

Office of the City Manager

City of Richland Hills, Texas

Memorandum

To: Honorable Mayor Bill Agan and members of the Richland Hills City Council
From: Eric Strong, City Manager
Date: November 1st, 2016
Subject: Code Enforcement Discussion

Council Action Requested:

No Action – Discussion Only

Background Information:

Over the past few weeks, most (if not all) of the council has received calls or emails from citizens about Code Enforcement issues. This does not come as a surprise to staff, as we have discussed with council previously that increased enforcement will lead to increased questions, complaints and concerns from residents.

Since those questions, complaints and concerns seem to be more frequent recently, we want to discuss the Code Enforcement process with you to make sure everyone understands it. To assist in that effort, I have attached a sampling of the various documents that we send out to people when they have a violation on their property.

Once a violation is initially identified via a Code Enforcement inspection, a Notice of Violation (NOV) letter is sent to the owner and/or occupant of the location advising of the violation, what needs to be done to correct the violation, and the time period allowed to meet compliance. The standard length of time per the ordinance for compliance is seven (7) days. However, any violation deemed articulable as a danger to public health and safety can have a much shorter compliance time, usually 24 to 48 hours.

Once the specified time frame expires, the violation is subject to issuance of a citation (Class C Misdemeanor), and / or abatement by the city. Any costs incurred by the city are to be recouped via a lien against the property (except for homestead properties, which we cannot lien per state

law). Our ordinance also specifies that once a NOV has been sent to a location, any violations of the same type at the location during the following 365 days can be cited or abated without the issuance of a second NOV letter.

It should be noted that it is the objective of Code Enforcement to work with people to gain compliance, not to punish people. This includes the extension of time frame to meet compliance; ideas on how to meet compliance, and referrals to agencies that may be able to assist people with limited incomes meet the required compliance.

Some of the recent resident complaints we have received regarding our process include:

1. First contact shouldn't be a letter notifying of potential fines – it should be a friendly courtesy letter asking for compliance.
2. By the time a letter arrives in the mail, the time for compliance has already started ticking, thus shortening the timeframe a resident has to abate the problem.
3. In some instances, our letter has not indicated how to remedy the problem, only what the problem is (primarily on overhanging tree limbs – we haven't said how high they have to be trimmed. This problem is being rectified).
4. Complaint about the severity of the violation compared to other neighborhood violations.

Staff would like to discuss this process with you and see if you have any comments, questions or recommendations on how to move forward.

Board/Citizen Input: N/A

Financial Impact: N/A

Staff Contacts:

Eric Strong
City Manager
estrong@richlandhills.com

Attachments: Notice of Violation Letter
Notice of Compliance Letter



CITY OF RICHLAND HILLS, TEXAS

3200 DIANA DRIVE • RICHLAND HILLS, TEXAS 76118 • (817) 616-3770
NEIGHBORHOOD SERVICES

Notice of Violation

Date: 10/24/2016

An Inspection of the property located at XXXXXX Spruce Park was performed on 10/25/2016. It has been determined that the property is in violation of the Richland Hills Code of Ordinances. More specifically, your property is in violation of the City of Richland Hills Nuisance Ordinance.

Maintaining an unlawful accumulation or storage on any property as described below:

Violation Name	Notes
. Early Placement	. Tree limbs and brush, must be removed within 48 hrs.

You are hereby notified to eliminate the above mentioned violation(s) within seven (7) days of the date of this notice. If the violation is not resolved within seven (7) days of this notice, the City of Richland Hills will abate the violation. If we abate, a notice of lien statement complete with all fees and expenses will be presented to you and you will be given (10) from the date of that document to pay the fees and expenses. If the fees and expenses are not paid within the ten-day period, a lien may be filed on the property for the fees and expenses incurred. Failure to comply with this order may result in citation issuance. Once the complaint is filed in Municipal Court you may be subject to fine not to exceed \$2,000.00 per day for each day the violation exists.

This notice also acts as notice pursuant to the City of Richland Hills Code of Ordinances that, states, if the owner commits another violation of the same nature, on or before the first anniversary date of this notice, the City, without further notice, may correct the violation and shall seek recovery of fees and expenses.

If you need any assistance please feel free to contact me at (817) 616-3774.

Jonathan McIntosh

Code Enforcement Officer



CITY OF RICHLAND HILLS, TEXAS
DEPARTMENT OF NEIGHBORHOOD SERVICES
3200 Diana Drive, Richland Hills, Texas 76118
(817) 616-3770

Notice of Compliance

Date:

Your violation has been resolved. Please feel free to contact Code Enforcement with any questions at (817) 616-3774.

Jonathon McIntosh

Code Enforcement Officer