



# **Code Enforcement Overview & Direction**

**Los Gatos Town Council  
September 4, 2012**

# Background

- Study Session
  - *Rising community and neighborhood concerns*
  - *Requested by Town Council*
  - *Policy direction, not specific issues/complaints*
- What is Code Enforcement?
  - **Building Codes, including Health & Safety**
  - **Planning Permits and Conditions**
  - **Neighborhood and Other Nuisances**



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# Past Two Fiscal Years

| ACTIVITY                          | NUMBER     | PERCENTAGE - RATE |
|-----------------------------------|------------|-------------------|
| Phone calls                       | 2,145      | 3 to 4 per day    |
| Complaints Received               | 606        | 5 to 6 per week   |
| No Violation                      | 82         | 14 %              |
|                                   |            |                   |
| <b>Sign Violations</b>            | <b>122</b> | <b>20 %</b>       |
| Building Code                     | 83         | 14 %              |
| <b>Noise</b>                      | <b>68</b>  | <b>11 %</b>       |
| Vehicles                          | 50         | 8 %               |
| Encroachment/Obstruction          | 46         | 8 %               |
| Garbage & Rubbish                 | 45         | 7 %               |
| <b>CUP's &amp; Use Violations</b> | <b>32</b>  | <b>5 %</b>        |
| Overgrown Weeds/Brush             | 28         | 5 %               |
| <b>Miscellaneous</b>              | <b>116</b> | <b>19 %</b>       |



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# Current Practices

- Staffing

- *Position vacant/eliminated since late 2008*
- *Duties split between multiple offices/positions*
- *Limited training and consistency*

- Standards

- *Reactive, complaint-based enforcement*
- *Focus on compliance, not punishment*
- *Abate enforcement pending resolution*



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# Proposed Hybrid Approach

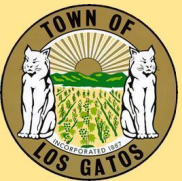
- **Complaints remain highest priority**
- **Staff-initiated enforcement of same issues for neighborhood and nearby businesses**
- **Staff-initiated enforcement of Downtown and CUP enforcement**



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# Increased Enforcement

- Resurrect dedicated staffing
  - *This year with unbudgeted excess revenues*
  - *Permanent thru mid-year or next year budget*
- Create Planning Enforcement Database
  - *CUP conditions and schedule*
  - *Downtown signage, seating and operations*
  - *Other performance conditions*



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# Compliance

- Suspend enforcement only for:
  - *Timely & tangible progress up to 90 days max*
  - *Appeals, as required*
- Permit or Policy Changes
  - *Compliance required prior to consideration*
  - *Include documentation in staff reports*
- Exceptions require Council concurrence





# Citizen Engagement

- Increased outreach and education
- Research complainant appeal process
- Encourage facilitated solutions
- Consider neighborhood engagement
- Avoid intractable disputes
- Support independent actions



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# COUNCIL DIRECTION

- 1. Restore dedicated staffing**
- 2. Begin staff-initiated enforcement**
  - a) Nearby residences and businesses*
  - b) Downtown and C.U.P.'s*
- 3. Up to 90 day maximum abatement period**  
**Not for Permit or Policy changes**
- 4. Research complainant appeal process**
- 5. Increased outreach and engagement**



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