written and signed complaint has been received:
 - i. Weeds (Chapter 4-3A)
 - ii. Noise (Chapter 4-3B)
 - iii. Outdoor Lighting (Chapter 10-15C)
 - iv. Sign Regulations (Chapter 10-24)
 - v. Unauthorized Outdoor Sales / Vendors (Section 3-1-16)
 - d. The Town Council directs the Town Officials to investigate the potential violation in a properly advertised public meeting.

This resolution shall become effective immediately upon passage and posting.

Passed and adopted the 12th Day of November, 2014.



Stanley J. Smith, Mayor

Attest:



Darci Carlson, Town Clerk