Enforcement Techniques & Investigation Processes

Georgia Association of Code Enforcement Spring Conference

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Disclaimer!!

A Little About Me

• U.S. Veteran (Navy)
• Current 3rd Vice President G.A.C.E. (2016-2020)
• G.A.C.E. Member Since 2000
• A.A.C.E. Member Since 2003
• Received Code Enforcement Officer Certificate in 2009
• Received Code Enforcement Master Certificate in 2010
• Received Code Enforcement Level 3 Certificate in 2018
• Recipient Of Keep Georgia Beautiful Officer of the Year 2011

Let Me Ask...

• How Many First Time Attendees?
• How Many New Code Enforcement Officers?
• How Many Certified Police Officers?
• Any Elected Officials or City/County Administrators or Attorneys?
Items to be Discussed:

• Short History of Code Enforcement
• Mission, Purpose & Vision Statements
• Education of Yourself & The Citizens you Serve
• Preparing & Presenting Yourself

Items to be Discussed:

• Speaking to the Public
• Specific Enforcement Techniques
• Preparing for Court
• Emergency Powers

History of Code Enforcement

• Why is “History” Important to “Enforcement Techniques”?
• Babylonian Empire and King Hammurabi
• Historical Cycle of Ignorance “One Bad Apple Ruins the Bunch”
• Code Enforcement Officers Get to Play Catch-up
• We Should all be Aware of the Problems and Tragedies of the Distant and Not So Distant Past. This Awareness Will Help us be Articulate Advocates of Strenuous Code Enforcement in Our Areas. As Has Been Too Often the Case, the Lack of Diligence in This Area Will Most Likely Lead to TRAGIC RESULTS.
Major Events

- The Code of Hammurabi (circa 3000 B.C.)
- The Burning of Rome (circa 64 A.D.)
- The Great London Fire (circa 1666 A.D.)
- The Chicago Fire (circa 1871 A.D.)
- The MGM Grand (November 21, 1980)

Code of Hammurabi

- One of the oldest known writings of early civilization is the Code of Hammurabi. Hammurabi was the founder of the Babylonian Empire over 5,000 years ago. The portion of the Code of Hammurabi which related to buildings read:
228: If a builder builds a house for a man and completes it, that man shall pay him two shekels of silver per sar (approx. 12 sq. ft.) of house as his wage.

229: If a builder has built a house for a man and his work is not strong, and if the house he has built falls in and kills the householder, that builder shall be slain.

230: If the child of the householder be killed, the child of that builder shall be slain.

231: If the slave of the householder be killed, he shall give slave for slave to the householder.

232: If goods have been destroyed, he shall replace all that has been destroyed; and because the house was not made strong, and it has fallen in, he shall restore the fallen house of his own material.

233: If a builder has built a house for a man, and his work is not done properly and a wall shifts, then that builder shall make that wall good with his own silver.
Prior to 64 A.D., the wealthy Roman Empire spent large sums of money on major public projects and maintained fairly tight controls on the construction of these public buildings. However, the construction of many vernacular buildings, such as housing, was greatly overlooked. The poor quality of construction (many of these often monstrous buildings would often fall before being completed), the cramped distance between buildings, and the poor sanitation all spoke rather dimly of a great empire.
The Burning of Rome

- Emperor Nero had developed a master plan for what he felt would be an idealized Roman city. Nero's idea of a better Roman city was no secret, so when Rome burned in 64 A.D., the popular theory is that Emperor Nero had something to do with the blaze.

The Burning of Rome

- After the burning of Rome, construction was done to Nero's master plan, with sound construction principals regarding fire resistance and sanitation being applied to all structures.
The Great London Fire

• London had been hit hard by the plague or Black Death for two years prior to 1666. This disease, spread by fleas that were carried by the rodent population was killing as many as 1,000 people a week in London in 1666.

The Great London Fire

• It is not difficult to understand why the plague was so rampant in London (or the rest of Europe for that matter). London was crowded, with buildings tightly spaced. Sanitation was unheard of, with raw sewage flowing through open drains and people dumping their trash from balcony windows into the streets below. Filth and disease were everywhere.

The Great London Fire

• Fires were also common. The prevalent means of construction was timber framing. The fire of 1666 is believed to have started in a rundown neighborhood near the Tower of London.
The Great Fire of London

- The fire received little attention until it entered a group of warehouses where animal fat, oil, and alcohol were being stored. These highly flammable materials intensified the fire. In the end, the fire destroyed over 15,000 buildings, or two-thirds of the city.

The Great Fire of London

- After the fire, Parliament labored for two years over the writing of the "London Building Act", which setup building regulations for the City of London (the rest of England continued to be unregulated). However, in the two years after the fire, much of London was rebuilt using the same poor practices.

The Chicago Fire of 1871

- [Image of the Chicago Fire of 1871]
The Chicago Fire of 1871

- Lasted 2 Full days
- Killed 250 People
- Destroyed 17,000 Buildings
- 100,000 People Left Without Homes
- 1875 Chicago Enacted a Building Code and Fire Prevention Ordinance

Notice, once again, the absence of construction codes, followed by emergency and tragedy, leading to adoption of a Building Code & Fire Prevention Ordinance.

Unfortunately, the Adoption of Building Codes and Property Maintenance Codes Traditionally Comes as the Final Step Rather than the First.

WE get to play "Catch Up"!

Development of Environmental Codes

- We're Finally Moving Into the 21st Century!
- Until Recently, Many Local Governments were Using Untrained or Poorly Equipped Personnel.
- Communities are Now Looking to you, the Most Qualified People, to Enforce New Ordinances!

- “Without continual growth and progress, such words as improvement, achievement and success have no meaning”
  -- Benjamin Franklin
Code Enforcement is Still a Growing Concept

The Growth of Code Enforcement Continues to Gain Momentum as Many Cities and Counties Begin to Recognize the Greater Need for Code Enforcement Especially in Today's Economy.

The MGM Grand Fire

- On November 21, 1980, a fire at the MGM Grand (now Bally’s Las Vegas) left 87 people dead and over 600 injured.
- It was determined during the investigation that the fire originated in the wall soffit of the side stand in the Deli. The investigators concluded that several factors contributed to the cause of the fire but the primary source of ignition was an electrical ground fault.
The MGM Grand Fire

• The casino and restaurants were exempt from rules requiring fire sprinklers in areas occupied 24 hours a day. A county building inspector granted the exemption—despite the opposition of fire marshals—reasoning that a fire would be quickly noticed by occupants and contained with portable fire extinguishers.

The MGM Grand Fire

• Additionally there were no smoke alarms or automatic fire alarms within the complex, only manual pull stations in the corridors of the hotel.
• The fire helped change hotel fire safety laws not just locally and nationally but also internationally.
Mission, Purpose & Vision

• All Code Enforcement Divisions should consider having a Mission, Purpose & Vision Statement.

• Mission Statement: Goal for Community

• Purpose Statement: Goal to Accomplish

• Vision Statement: Broad, Aspirational Image of the Future

Mission Statement

A “Mission Statement” is what the Community, as a Whole, is Striving to Achieve:

“We work diligently each day to make the _________ healthy and safe for all our children and for generations to come.”

Purpose Statement

A “Purpose Statement” Should be a Goal that Your Department Aims to Accomplish Each Day!

Purpose: “The purpose of the ______________ is to improve neighborhoods throughout ________ and increase livability by: creating safe and healthy conditions, removing blight, educating citizens, enforcing municipal codes, promoting pride of ownership and community, and building collaborative relationships with residents, businesses, community groups, and local government agencies.”

“It is in our nature to be independent, to be great at something and to seek purpose!”

-- Dr. Stephen R. Covey
Vision Statement

A “Vision Statement” Should be a Short Paragraph Providing a Broad, Aspirational Image of the Community’s Future.

Vision: “The Vision of Our Department is to Contribute in Making __________ the Most Desirable Place to Live in __________ As We Provide the Highest Quality and Most Comprehensive Code Enforcement and Animal Control Services to This Community That We Proudly Serve.”

What is the Vision for your Department?

Vision Statement Examples

Coca Cola Vision Statement:

“Everything we do is inspired by our enduring mission: To Refresh the World... in body, mind, and spirit. To Inspire Moments of Optimism... through our brands and our actions. To Create Value and Make a Difference... everywhere we engage.”

McDonald’s Vision Statement:

“McDonald’s vision is to be the world’s best quick service restaurant experience. Being the best means providing outstanding quality, service, cleanliness, and value, so that we make every customer in every restaurant smile.”

Nike’s Vision Statement:

“To bring inspiration and innovation to every athlete” in the world “If you have a body, you are an athlete.”

Mission, Purpose & Vision

Once a Jurisdiction Clearly Understands its Mission, Purpose and Overall Vision for The Community, it Becomes Easier to Manage the Use of Different Enforcement Techniques of the Code Enforcement Agency.
“You & Yours”

- If People See YOU Are Striving to Meet the MISSION of YOUR Community;
- If People See YOU have a Driven PURPOSE to Meet or Exceed YOUR Community’s Goal(s);
- If People See YOU Have a VISION That Echoes the Pride of YOUR Community;
- You Should See YOUR Community’s Enriched Motivation to Help YOU, By Doing Their Part.

BE CONFIDENT IN YOUR KNOWLEDGE OF THE CODES AND ORDINANCES YOU ARE ENFORCING!

Know Your Codes and Ordinances to Help YOU and the PUBLIC!
Education

“To every man there comes in his lifetime that special moment when he is figuratively tapped on the shoulder and offered a chance to do a special thing, unique to him and fitted to his talents. What a tragedy if that moment finds him unprepared or unqualified for the work which would be his finest hour.”

— Sir Winston Churchill

Enforcement Techniques

- Public Education
- Citizen Involvement
- Personal Contact
- Consistant Enforcement

These Techniques are Useful Because They are Relatively Informal and Least Offensive to the Public.

Most People are Willing to Play by the Rules... If They Know the Rules!
Education

Education of the Public Can be the Most Effective Tool That Code Enforcement Officials Have!

Most Code Infractions, Particularly Minor Ones, Exist Because Violators do not Realize That What They are Doing is Against the Law.

I didn't know that I couldn't start a dump in my back yard! Why didn't somebody tell me?

Nobody told me I couldn't let SEWAGE stand in my front yard. It's a GREAT fertilizer!
**Education**

- Possibly the Least Time Consuming Method of Enforcement in the Long Run is to Inform the Public
- Individually, if Necessary
- Preferably in Group Settings
- Discuss the Standards Which Govern Their Communities and Neighborhoods

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**Education**

- A Carefully Planned, Well Organized Educational Program Will Save Countless Hours and Dollars in the Long Run.
- This Method is Usually the Most Effective in Reducing Tensions and Adversarial Relationships Between the Public and Regulatory Agencies.

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**Education**

- Information About Codes and Standards Can be Disseminated to a Large Number of People Through Social Media.
- Perhaps the Best Way to Educate the Greatest Number of People is to Publish and Distribute Pamphlets or Brochures Which Briefly Describe Services Available and General Code Requirements.
Education

Design an Educational Program for Your Code Enforcement Agency:

• What is the Goal of the Program?

• Describe What You Want the Program to do.

• What Resources will be Needed?

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Education

As a property owner, I'm sure that you can appreciate that one of the (Your Agency) Code Enforcement Division's many tasks is to prevent and prohibit those conditions which reduce the value of private property, interfere with the enjoyment of public and private property, abate those properties that create and constitute fire and other safety and health hazards, and that generally create a menace to the health and welfare of the public and contribute to the degradation of the character of neighborhoods and depreciation of property values. The ordinances that have been adopted by the (Your Agency) are necessary for the public, social and economic welfare to regulate, prevent and prohibit conditions that degrade the city's scenic attractiveness and livability and its economic development.

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Education

As I'm sure you can understand, the (Your Agency) Code Enforcement Division is charged by the Mayor, Commissioners and citizens with the duty of enforcing codes mandated by the (Your Agency) and the State of Georgia. In today's economy, we pride ourselves on helping, educating and informing property owners of violations before further action is necessary, while at the same time, maintaining the public's confidence that we are going to protect surrounding property values, but most importantly, the public's health, safety and well-being.
Some Communities are Using Various Types of Media to “Educate” the Public!

Citizen Involvement

The Involvement of Neighborhood Organizations in Code Enforcement Can be Productive in Many Ways:

• Information About Code Requirements is Disseminated to a Large Number of People Within a Clearly Defined Area.

• Most Active Neighborhood Associations are Willing to Play a Role in the Development and Preservation of Their Environment and Property Values.

Citizen Involvement

• A Direct Line of Communication With the Government Lessens Insecurities, Promotes a Sense of Well Being and Dispels the Notion that Government is Just an Impersonal Bureaucracy.

• Several Types of Citizen Involvement Programs Have Already Been Developed and are Functioning in Georgia.
Citizen Involvement

- Don’t Re-Invent the Wheel!
- All Require a Genuine Commitment by Local Government Officials to Provide a Channel for Complaints and an Effective Feedback System.
- If Your Citizens Provide Information and Receive None in Return, They Feel as if Their Role is Seen as Unimportant and a Sense of Disassociation Develops Very Quickly.

Citizen Involvement Program

- A General Government Liaison is Assigned to Help With the Development of Neighborhood Associations and Serves as a Direct Link to all Governmental Offices and Functions.
- First Contact When Dealing with Code Enforcement Complaints is Made by this Liaison and Frequently Results in a Quick and Friendly Resolution to the Problem.
- The Feeling of Defensiveness and the Resistance Which Can Follow an “Official” Code Enforcement Inspector’s Visit to a Property Owner is Avoided Because the Liaison’s Reputation as a Friend of the Neighborhood is Already Established.

Citizen Involvement Program

- The Benefits of This Type of Arrangement Include Better Relations, Community Pride and Reduction of the Burden on the Code Enforcement System.
“Citizen Involvement” Conclusion

• All of These Programs Must Receive Information and Substantial Support from the Local Government.

• Perception of Inaction by the Government Will Impede the Effort and Weaken the Delicate Relationship with the Public.

• Remember that Volunteers Should Receive Some Recognition for Their Efforts or It May Affect Participation and Decrease the Size of the Volunteer Groups.

Assistance Programs

• Programs Used to Assist Property Owner in Correcting Violations

• City or County Community Improvement Agency

• Habitat for Humanity

• Home Builder's Association

• Churches, Community Service Groups

• Familiarize Yourself With all Available Assistance Sources

Assistance Programs

• The Activities of Code Enforcement and Community Improvement Agencies Should Complement Each Other.

• The Discovery and Documentation of Code Violations Can Generate Appropriate Distribution of Grant Funding to Those Needing Assistance in Violation Abatement.
Let’s Review

• Reiterating a historical cycle of ignorance, followed by emergency and tragedy and finally ending with the adoption of Ordinances, in Chicago enacted Building Codes and Fire Prevention Ordinances FOLLOWING the Chicago Fire of _________ . [slide # 26]

• Traditionally, the adoption of Codes or Ordinances come as the _________ step rather than the _________ . [slide # 27]

• A short paragraph providing a broad, aspirational image of the community’s future is a ____________ STATEMENT. [slide # 38]

Let’s Review

• A ____________ Statement should be a goal that your department aims to accomplish each day. [slide # 37]

• Public Education, Citizen Involvement & Personal Contact are techniques that are useful because they are relatively informal and least offensive to the public. NOT ____________ INVASIONS. [slide # 46]

• The Benefits of a ____________ Involvement Program include better relations, community pride and reduction of the burden on the Code Enforcement System. [slide #61]

Let’s Review

• “Education of the Public” can be one of the most effective tools that Code Enforcement Officers have because it is one of least time consuming methods of enforcement AND violators, not educated, may not realize that they are breaking the law. [slide # 47 & 50]
ALWAYS BE PREPARED & BE PREPARED FOR ANYTHING!

You Probably Won’t Need ALL of This … or Will You?

- Container (something durable)
- Writing Pad
- Clip Board
- Pens/Markers
- Boots (“Slip-On” &/or “Slip-Over”)
- “Safety Vest”
- Rain Suit
- Dust/Vapor Mask
- Hard Hat
- Gloves (Latex & Work)
- Traffic Cones (to mark area)
- Caution Tape / Ribbon / Paint
- Measuring Wheel(s)
- Hammer(s)
- Tape measure
- Tool Box (miscellaneous tools)
- Flashlight
- Fire Extinguisher
- Garden Hoe / Probing Rod
- Collection / Sample Containers
- Stapler / Staples ~ Tape Roller / Tape
- Protection (Sun, Eye, Bug, etc.)
- First Aid
- Refuse Collection / Trash Bags
- Camera (digital, FULLY CHARGED & Check “Date & Time Stamp”)
- Laptop/iPad
- Mobile Printer
- Citation / Necessary Documents
- Water (YOUR Water) – TAKE CARE OF YOURSELF!!!
Presenting Yourself

THE WAY THAT YOU PRESENT YOURSELF IS THE FIRST IMPRESSION THAT THE VIOLATOR WILL HAVE OF YOU.

Present Yourself in a Professional Manner and be Treated in a Professional Manner!

Don’t Be Afraid to Show Your Pride!
Personal Contact

Inspectors should be:

• Neat in Appearance with proper identification
• Knowledgeable
• Tactful
• Sensitive to the Position of the Citizens who are Doing What Seems Reasonable to THEM on THEIR Property.

Personal Contact

• Code Enforcement Officials are Active in Almost Every Aspect of City/County Government.
• The Only Government Official a Citizen Ever Meets.
• The Officer Must be a SCHOLAR, PSYCHOLOGIST, MEDIATOR and DIPLOMAT.
• First Few Moments of Contact, may be Either Heightened or Quieted by the Code Enforcement Official.

Personal Contact

• Calm Explanation of the Violation.
• It is Not Unusual for Someone to Become Defensive.
• Sometimes it May be Best to Reserve Information About the Abatement Process.
• ALWAYS USE GOOD JUDGMENT, Don’t Jump to Conclusions.
Personal Contact

- A Code Official Who Becomes Defensive When Questioned About Codes or Professional Credentials Quickly Loses Control of the Situation.
- The Same is True if The Code Official is Not Thoroughly Familiar with the Law Being Enforced.

Personal Contact

- Have Mutual Goals and Objectives
- Be Professional and Consistent
- Develop Trust
- Be Responsive
- Be Proactive

Personal Contact

- “Discuss” Rather Than “Confront”
- Don’t React out of Emotion / Remain Professional
- Encourage Abatement with Praise
- Your Actions are YOUR Character & They Speak Louder than Your Words
Personal Contact

• Sometimes Extenuating Circumstances Exist.

• Be Observant of Signs of Such Conditions and Provide Information About Assistance Programs or Even Compromises on Time Allowed for Compliance, if Possible.

• Defuse a Confrontation Leaving Each Party’s Dignity Intact.

• Greater Respect for Local Government is Inevitable.

Personal Contact

• **Courtesy:** Be Patient – Be Informative – Listen – Be Approachable

• **Professionalism:** Have Self-Control – Have Tolerance – Communicate – Be Transparent – Explain – Know Your Job – Command Presence – Go Extra Step – Do Your Best Work

• **Respect:** Be Compassionate – Demonstrate Empathy – Care – Be Strong but Humble – Have Humility – Have a Service Mind-Set – Treat People with Dignity and Respect

Personal Contact

• Speak “Plain Text” and use a “Show & Tell” Method.

• **DON’T QUOTE THE LAW!**

• Most Importantly, Don’t Speak to the Public as if You’re the “Law” and They Don’t Know Anything!!
**Personal Contact**

**Two Types of “Power”**

- **Power of Control**: Using Coercion, Threats, Force, Perception of Power to Gain Compliance or Obedience; the Power to do Something to Someone

- **Power of Influence**: Using One’s Honor & Principles to Earn People’s Respect & Make a Positive Difference in Their Lives; the Power to Work Effectively with Others to Get a Better Result

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**Personal Contact**

- Sometimes the Abatement of Violations, Boils Down to YOUR Character and Trust. ALWAYS exhibit Good Character and Maintain Trust.

- “Leadership is a potent combination of Strategy and Character. But if you must be without one, be without Strategy”. – Gen. Norman Schwarzkopf

- “You don’t build trust by talking about it. You build it by achieving results, always with integrity and in a manner that shows real personal regard for the people with whom you work”. – Craig Weatherup

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**LET’S DISCUSS**

- “PLACARDING”
- “DOCUMENTATION”
- “INFORMAL”,
- “FORMAL” & OTHER ENFORCEMENT TECHNIQUES.
Enforcement Techniques

• Formal Notice
• Administrative Hearing Judge
• Citations
• Court

These are Official Actions that will Require Great Attention to Detail and Adherence to the Laws of Governing the Right of Privacy and Due Process.

Enforcement Techniques

• An Agency Must Decide When to Utilize Informal vs. Formal Methods, Voluntary vs. Mandatory Methods of Enforcement.
• Departmental Policies SHOULD be Created to Help Guide the Officer Through the Process.

“Placarding”

• Some Agencies Use This as a Form of “Official Notice” (not recommended to be used as “Official Notice”)
• Meets MOST of the Informational Requirements Needed for the N.O.V.
• Gets EVERYBODY’S Attention
• Citizens / Complainant Know that the Agency Knows About the Problem and is Addressing it.
• Puts the Rest of The Neighborhood “On Notice”.
To be “Posted” in a Very Visible Location to Avoid:

“I didn’t see it!”

Take Pictures to Avoid:

“You didn’t placard my property!”

Make a File on EVERYTHING! (if it’s not documented, it doesn’t exist!)

By Taking a Few Minutes Now, Time Will be Saved in The Future!

You’ll Already Have This Information if You Need to Proceed to The Next Level For Compliance.
You'll Also Have Documentation of Prior Violations

Most (if not all) of the Time, Pictures, Added to Your Report, Can Support Your Case.

When Possible, Let Your Pictures Testify For You.

BEFORE & AFTER PHOTOS!!!

Sometimes, Pictures May be All You Need to Convince a Judge.
**Formal Notice**

- Process of Issuing a Notice of Violation
- Officially Inform the Responsible Party
- Legally Required
- Usually Restricted to One Location
- Notice of Violation Document MUST be Accurate
- Complainant’s Information SHOULD NOT be Listed on the “Notice”.

**Formal Notice**

The notice of violation should include the following information:

- **The Responsible Party**
  (who is the notice being issued to – usually the property owner, tenant, agent for the owner, property manager, lien holder, guardian, etc.)

**Formal Notice**

- Location of the Property
  Where the Violation Exists
  (address, legal description, parcel code number)
Formal Notice

• Description/Location of Violation
  (inoperable, blue BMW, lic #123-ABC, expired tag, May 2018 on property – left side yard)

• Code Reference
  (section number & code description)

Formal Notice

• Corrective Action Required
  (remedy)

• Time Allowed for Compliance
  (what is the deadline)

Formal Notice

• Consequence

• Appeal Rights of the Responsible Party

• Officer’s Name, Agency and Contact Number
Formal Notice

“Service”

• Certified Mail, Return Receipt Requested *(Not Applicable to Citations)*

• Personal Delivery

• Delivery to “Legal Representative”

• “Service” is Important to Confirm “Due Process”

• Options for Service are Frequently Necessary

• Telephone Contact

Finding the RIGHT Person to Contact

• Knock & Talk

• Use the Technology Available.

• Is this a Corporation?

• Ask the “Locals”

Telephone / Email Contact

• Telephone Contact

• Date & Time of Conversation

• Whom Did You Speak With

• What is Their Title *(Owner, Manager, Asst. Manager, etc.)*

• Take Detailed Notes of Conversation
Date: August 22, 2018

Property Address: 3375 HOLCOMB BRIDGE RD, PEACHTREE CORNERS, GA 30092

Parcel ID: R6283067

Case ID: EEN18-0000

Date for Corrective Action: 08/27/2018

Dear Owner(s)/Occupant(s):

In order to preserve the quality of life and maintain property values, the City of Peachtree Corners has adopted ordinances and regulations pertaining to the proper use and maintenance of property located within the City limits. During an inspection of your property, violation(s) of the City of Peachtree Corners Ordinances and Regulations were observed. Failure to correct the violation(s) by the date indicated above can result in a mandatory appearance in Municipal Court. Direct all inquiries regarding this notice to the officer at the number listed below during normal business hours: Monday through Friday 9am to 4pm.

The following violation(s) exist on the above noted property:

- Property Maintenance Code
- Zoning Resolution
- City Code
- Other______________________________

Violation Description:

Uncorrected 307.1 - ALL EXTERIOR PROPERTY AND PREMISES, AND THE INTERIOR OF EVERY STRUCTURE, SHALL BE FREE FROM ANY ACCUMULATION OF RUBBISH OR GARBAGE.

Corrective Action: ABC SHOPPING CENTER – PALLETS, LOOSE RUBBISH, AND GARBAGE IN AND AROUND THE DUMPSTER AREA - LEFT SIDE OF BUILDING. ALL PALLETS, RUBBISH, AND GARBAGE NEEDS TO BE REMOVED AND DISPOSED OF PROPERLY. SEE ABOVE DEFINITION OF CODE AND ATTACHED PHOTOS.

The Code Enforcement Division has scheduled the above noted property for a follow-up inspection FIVE (5) days from the date of this notice. If the violation(s) still exist at the time of inspection, Code Enforcement may initiate administrative action(s).

You can avoid these action(s) by correcting the violation and any other violation. Your assistance in supporting the City’s efforts to maintain the safety and appearance of Peachtree Corners is greatly appreciated.

Sincerely,

PHILOMENA ROBERTSON, Chief Code Enforcement Officer
City of Peachtree Corners
(678) 691-1200

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Citations

Prior to Citation

Do you need to present the case to a supervisor or elected official?

- Do you Have Appropriate Pictures
- Pictures in Chronological Order
- Notice of Violation with Receipt Documentation
- Past & Current Reports, Notes & Written Statements

ALL OF THE ABOVE Information Should be Utilized When a Code Enforcement Officer is Gathering Evidence to Present a Case to a Supervisor, Elected Official or More Importantly, a Judge.
Citations
The contents of the citation form are prescribed as follows:

1. Defendant’s Name and Address
2. Description of Defendant (race, sex, D.O.B., SS#, O.L.N.)
3. Date Charges Were Made
4. Code and Section Number Violated
5. Description of Violation
6. Location of Property Where Violation Occurred
7. Assigned Court Date
8. Signature and Identification Number of Code Officer

Let’s Review
• Code Enforcement Officers are active in almost every aspect of __________ and may be the only __________ a citizen ever meets. [slide # 75]

• If a Code Enforcement Officer is not thoroughly familiar with the codes being enforced, he or she may quickly lose ______________ of the situation. [slide # 77]

• The “POWER OF __________” does NOT involve the use of coercion, threats and force to gain compliance. [slide # 83]

Let’s Review
• Formal Notices & Citations are Official Actions that will require great attention to detail and adherence to the Laws of governing the Right of __________ and Due __________. [slide # 86]

• When a Code Enforcement Division utilizes “Placarding” as an Enforcement Technique, it is NOT To Further Irritate the Offender Into Compliance. [slide # 88]

• Which of the following can NOT be used when locating the “right person” to contact regarding a violation: Knock & Talk; The Use of a “Medium”; Technology; Locals. [slide # 102]
Let’s Review

• A few things that a “Formal Notice of Violation” should include, is the Property Location, List of Violations, Remedies for Violations & Abatement Dates; however, it SHOULD NEVER include the ________________ Name. [slide # 95]

• Criminal Prosecution of cases may be appropriate when Administrative Enforcement tools have failed to convince the violator to __________________________. [slide # 107]

Preparing for Court & Evidence

• Good to Know Your Prosecutor / City Attorney Prior to Going to Court

• Short Answers / “Yes” or “No”

• LET YOUR EVIDENCE TESTIFY FOR YOU!

• Know your Case BEFORE Taking the Stand.

• How Much Evidence is “Too Much” Evidence?
Preparing for Court & Evidence

Reports, Written Statements, Notes, Pictures

Certified Receipt that the Violator Did Receive Your N.O.V. and has Still Not Complied!

STOP WORK ORDERS, EMERGENCY POWERS, CONTRACTED WORK & CONTROL OF UTILITIES
Stop Work Order

- Authorized by the International Building Code
- Plans Approved Based on Inaccurate or Incomplete Information WILL NOT Serve as a Valid Defense Against Code Violation Citations
- Temporary Measure

Emergency Powers

- Technique Used to Obtain Code Compliance
- Extreme and Immediate Threats to Public Health, Safety and Welfare
- Provide for Immediate Abatement
- Competent Legal Advice (may constitute of taking property)
- Subject to Appeal

Contracted Work

- Hire Private Contractors to Correct Code Violations.
- Most Commonly Used are Lot Cleaning and Towing Contracts.
- Jurisdiction Pays the Contractor and Records a Lien Against the Property to Recoup the Tax Dollars Spent.
Control of Utilities

- Seldom Used, but Extremely Effective
- Not Be Reinstated Until All Code Violations Have Been Abated
- Good Relations with the Utility Companies
- Absentee Landlords Becoming Experts at Avoiding Notification

Let’s Review

- For a Code Enforcement Officer, it is ALWAYS a _______ IDEA to know who your Prosecutor is _______ to taking a case to Court. [slide #13]
- Prior to Court, when should a Code Enforcement Officer be familiar with their case? _________________! [slide #113]
- A Building plan that has been approved, based on incomplete or inaccurate information, MAY NOT serve as A __________ defense against Code Citations. [slide #117]

Let’s Review

- When it is determined that there is an extreme and immediate threat to the Public’s health, safety and welfare, _______ POWERS may allow the Code Enforcement Officer to order the immediate abatement of the violation. [slide #118]
- Competent _______ ADVICE is recommended when exercising Emergency Powers as the action taken may constitute a taking of _______ or the violation of some other constitutional right without notice. [slide #118]
Let’s Review

- [True or False] ALL of the following information should be utilized when a Code Enforcement Officer is gathering evidence to present a case to a Supervisor, Elected Official, Prosecutor, Violator, Defense Attorney or a Judge: Past & Current Reports; Notes; Written Statements & Name of Complainant & all Contact Information for the Complainant so that the Violator may pay them a visit. [slide 95-101]

➢ FALSE

Proactive vs Reactive

Proactive vs Reactive

Whether your jurisdiction is proactive or reactive determines your method of inspection

• Pro-active – you’re actively patrolling in the field looking for violations regardless of complaints
• Reactive – your inspections are complaint driven only
Reactive Enforcement

- Jurisdictions can have reactive enforcement for numerous reasons: staffing, elected officials/citizen preference, community needs.
- Allows proactive address of violations while addressing the initial complaint.
- Enforcement type set by Supervisor/Director

Proactive Enforcement

- Jurisdictions can have proactive enforcement for numerous reasons as well: staffing, elected officials/citizen preference, community needs.
- Officers generally have assigned zone/area for daily patrol and responsibilities. Observing all properties for possible violations.

Thank you so much for your attention!
Questions, Comments?