

Memorandum



Date: August 31, 2007

To: Honorable Mayor and Members of the City Council

Subject: Department of Code Compliance Review and Action Plan

On September 5, 2007 you will be briefed on the services, programs, and a process improvement plan for the Department of Code Compliance. A copy is attached for your review.

Council members and citizens have expressed concerns related to department performance. This briefing describes the department's scope of services, identifies challenges, and outlines an improvement plan to provide both immediate and long-term solutions, goals, and objectives.

In an effort to keep you updated, a schedule of follow-up briefings has been included. Future briefings will report department performance as well as improvement plan results.



Charles W. Daniels
Assistant City Manager

cc. Mary K. Suhm, City Manager
Deborah Watkins, City Secretary
Thomas P. Perkins, City Attorney
Craig D. Kinton, City Auditor
Judge Jay Robinson
Ryan S. Evans, First Assistant City Manager
Charles W. Daniels, Assistant City Manager
Jill E. Jordan, P.E., Assistant City Manager
A. C. Gonzalez, Assistant City Manager
David K. Cook, Chief Financial Officer
Chandra Marshall-Henson, Assistant to City Manager

Department of Code Compliance

Program Review AND Process Improvement Plan

Presented to the City Council

September 5, 2007



City of Dallas

Purpose

To provide:

- A review of the programs and services
- An examination of the challenges confronting Code Compliance
- An action plan

Overview

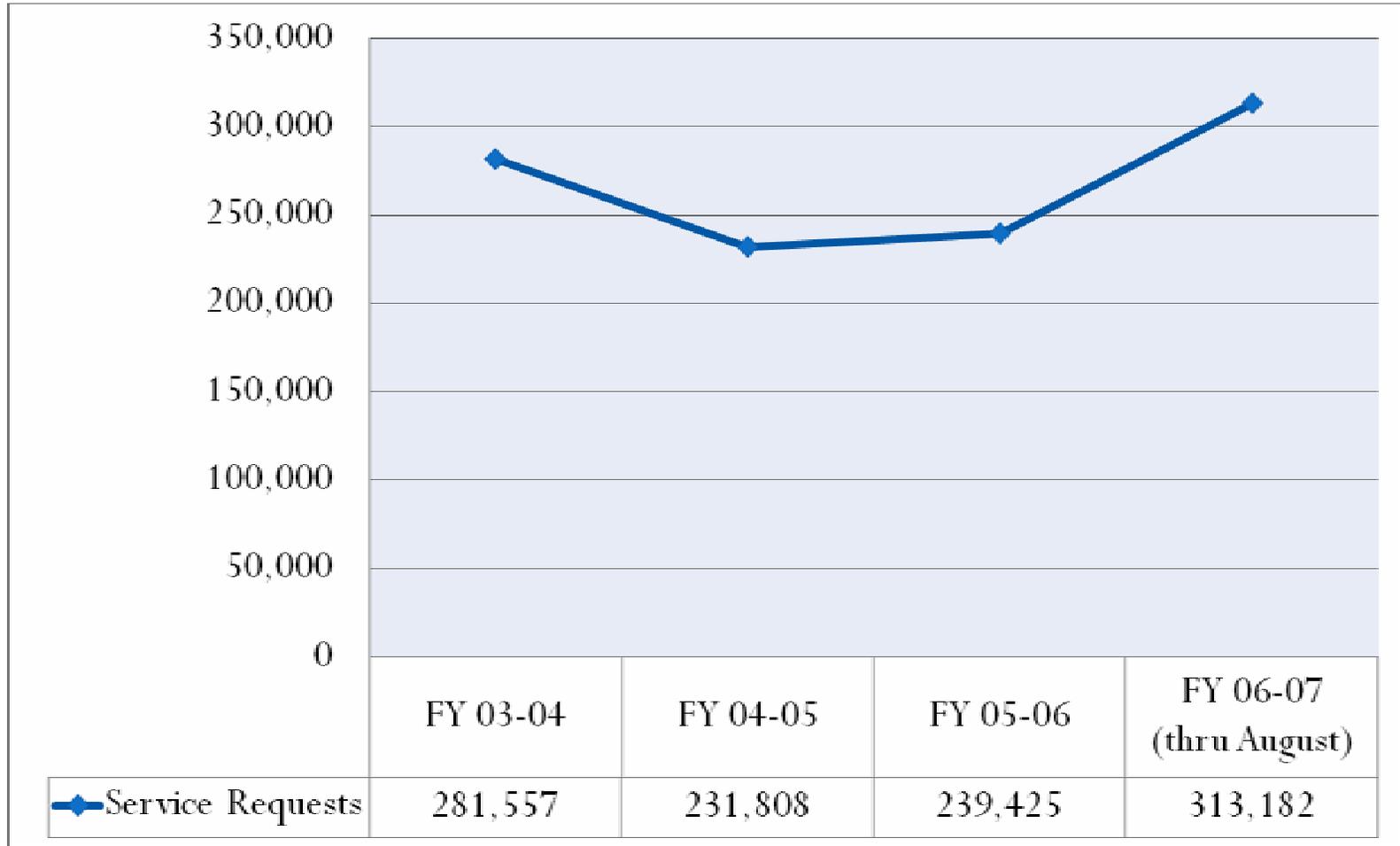
- The Department of Code Compliance is a General Fund department with 394 employees and a proposed budget of \$25.7 million
- Three Divisions:
 - General Code Division, including Relocation Assistance
 - Nuisance Abatement and Multi-Tenant Inspections
 - Animal Services

Overview

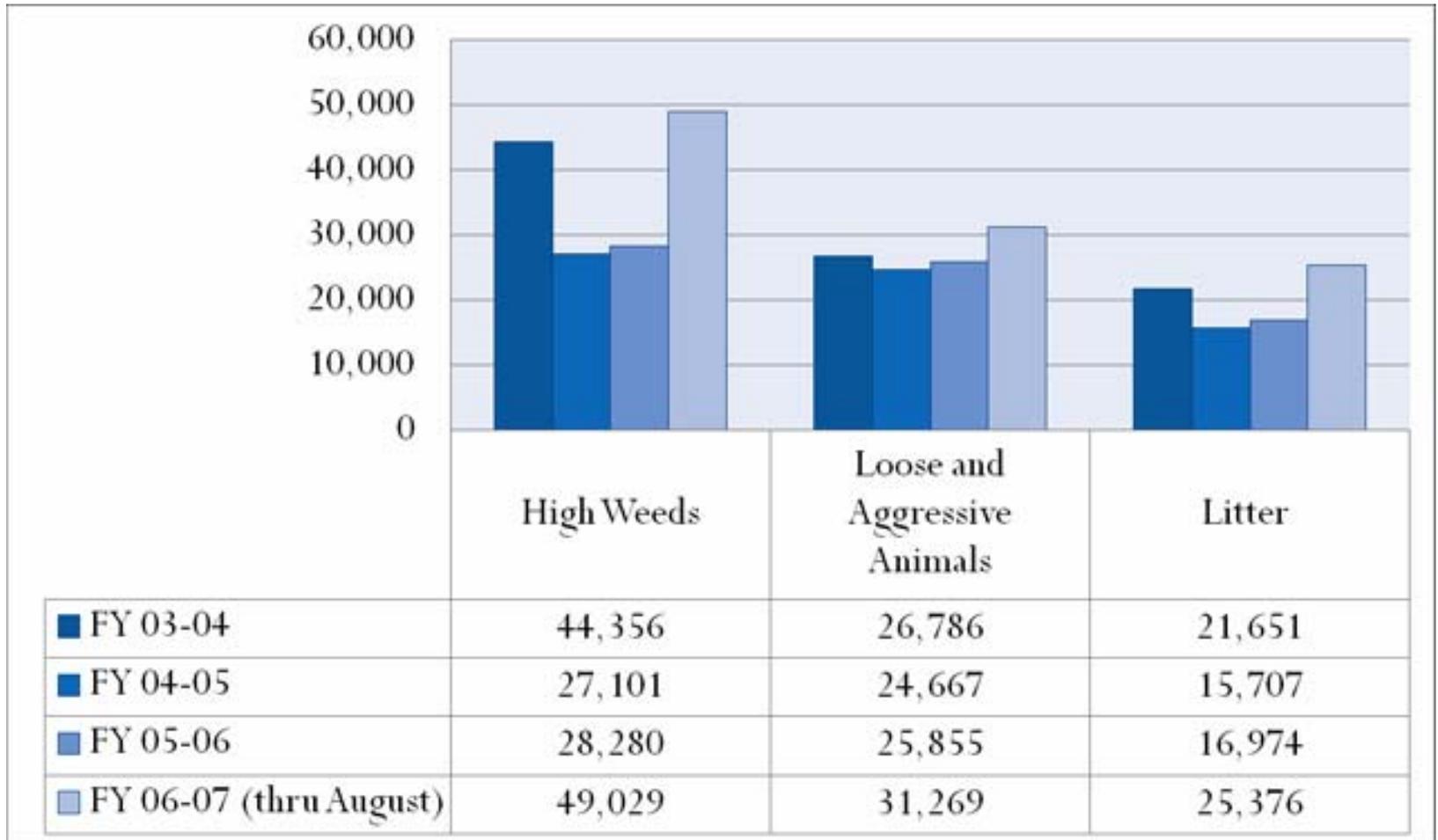
Respond to over 230,000 service requests annually including:

- High weeds
- Loose and aggressive animals
- Boarded-up structures
- Junk motor vehicles
- Bulky trash complaints
- Illegal dumping
- Graffiti abatement
- Sign removal
- Mowing and litter removal
- Animal cruelty
- Substandard structures
- Inspections

Total 311 Service Requests

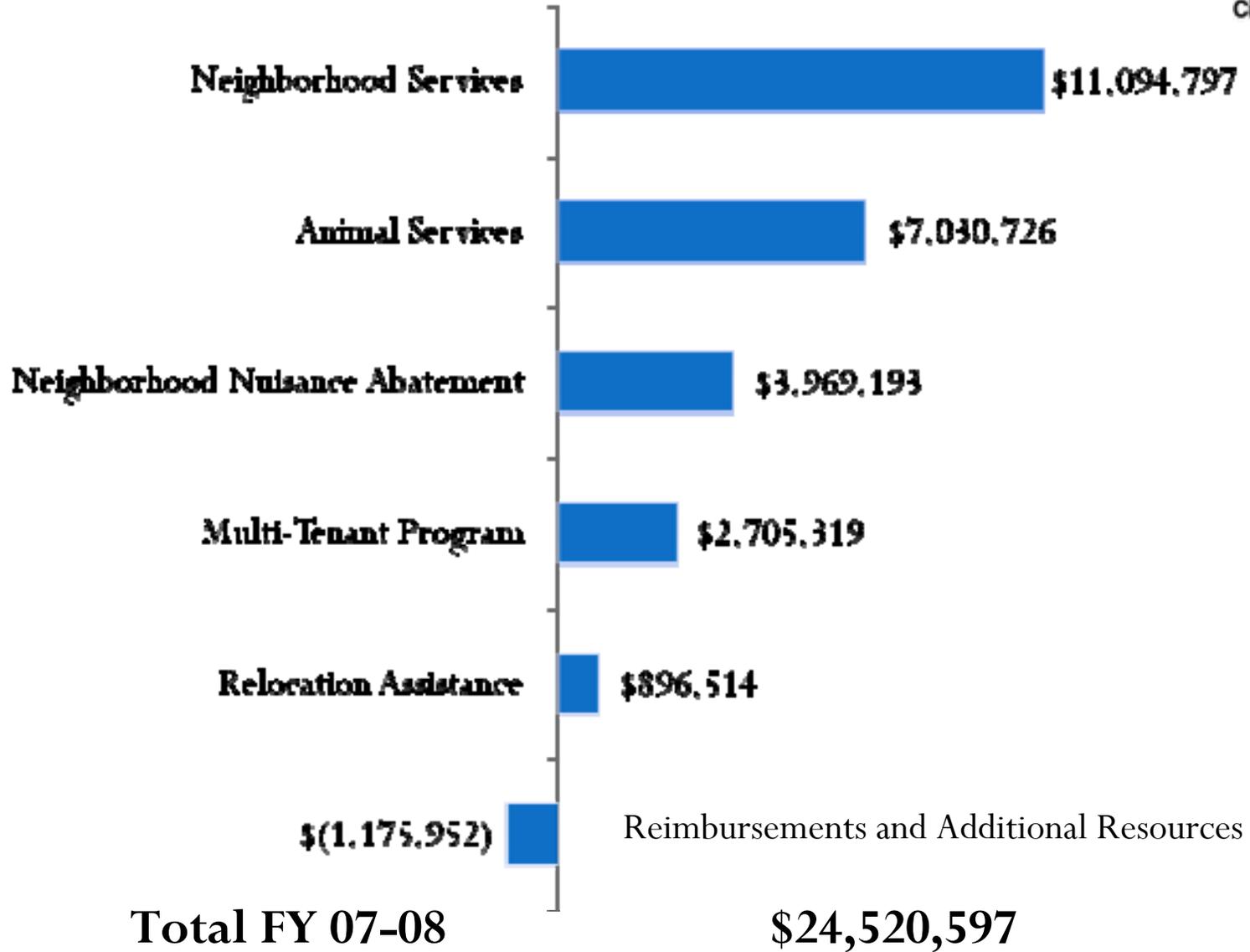


Top Three 311 Service Requests





FY 07-08 Budget Summary



Scope of Services

Code Compliance provides:

- Work that is scheduled, tracked, and followed up on through the CRMS (311)
- Enforcement of city ordinances
- Relocation assistance for residential and commercial properties
- Services to over 35,000 animals annually
- Mowing and litter removal on over 10,000 locations annually
- Graffiti abatement on 900 vandalized sites annually
- Removal of over 900 junk motor vehicles from private property annually

General Code Division

\$12 million budget

- Responsible for:
 - Residential and commercial property inspections
 - Most common service request received is high weeds complaints
 - Relocation assistance
 - Assist residential and commercial property owners to relocate from dilapidated and unsafe structures
 - Premise abatement and junk motor vehicle removal

Nuisance Abatement and Multi-Tenant Division



\$6.7 million budget

- Responsible for:
 - Multi-tenant property inspections
 - Mowing and litter removal through Mow Clean
 - Oversight of repair-related businesses (motor vehicle, home, electronic, wood vendors, and scrap tire vendors)
 - Swimming pool inspections
 - Boarding house inspections

Animal Services Division

\$7 million budget

- Responded to over 58,000 service requests annually
- Responsible for:
 - Impoundment of over 35,000 animals annually
 - Pet registrations
 - Vaccinations
 - Animal adoptions
- New Animal Shelter will open in October 2007
- Animal Shelter Advisory Commission

Service Delivery Challenges

- Speedy resolution of cases
 - Notification
 - State law requirements
 - Judicial discretion
- Changing property owner behavior
- Fair and equitable treatment of the complaining party and the alleged violator
- Difficulty recruiting and retaining employees

ACTION PLAN: IMMEDIATE AND LONG TERM SOLUTIONS

Looking Ahead: The Next 100 Days

LOOSE ANIMAL CONTROLS

- Develop flexible work hours to catch animals when they are out
- Deploy rapid response officers
- Provide door hangers to educate citizens tailored to specific neighborhoods (English and Spanish)
- Utilize the Animal Shelter Advisory Commission to provide public outreach for the spay and neuter program
- New Animal Shelter will provide additional housing capacity



Looking Ahead: The Next 100 Days

HIGH WEEDS (*Mow and Clean Operations*)

- Eliminate the backlog of overdue service requests
- Hire contract-labor to eliminate service request backlogs

Requires policy changes and may require additional funding:

- *Update equipment to match what is appropriate for neighborhood lawn care*
- *Evaluate and determine if contracted-services are needed:*
 - *Mowing of vacant lots*
 - *Litter pick-up and removal*



Looking Ahead: The Next 100 Days

BOARDED-UP STRUCTURES

- Identify neighborhoods where boarded-up and vacant structures are prevalent and take the following actions:
 - Develop and implement a Citizens' Code Academy to empower residents
 - Assign a staff person to serve as a dedicated contact person and liaison to neighborhood groups
- Establish a service level agreement of no more than 48 hours to board-up vacant structures
- Establish an incentive program to contact home-builders with information regarding vacant lots and boarded-up structures that are available

Looking Ahead: The Next 100 Days

CUSTOMER FOCUS

- Assign managers to a specific area, and hold them accountable for the performance of the district
- Utilize the Service Area Coordination Team to target “hot spots”
- Establish a Memorandum of Understanding with neighborhood groups to identify needs and:
 - See what the customer sees
 - Prioritize neighborhood concerns
- Organize Neighborhood Volunteer Code Teams
 - Brown bag sessions to identify and discuss problems
 - Teams will proactively provide courtesy information to citizens prior to Code Officers issuing citations

Looking Ahead: The Next 100 Days

PERFORMANCE DRIVEN

- Refine objectives and begin to benchmark our progress
- Review individual performance plans to match service delivery expectations
- Fill all vacant positions by December 14, 2007
- Start the recruitment process for hiring a new Director
 - Engage an executive search firm
 - Review candidates
 - Get community feedback
 - Hire candidate



Looking Ahead: The Next 100 Days

INTERNAL CONTROLS REVIEW

- Conduct a vulnerability assessment on all processes in the next 30 days
 - Opportunity to:
 - Reduce waste
 - Increase productivity
 - Prevent loss of resources
- Set a course for corrective action
 - Results:
 - Improve performance
 - Better customer service
 - Reduce complaints

Strategic Approach

LONG RANGE PLAN

- Reorganization of the department to enhance effectiveness and efficiency
- Deploy staff and resources to where the need is greatest
- Develop an employee-driven strategic plan with input from citizens and community groups
- Initiate the ISO 9001 quality management system (3 year process)
- Enhance training and development for Code Officers
- Develop a public education and outreach program in partnership with Strategic Customer Services

Progress Report Schedule

COUNCIL COMMITTEE BRIEFINGS

- Topics that will be briefed include:
 - Garage/yard sales
 - Loose and aggressive animals
 - Single family rental property inspection program
 - Review of ordinances and statutes for potential changes before the next legislative session
 - Mow Clean operations
 - Boarding house and group home task force

Progress Report Schedule

CITY COUNCIL BRIEFING

- Provide a progress report on the status of improvements within Code Compliance in January 2008
- Recommend additional funding if necessary

Recap

- Several challenges currently face the Department of Code Compliance
- A 100 day plan is in place to ensure that challenges and issues facing the department are addressed
- Council Committees will be briefed periodically to update progress
- The City Council will be briefed in January with a full progress report

Comments or Questions

Appendix

- A. Frequently Asked Questions
- B. Inspection Processes

A. Frequently Asked Questions

High Weeds

1. What constitutes a high weed violation?

- City code states that weeds exceeding 12 inches are in violation of the Dallas City Ordinance.

2. How long is a property owner given to be in compliance?

- 7 days for voluntary compliance upon observance of the first offense. If the violation remains or is observed within the 1 year span a citation is issued to the property owner and the violation is referred to the divisional Mow Clean staff for compliance.

3. Is the property owner responsible for maintenance of weeds on the parkway and the alley?

- Yes, property owners are responsible for abating high weed violations on the parkway and rear premises (to the center of the alley) on their property.

4. Who is responsible for high weeds on a rental property? Is it the property owner or tenant?

- The property owner is responsible for ensuring that their property is maintained in accordance with the guidelines of Dallas City Code.

High Weeds Cont'd

5. Does Code Compliance abate weeds on all city owned property?

- Code Compliance is responsible for abating weeds on city owned property.

6. What is an annual notice of violation?

- A written notification is issued to property owners one time annually, advising the owner that a violation exists on their property, and that their failure to abate the initial and subsequent violations will result in an immediate issuance of a citation(s).

Loose Animals

1. Can the City remove dogs from within the confinement of a residence after receiving complaints?

- No. The City can only remove an animal that has been observed as being loose prior to impoundment.
- City is not allowed to enter private property to remove an animal without a judge's order.

2. What are the City's requirements for dog and cat registration?

- Dog or cat owners must have the animal vaccinated either annually or tri-annually for rabies, present a certificate of vaccination, and pay an annual registration fee to Dallas Animal Services to obtain a registration tag for the animal.

3. What happens if an animal is unregistered and documentation cannot be provided?

- Two citations are issued to the owner: rabies and license citations.

4. How many Animal Service Officers does the City have to address the loose dog problem?

- There are currently 26 Animal Service officers.

Loose Animals Cont'd

5. How long does the City have to respond to a loose, aggressive animal complaint?

- The Service Level Agreement for a loose aggressive animal is 3 days.

7. How does the City respond to an animal bite complaint?

- Code Compliance quarantines the animal for 10 days, if the animal is not deemed dangerous and does not test positive for rabies, it is released back to the owner.

Boarded up Structures

1. What constitutes an open and vacant structure violation?

- City code states that an owner must keep the doors and windows of a vacant structure or vacant portion of a structure securely closed to prevent unauthorized entry.

2. Who is responsible for securing an open, unoccupied structure?

- The property owner. A notice is posted should the property be found unsecured. If the owner does not secure the structure, the City will secure the structure at the owner's expense.

3. How long does the owner have to secure a structure?

- The owner has 48 hours to secure a structure.

4. What types of structures does the city consider for closing?

- The city is only responsible for closing single/one level structures.

5. Do materials used to board up vacant structures have to be painted?

- The city is not required to paint material used for boarding vacant structures.

Junk Motor Vehicles

1. What is considered a Junk Motor Vehicle (JMV)?

- The following is the criteria to determine a JMV:
 - Inoperable vehicle with an expired license plate
 - invalid motor vehicle inspection certificate attached to it
 - wrecked, dismantled, partially dismantled, discarded, and/or
 - has remained inoperable for more than 30 consecutive days and visible from public view.

2. How long does a citizen have to remove a Junk Motor Vehicle?

- The citizen has 10 Days to remove a junk motor vehicle after receipt of notification.
- To avoid towing, owners may store inoperable vehicles in a garage.

3. What could happen to property owners if they fail to remove a Junk Motor Vehicle?

- Should an owner fail to remove a junk motor vehicle from the property or prove the vehicle operable, the vehicle will be towed after approval by a municipal judge and sold as salvage.

Junk Motor Vehicles Cont'd

4. What Junk Motor Vehicle complaints does Code Compliance respond to?

- Code Compliance only addresses vehicles on private property. If the vehicle is on the street, the Dallas Police Department has jurisdiction.

5. What if the vehicle owner is serving in the military?

- A vehicle stored at the property of a member of the U.S. Armed Services on active duty is exempt.

Litter Removal

1. What constitutes a Litter violation?

- Anytime garbage, refuse or rubbish that is allowed to accumulate on a citizens' property.

2. What actions does the city take against violators of litter?

- A Notice of Violation is issued one time annually. Thereafter, should the owner not abate the violation, a citation is issued and the violation is abated by the City of Dallas at the owner's expense.

3. Who is responsible for litter on a rental property?

- The property owner is the responsible individual for removal of litter violations on rental property.

Bulky Trash

1. What constitutes a bulky trash violation?

- Placing trash in front of a property prior to the scheduled bulk collection week.

2. Does the department of Code Compliance consider debris from construction or building material as bulky trash?

- Approved bulk items consist of large limbs, shrubbery, bagged leaves (sealed 50-gallon or smaller bags only), furniture, appliances, mattresses, and box springs. Grass clippings and new construction or remodeling debris cannot be placed out as bulk trash.

3. Is the City responsible for removal and clean up of fallen trees on private property knocked down during storms and inclement weather?

- No, the City is only responsible for removal of bulky trash items placed on the curb during the scheduled pick up week.

Bulky Trash Cont'd

4. What happens if a citizen misses their brush week? What do citizens do with their bulky trash?

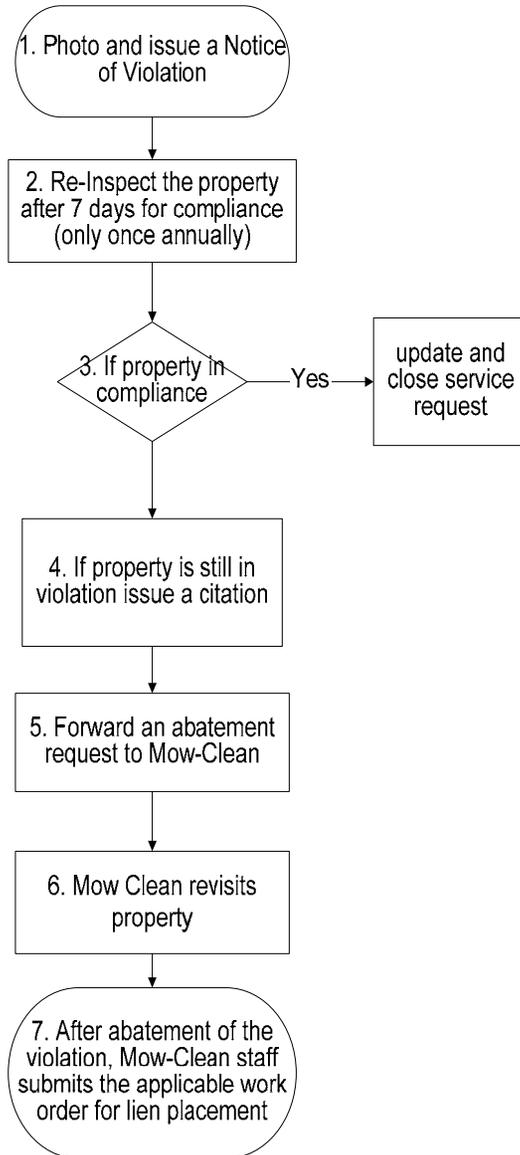
- Citizens should remove the bulky items from the curb until their next scheduled brush week or contact 3-1-1 in an effort to schedule a “Cost Plus” pick up service, which is service offered to citizens to retrieve construction or remodeling materials and bulk trash items.

5. Why does the City not provide citizens notices for bulky trash violations before issuing citations?

- Warning citations are not issued for bulk trash violations. The first course of action is a citation.

B. Inspection Processes

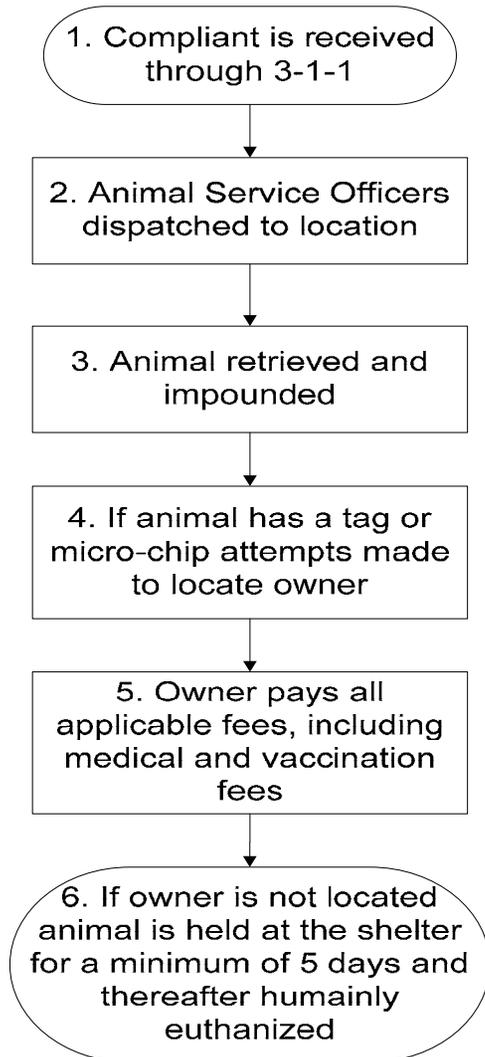
High Weeds Inspection Process



Upon confirmation of a violation:

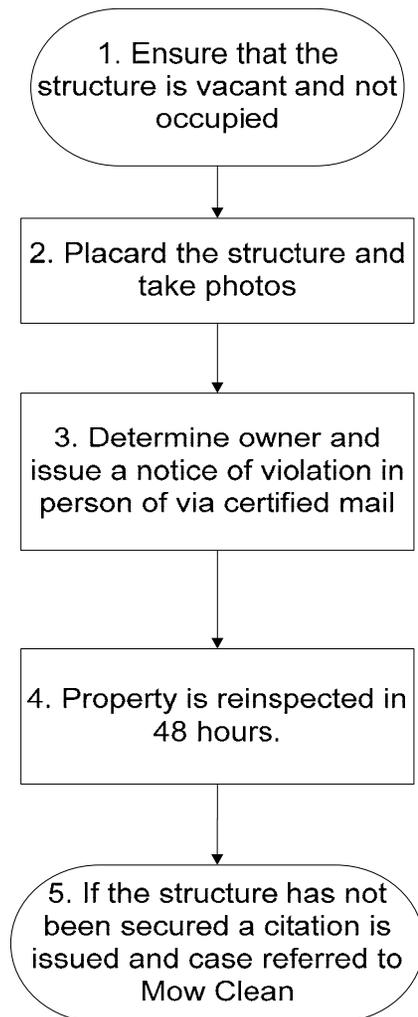
1. Take a photo of violation and issue a Notice of Violation.
2. Re-Inspect the property after 7 days for compliance (only once annually, after the issuance of the annual notice of violation all subsequent violations may result in an immediate citation being issued to the property owner).
3. If property is in compliance, update and close associated service request.
4. If property is still in violation issue a citation.
5. Forward an abatement request to the Mow-Clean Division for compliance.
6. Mow-Clean staff visits the location and takes a before-and-after photo of the violation prior to abatement.
7. After abatement of the violation, Mow-Clean staff submits the applicable work order and photos for proper lien placement.

Loose Animals Inspection Process



1. Complaint received through 3-1-1 (or an Animal Service Officer proactively observes a loose animal).
2. Team of Animal Service Officers are dispatched to the location.
3. Animal retrieved and impounded.
4. If the animal has a tag or micro-chip, attempts are made to locate the owner.
5. Owner pays all applicable fees (medical expenses incurred, costs for rabies shots and/or registration, etc.)
6. If an owner is not located, animal is held at the shelter for a minimum of 5 days and thereafter euthanized.

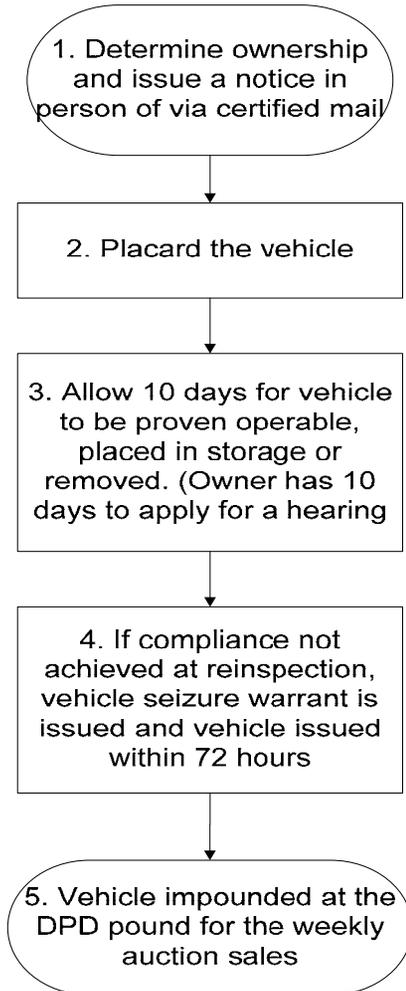
Boarded-up Structures Inspection Process



Upon determination that a vacant structure allows unauthorized entry:

- Ensure that the structure is vacant and not occupied.
- Placard the structure, take photos of the unsecured exterior openings and of the placard on the building (attach photos to service request).
- Determine ownership and issue a notice of violation in person or via certified mail to the owner or lawful representative, to secure the unsecured exterior openings.
- Property will be re-inspected in 48 hours.
- If structure has not been secured, issue citation and refer case to Mow Clean for closure.

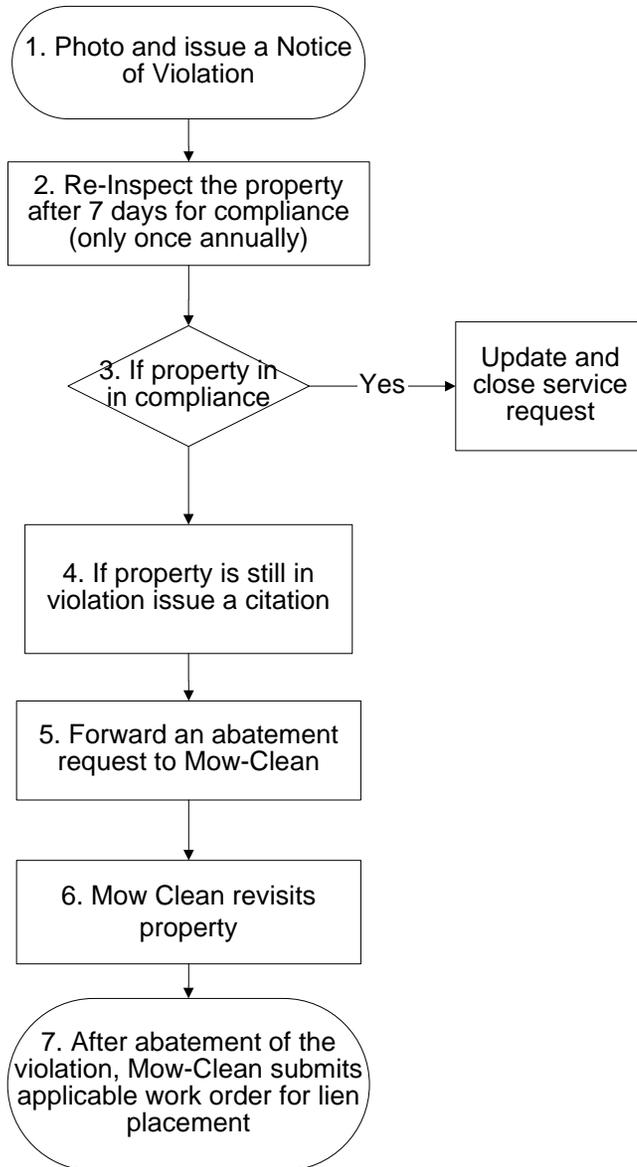
Process



Once determined that the vehicle meets the criteria of a Junk Motor Vehicle:

- Determine ownership and issue a notice of abatement in person or via certified mail (requesting a 5 day return-receipt) to the registered owner, lien holder, and property owner.
- Placard the vehicle (if possible).
- Allow 10 days for the vehicle to be proven operable, placed in a lawful storage, or removed from the property. (The vehicle owner has 10 days to apply for a hearing with the Municipal Judge).
- If during re-inspection it is found that compliance has not be achieved, vehicle seizure warrant will be submitted to the municipal judge and the vehicle will be seized within 72 hours.
- Vehicle will be impounded to the DPD Auto Pound.

Litter Removal Inspection Process



Upon confirmation of a violation:

1. Take a photo of violation and issue a Notice of Violation.
2. Re-Inspect the property after 7 days for compliance (only once annually, after the issuance of the annual notice of violation all subsequent violations may result in an immediate citation being issued to the property owner).
3. If property is complied, update and close the associated service request.
4. If property is still in violation, issue a citation.
5. Forward an abatement request to the Mow-Clean Division for compliance.
6. Mow-Clean staff visits the location and takes a before-and-after photo of the violation prior to abatement.
7. After abatement of the violation, Mow-Clean staff submits the applicable work order and photos for proper lien placement.