

Proactive Code Enforcement

I. Background

The Ignite Strategic Planning Process conducted in 2019 and 2020 defined a strategic initiative for strong neighborhoods and housing choices. The interests and concerns established through the process resulted in this proposal to modify multiple aspects of the Neighborhood Services Program to better serve the community.

Chapter 16 of the Lee's Summit Code of Ordinances has been established as The Property Maintenance Code (PMC). This code applies to the interior and exterior of all property through adopted minimum standards to protect public health and safety. In addition, Chapter 33 of the Lee's Summit Code of Ordinances has been adopted as the Unified Development ordinance (UDO) for the City of Lee's Summit, and establishes zoning and land use principles for the City. The Neighborhood Services Division (NHS) of the Development Services Department serves as the code enforcement entity for the city. Currently a reactive model of code enforcement is utilized for the enforcement of both the PMC and UDO.

II. C4 Strategic Planning Process and Program Goals

As part of the strategic planning process, The Strong Communities and Housing Choices group established four objectives. One of those objectives was to develop an approach to selective, proactive code enforcement. This proposal contains information that was gathered from the City and through research of peer cities with successful programs. From this research, process improvements are proposed to implement the Strategic Plan direction.

This proposed plan has four primary goals:

- 1) Enhance safety and environment
- 2) Equalize/normalize enforcement geographically
- 3) Organize community resources to assist citizens
- 4) Capture unreported violations

III. Program Development

City Staff researched other cities that have pro-active code enforcement programs to identify both successful and unsuccessful approaches. The following Cities were contacted to learn about their programs: Raymore, MO, Overland Park, KS, Blue Springs, MO, and Rock Hill, SC. In addition, a literature review was conducted to identify trends within code enforcement that have led to desirable outcomes across the nation.

This review determined the following five success factors:

- Relationship Building – Spending time to talk and work with property owners
- Cooperative Resolution – Working together towards a common goal
- Knowing the Local Area – Officers getting to know the locals on regular interactions
- Officer Discretion – Applying judgment on how and when to enforce a code

- Cooperation with Departments and External Agencies – Finding resources and being a resource to others who participate in code enforcement related activities.

This review also identified common characteristics of unsuccessful programs:

- Fine Based Enforcement – Adversarial rather than cooperative relationships
- Rigid Enforcement – Citing every violation regardless of size or other considerations
- Over and Targeted Enforcement – Not treating all properties with equity
- Program Size Balance – Not ensuring staffing levels are adequate to meet the case load

Staff also reviewed current trend data within Lee’s Summit to determine the most common violations and their geographic distribution. The following violations were the most cited to date in 2021. These most commonly cited violations are expected to be the primary items enforced through the proactive model.

- 1) Overgrown Vegetation (303 citations)
- 2) Garbage and Refuse not contained (201 citations)
- 3) Unregistered and Inoperable Vehicles (58 citations)
- 4) Unscreened Trash Receptacle (56 citations)
- 5) Sidewalk/Driveway repair/maintenance (54 citations)

From a review of average violations, it was determined that approximately 90% of all violations are abated by the property owner.

IV. Program Proposal

Based upon the information from the previous section, changes to the code enforcement model are proposed.

Patrol Schedule

- Sub-divide each of the existing 4 NHS districts into 10 sub-districts
- Each year Randomly assign one sub-district for each NHS district to a specific month for pro-active enforcement
- December and January of each year are set aside to reduce outstanding cases and prepare for the next year

Business License Enforcement

- Include business license enforcement during scheduled pro-active patrols

Increased Outreach and Education

- Re-launch the Quality Housing Program
- Provide monthly educational opportunities in conjunction with the pro-active districts
- Establish a system to connect citizens with resources for abatement

V. Resources and Budget

The changes outlined above will require additional resources to effectively implement. At first the migration to a patrol model is expected to increase the case load that current NHS officers oversee

due to an increase in violations identified. This will be coupled with an increase in outreach and education efforts. The combination of additional time to work cases and additional time working with the community will necessitate additional staff. The American Association of Code Enforcement recommends approximately one code enforcement officer for every 20,000 residents. Under the proactive model each officer would need to apply discretion on how to apply the code to manage their caseload. It is also expected that a dedicated field manager will be needed to effectively administer these changes, provide direction to the NHS Officers, and assist with more challenging cases.

VI. Performance Metrics and Effectiveness

Metrics for neighborhood services are primarily tracked by the number of violations found and the current number of active cases. They are further broken down into types of violations and case status. These metrics will continue to be tracked, as well as a new metric of community engagement opportunities. These metrics will continue to be assessed to determine the overall work load for the division.