

Date: April 21, 2021

To: Mark Israelson, City Manager

From: Lori Schwarz, Director of Neighborhood Services

Scott Lussier, Property Standards Manager

Subject: Neighborhood Services Department: Property Standards Division Overview

Purpose

This document is prepared to explain the priorities and processes of code enforcement activities within the Neighborhood Services Department, specifically relating to property maintenance, applicable Code of Ordinances responsibilities and compliance with the Zoning Ordinance. The process for inspection, notification, and closure of case violations will be explained, including assistance available through the many nationally recognized, award-winning programs that help owners with maintaining their properties.

Background:

In early 2015, the Neighborhood Services Department was created by the City Manager, Bruce Glasscock, by combining the existing Property Standards Department with two areas of the Planning Department: Community Services and Neighborhood Planning. The stated focus of the new department was neighborhood revitalization and developing innovative new programs and initiatives to address the concerns of our maturing community. With the creation of the new department, the Property Standards team is able to work more closely and cooperatively with the other departmental divisions to assist owners with maintaining their properties in conformance with adopted City codes and ordinances.

Adopted City Codes Administered by Neighborhood Services:

The Neighborhood Services Property Standards Division is primarily responsible for administering adopted City of Plano codes and ordinances related to property maintenance and land use. These include:

- 2018 International Property Maintenance Code (IPMC), including local amendments
- <u>Code of Ordinances</u> sections such as those relating to: junked vehicles, high grass and weeds, accumulated trash and debris, fence maintenance and graffiti.
- <u>Zoning Ordinance</u> including zoning, setbacks and land use but excluding the sign regulations, which are enforced by the Building Inspections Department.

Property Standards Division:

The Property Standards team is comprised of twenty-seven members, including one manager and four supervisors. One supervisor and four team members are dedicated to the Multifamily and Hotel/Motel Registration and Inspection programs, while the remaining Property Standards staff are responsible for all other residential, commercial and industrial properties across the city.

All staff within the Property Standards Division are held to extremely high, professional standards. The City of Plano has a minimum requirement of a Bachelor's degree (or equivalent experience) for an entry level Property Standards Inspector position. To promote longevity, experience, and increasing

knowledge, there are additional job family progressions to Specialist and Senior Specialist. These require additional professional certifications, years of experience, as well as successful execution of the prior position's job duties. Of the twenty-seven staff members, there are:

- 23 Advanced degrees, including: 18 Bachelors and 4 Masters
- 23 Code Enforcement Officer Certifications (the remaining four staff are new employees)
- 18 International Code Council (ICC) Certified Property Maintenance and Housing Inspectors
- 18 ICC Certified Zoning Inspectors

In 2019, Neighborhood Services received its accreditation from the American Association of Code Enforcement (AACE). The City of Plano Neighborhood Services Department was the first stand-alone code enforcement department in the nation to become accredited. Neighborhood Services was also recognized as the 2019 Code Enforcement Department of the year due to the professional staff, exemplary standardized processes and procedures and our innovative approach to address code compliance through education and assistance programs.

Education and Outreach:

The Neighborhood Services Department approach is to assume that most people want to take care of their properties to ensure building durability, maintain value, preserve a healthy environment and contribute to the overall quality of life in Plano. However, there may be a lack of resources or knowledge. Therefore, our department has a primary focus on education and outreach to share property maintenance information with our home and business owners. These include but are not limited to:

- Bimonthly Building BEST Neighborhoods E-Newsletter
- BEST Break sessions on property maintenance
- Monthly postings on NextDoor for seasonal property maintenance recommendations
- Property Maintenance Seasonal Checklist
- Property Maintenance Workshops including for multifamily property managers
- Property Maintenance Minutes short, fun videos relating to property maintenance
- Guest speakers at Neighborhood Group meetings
- Educational Brochures

Even with all these outreach methods, property maintenance and zoning violations will still occur and will have to be addressed by Property Standards Division team members.

Identification of Code Violations

There are two ways that code violations are identified: reactive inspections due to complaints received and proactive inspections by Property Standards team members as they are in the community. The Property Standards staff are assigned geographic districts and are responsible to respond to complaints as well as conduct proactive inspections in their areas. In an average year, 25% of valid violations are identified by complaint and 75% by proactive inspections.

Citizen Complaints

Complaints may be received through multiple sources, including:

- Verbal: In-person in the office or in the community, telephone
- Virtual: Emails, FIXIT Plano application, website submittal form
- Referral: Other City Departments or City officials.

Complaints received will be categorized into one of three (3) tiered response categories based on the threat to public health, safety and welfare.

- <u>Tier 1</u>: There is an immediate or imminent threat; must be inspected by the assigned staff member within one (1) hour of notification. (i.e. electrocution hazard, rotting or putrid trash, offensive/obscene graffiti.)
- <u>Tier 2</u>: A probable threat is presented; must be inspected by the assigned staff member
 the same day that notification is received. (i.e. pool enclosures, excessive amounts of
 trash located on front yard and/or driveway, visibility obstructions at major thoroughfares)
- <u>Tier 3</u>: Typical health and safety concerns; must be inspected within 48 hours of assignment.

Complainants may choose to remain anonymous. However, those complainants that identify themselves will receive updates throughout the entire case process. If an inspection was conducted because of a complaint, the Property Standards team member will make contact with the complainant the same day of inspection to provide results and next actions, when applicable.

In situations where Property Standards staff are unable to confirm the reported violation, the assigned team member will contact the complainant to verify the information received and obtain additional details from the complainant regarding the potential violation.

Proactive Inspections

Proactive inspections are conducted routinely within the assigned districts. Property Standards staff have the goal of inspecting all properties located in their assigned area a minimum of once a month, in order to stay abreast of potential violations and monitor existing violations. Additionally, Property Standards staff will work one Saturday every other month to inspect their assigned neighborhoods for violations that may not be occurring, or evident, during the work week, including complaints received or scheduled re-inspections.

There are some citizens that feel enforcement is not sufficient and needs to be increased, while others feel the enforcement is too strict. The Property Standards team seeks to find a balance between the conflicting concerns expressed by citizens. The focus of proactive inspections are aligned with the most common complaints received, as well as public health and safety issues. Common violations are those typically relating to high grass and weeds, trash and debris, tree limbs and branches as well as open storage and junked vehicles.

Top 5 Residential Violation Complaints:

- Grass and Weeds
- Refuse and Rubbish
- Tree Limbs and Branches
- Open Storage
- Exterior Property Maintenance

Top 5 Commercial Violation Complaints:

- Grass and Weeds
- Refuse and Rubbish
- Tree Limbs and Branches
- Open Storage
- Abandoned Shopping Carts

Top 5 Residential Proactive Violations:

- Refuse and Rubbish
- Grass and Weeds
- Tree Limbs and Branches
- Open Storage
- Vehicle Parking Surface

<u>Top 5 Commercial Proactive Violations:</u>

- Grass and Weeds
- Refuse and Rubbish
- Tree Limbs and Branches
- Open Storage
- Abandoned Shopping Carts

By being proactive in addressing the most common violations submitted as a complaints, the Property Standards Division is able to keep these type of complaints low in order to provide better customer service to our citizens and businesses. For 2020, the Property Standards team maintained an average Customer Satisfaction rating of 4.61 (out of 5) for 103 surveys received.

The Property Standards staff assigned to the <u>Multi-family</u> and <u>Hotel/Motel</u> Registration and Inspection programs inspect properties on an annual basis, excluding those properties that have obtained inspection exemptions due to ensuring maintenance in accordance with minimum building and property maintenance standards during a previous annual inspection. They will also conduct proactive inspections throughout the year of all assigned properties within their <u>inspection district</u> to monitor the status of those properties.

When conducting inspections of a property, either as a result of a complaint or during routine inspections, Property Standards staff will inspect each property as a whole and identify all violations. All yards visible from a public rights-of-way (streets, alleys, etc.) will be inspected, including the driveways and fences. Staff is prohibited from climbing a fence or placing a camera over or against an opening to view a violation. However, a violation may be viewed from an adjacent property's yard or the second floor of the property, if the adjacent property owner/occupant grants such permission.

Notification of Violation

Once a violation has been identified, action must be initiated to bring the property into compliance. Many of our notices provide an additional educational opportunity to explain expected property maintenance to the owners or residents. The Property Standards staff carefully review any past case history and verify ownership and occupancy records before initiating contact with the property owner or responsible party. The most appropriate means of notification is determined on a case-by-case basis. Some examples of notification when a violation is found are described below:

Notices left at property location:

- Courtesy Notice This notification is used when either a property or the current property
 owner/occupant has no previous violation history. This notification on its own does not meet
 the requirements required to issue a Notice to Appear in Court or abate a violation. This
 notification allows three (3) business days for the property owner/occupant to make contact
 with Property Standards staff to discuss the possible violations.
- **Door Tag** This notification is used to either provide an initial notice of an easily resolvable violation or as a follow-up notification after any other notification has been issued. Typically, the door tag has a compliance time frame of no more than 7 days. This notification on its own does not meet the requirements required to issue a Notice to Appear in Court or abate a violation.
- **Pool Enclosure Notification** This notification is immediately posted to the front door of the property due to the imminent life safety issues and short timeframe for compliance. Temporary orange fence netting may also be installed over the fence opening to secure it pending repairs.
- Violation Stickers These notifications are used on motor vehicles, trailers and shopping
 carts in conjunction with the below listed notices to ensure notification is provided to the
 vehicle owner, trailer owner or shopping cart owner when there is a possibility they are not
 the property owner. This notification on its own does not meet the requirements required to
 issue a Notice to Appear in Court or abate a violation.

Letters sent to property owners:

Outreach and Assistance Letter - This notification was added in response to the pandemic.
It is used when either a property or the current property owner/occupant has not responded
to the Courtesy Notice, has not had a previous Notice of Violation issued or there has been a
significant period of time since a Notice of Violation has been issued. This notification on its
own does not meet the requirements required to issue a Notice to Appear in Court or abate a
violation.

- Notice of Violation (NOV) Letter This notification is used to formally notify a property owner/occupant of a violation. A NOV letter is issued subsequent to previous attempts to gain compliance or when a property owner/occupant has been previously noticed of a violation. A Notice of Violation will allow from twelve to sixty days, depending on the violation, to bring the property into compliance.
- Offer to Abate Graffiti This is the initial notification related to a graffiti violation. The offer to abate is required under State law prior to sending a Notice of Violation. Abatement is conducted at the expense of the municipality.

The timeframe for compliance depends on the type violation at the property and the intensity of action necessary to resolve the violation. Simple corrections, such as the removal of a small amount of trash, may only require 3 days to correct. Whereas a larger project such as a fence repair or tree removal may require thirty to sixty days. Some major zoning and substandard structure violations may take up to six months to correct.

Compliance Actions

Consistently across the last three years, following all forms of the previously mentioned communications, voluntary compliance by our property owners is incredibly high at 95%. Of the remaining 5% of violations, approximately 4% go through abatement by a work order and approximately 1% will go through the municipal court process.

Voluntary Compliance:

Voluntary compliance includes property owners that complete the work themselves, personally or utilizing a contractor. Other activities that are also included in voluntary compliance are one of the many programs that Neighborhood Services provides to those owners that have responded to their violation notice and indicated they need additional assistance or are unable to complete the work due to financial and/or physical needs.

These programs include:

- Plano CARES (Code Abatement by Residents Engaged in Service): <u>Plano CARES</u> connects local volunteers to residents in need of assistance with common property code violations. The program was recognized by the American Association of Code Enforcement (AACE) in 2019 and received the Innovative Code Program Award.
- Plano Tool Lending Program: For the weekends that CARES activities are not scheduled, the tools are made available to residents who don't have the means or ability to cut their own grass and trees.
- Fence and Tree Maintenance Assistance Program: These programs utilize contractors to resolve fence and tree compliance problems when volunteer based programs have deemed a project beyond their physical or financial capability. Funded solely through donations and grants, these programs are available to City of Plano residents who own homes located within the low-to-moderate income areas as well as senior citizens throughout the city, regardless of location.
- The Great Update Rebate: The Great Update Rebate program was created to assist Plano homeowners with the financial burden of caring for older homes in the City. This popular program won the 2016 City Livability Award from the United States Conference of Mayors.
- Housing Rehabilitation Program: Funded through the US Department of Housing and Urban Development, the Housing Rehabilitation Program provides home repair assistance to income-qualified, homeowners.

- **Smart Energy Loan Program**: The City of Plano established this <u>loan program</u> through the Department of Energy to support Plano homeowners seeking energy efficient home improvements, such as windows, doors, skylights and roofing.
- **Day Labor Center**: Established in 1994, the <u>Day Labor Center</u> provides an organized and safe venue for contractors, including home and business owners, to engage in the temporary labor placement process.

In many instances, Neighborhood Services will also have to collaborate with other departments within the City in an effort to gain compliance at a property or address multiple violations related to different departments. Property Standards team members frequently work with Animal Services, Fire, Police, and Public Works personnel to resolve issues.

Some departmental relationships require an increased level of communication and have regularly scheduled meetings to discuss more complex situations. The Neighborhood Services Department currently holds weekly zoning enforcement meetings with the Planning and Building Inspections Departments and guarterly meetings with Environmental Health and Sustainability Department.

Abatement by Work Order:

When attempts to seek voluntary compliance are unsuccessful, a number of adopted codes allow the City to abate the violation in order to gain compliance. Abatement work orders are a more expedient means of gaining compliance than filing cases through the Municipal Court system. A Contract Work Order is submitted to a third party contractor who will complete the work to gain compliance.

Work orders are issued for violations such as: high grass and weeds, refuse and rubbish, tree branch trimming, tree removal, securing vacant structures, and graffiti removal. The property owner is charged for the cost of the work and administration fees. If the cost of the work is not paid, a lien is filed on the property.

Municipal Court Process:

The legal system is always the last option utilized when all other attempts to gain compliance have failed. A Notice to Appear or Probable Cause Affidavit is filed with the Municipal Court requesting issuance of a summons for the property owner/occupant to appear in court. The first court appearance will be a pre-trial hearing where the defendant can enter a plea to the alleged charge. A defendant can enter a plea of guilty, not guilty or no contest.

Most code cases are offered a deferred disposition if they pay a fine and correct the violation within a specific amount of time. Should there be property owners that repeatedly violate the same code section within a four-year period, there are increasing fines applied by the Municipal Court system in cases where there have been previous convictions.

Summary

The Neighborhood Services Department strives to work cooperatively with our residents, business owners and community partners to resolve property maintenance and zoning violations throughout the City. We will also continue to seek to find the balance between the conflicting concerns expressed by residents and businesses regarding the level of enforcement actions. Working together, we are able to ensure the health, safety and welfare of the community, making Plano the most livable city in the nation.

ATTACHMENTS: April 26, 2021 City Council Preliminary Open Meeting PowerPoint Presentation

xc: Jack Carr, Deputy City Manager



Neighborhood Services Department Property Standards Division Overview

Lori Schwarz, Director of Neighborhood Services Scott Lussier, Property Standards Manager

April 26, 2021 City Council Preliminary Open Meeting

Neighborhood Services Department

Community Services * BEST Neighborhoods * Property Standards*

Vision:

Plano neighborhoods to be the most desirable in the nation.

Mission:

Connecting <u>community needs</u> with <u>community resources</u>.



NSD Pillars of Action

We **HELP** meet the needs of residents by enlisting volunteers.

We provide **OUTREACH** to residents and community partners with knowledge and resources.

We **PARTNER** with residents, neighborhood groups, and organizations to take action and achieve a greater impact in the community.

We **ENFORCE** City Council adopted codes and ordinances to preserve property values and ensure the health, safety and welfare of the community.







We create **HOPE** and propel positive change so people are proud to call Plano home.











Connecting Community Needs with Community Resources

























Property Standards

















BEST Neighborhoods

City Codes and Ordinances



- 2018 International Property Maintenance Code (IPMC), including local amendments
- Code of Ordinances sections such as those relating to: junked vehicles, high grass and weeds, accumulated trash and debris, fence maintenance and graffiti.
- Zoning Ordinance including zoning, setbacks and land use but excluding the sign regulations, which are enforced by the Building Inspections Department.



PROPERTY STANDARDS TEAM:

Leadership Team:

Property Standards Manager Property Standards Supervisors (4)

Certifications:

- Code Enforcement Officer
- Code Enforcement Officer II
- Property Maintenance and Housing Inspector
- Zoning Inspector

Experience:

Approximately 70 years combined







PROPERTY STANDARDS TEAM:

Community-based Team:

- Property Standards Inspectors (3)
- Property Standards Specialists (8)
- Property Standards Specialists, Senior (11)

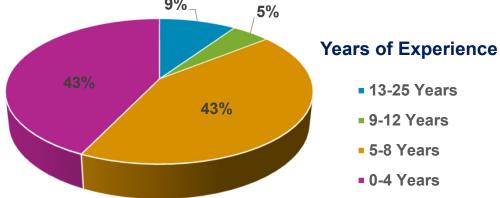
Certifications:

- Code Enforcement Officer 88%
- Zoning Inspector 69%
- Property Maintenance and Housing Inspector – 69%

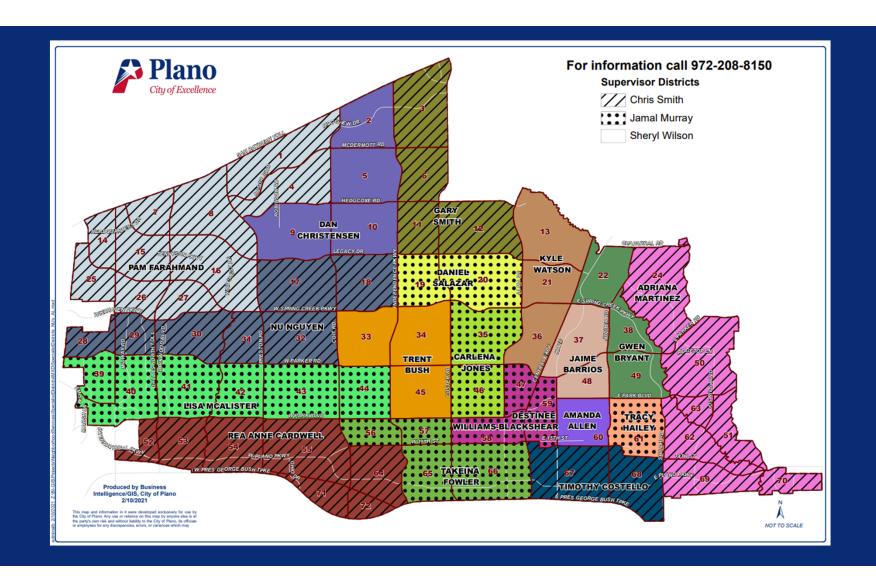
Years of Experience:

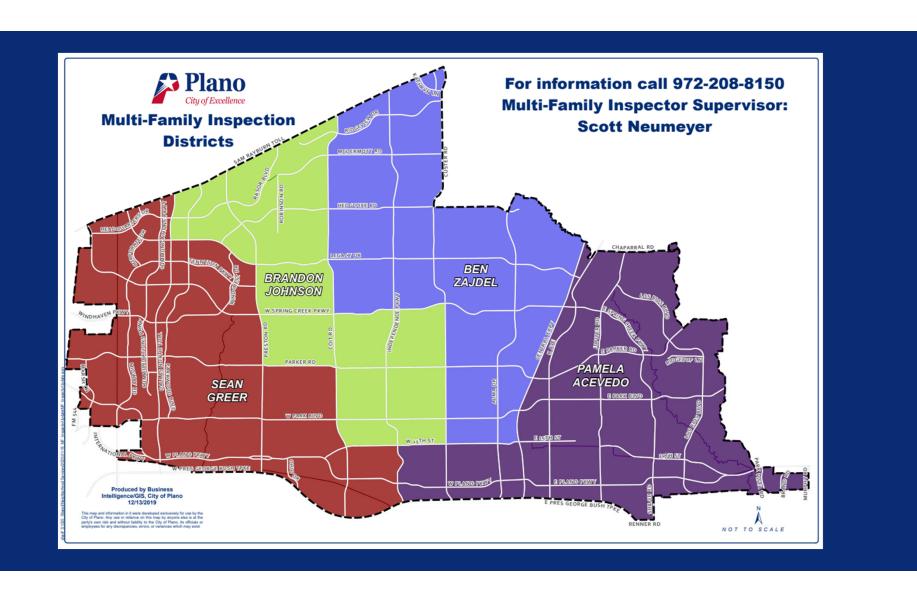
Average of 5.6 years of experience













Workshops

- Harrington
- Davis



Resident Attendees





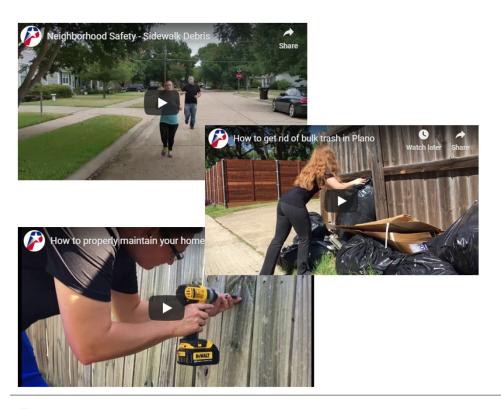
Specialty Workshops:

- Spanish language
- Women-focused
- Fully-virtual due to pandemic



Learn more about the importance of maintaining your home and get helpful tips!



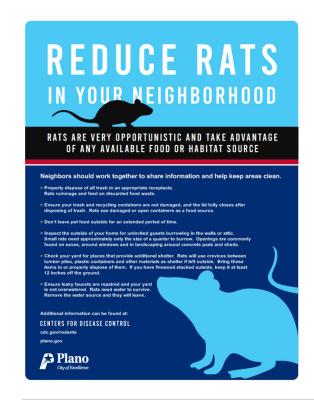


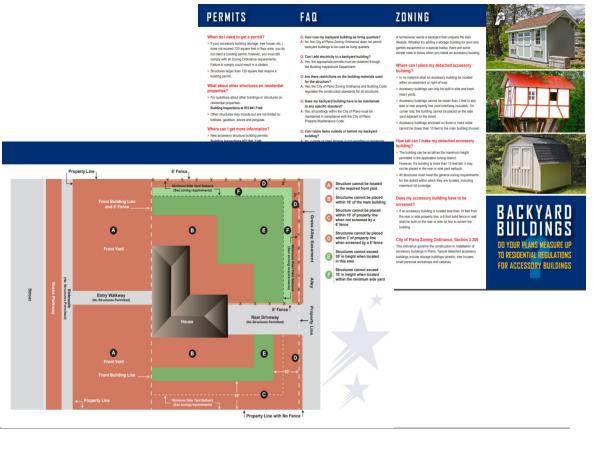
Property Maintenance Videos

- Sidewalk Debris
- Bulky Waste
- Fence Maintenance
- Holiday Lights

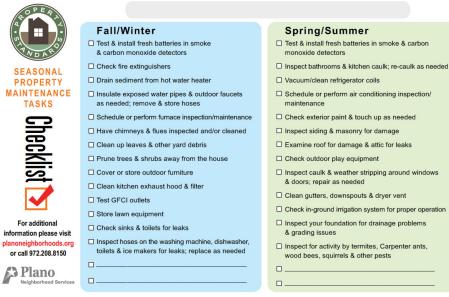












Residential Checklists

Commercial Checklists







Connecting community needs with community resources.

972.208.8150

Hello Plano resident,

The Property Standards Division routinely visits homes in your neighborhood to ensure they are maintained in accordance with adopted City standards. While inspecting your neighborhood, we identified a property maintenance concern at your home.

Please contact your specialist ______as soon as possible to discuss remedies. You may also want to visit our website to review the common violations page at plano.gov/commonviolations prior to contacting our office.

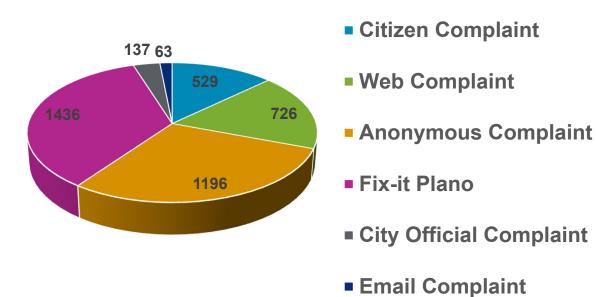
We appreciate your assistance in helping to keep Plano a great place to live!

Thank You!

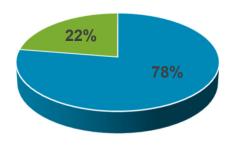


IDENTIFICATION:

Complaints



Case Origination



Proactive - 14101Complaint - 4087





IDENTIFICATION:

Top Five Violations

Residential

Refuse and Rubbish	4557
Grass and Weeds	4121
Tree Limbs and Branches	4028
Open Storage	1142
Vehicle Parking Surface	772

Commercial

Grass and Weeds	270
Refuse and Rubbish	268
Tree Limbs and Branches	64
Open Storage	56
Abandoned Carts	35









IDENTIFICATION:

Top Five Violations

•	Electrical System Hazards	479
•	Exterior Surface - Protective Coating	370
•	Landscape Maintenance	302
•	Erosion	284
•	Smoke Alarms	246





Annual Registrations

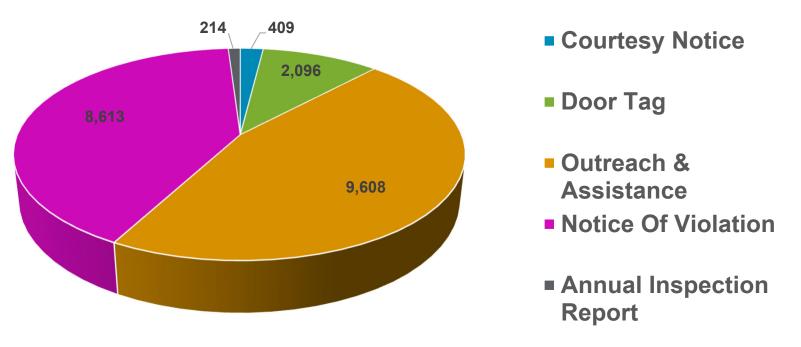
Multi-family Complex 136 Hotel/Motels 57



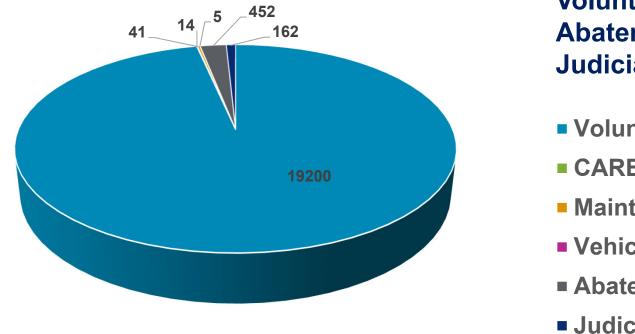


NOTIFICATION:

20,940 Notifications Issued







Voluntary 95% **Abatement** 4% **Judicial** 1%

- Voluntary
- CARES Projects
- Maintenance Assistance
- Vehicle Towed
- Abatement
- Judicial



40

Projects Completed



20

Tons of Debris

Code
Abatement by
Residents
Engaged in

Service

217 Volunteers



Volunteer Hours









Coming Soon:Code Champions









ACCOMPLISHMENTS

American Association of Code Enforcement (AACE)



Code Department of the Year - 2019
First Accredited City



2019 Innovative Code Program Award





Thank you