COMMUNITY DEVELOPMENT DEPARTMENT
CODE ENFORCEMENT POLICY
July 2009

PURPOSE AND AUTHORITY

The purpose of this policy statement is to provide standard policies for all code enforcement procedures conducted by the Community Development Office (hereinafter "Code Enforcement Department"). The authority to enforce the Village of Dexter regulations is provided by the Village of Dexter Zoning Ordinance, Village of Dexter General Code of Ordinances and the State of Michigan.

POLICY STATEMENT

The intent of code enforcement is to protect the public health, safety, and welfare of the Community and to provide for compliance with regulations. Code Enforcement will enforce the regulations in a fair and equitable manner and will provide policies and procedures that are clear and that provide the property owner with an understanding of the regulations and the procedures available to bring the property into compliance. Enforcement of the regulations by the Village and its professional staff will include both proactive and reactive enforcement procedures as defined below.

When staff first determines a code violation exists, either by complaint or inspection, the Code Enforcement Department seeks to focus on working with the violator to remedy the violation in the most efficient and timely manner. Initially, the Code Enforcement Department shall be more focused on having the property bring the subject property into compliance with the Regulations rather than punishing the violators by issuing a citation (i.e. fine).

When the Code Enforcement Department works with violators who are in the process of bringing a property into compliance with the regulations, the staff documents its actions and makes those records available to the public. Persons interested in the status of pending code violations may review files regarding the violation in the Community Development Office.

ENFORCEMENT POLICIES

The Code Enforcement Department will try to make every effort to consistently process complaints and manage enforcement actions. Deviation from established procedures should be documented and justified when adherence to these guidelines is not practical. The following are general policies:

- The regulations shall be enforced by the Code Enforcement Department and the duly authorized staff (the Zoning Enforcement Officer and others designated by the Community Development Department or Village Manager).
- All zoning related complaints shall be on complaint forms available at the Community Development Office and on the village's website.
- The Code Enforcement Department will investigate all complaints. However, complaints regarding violations that may pose an immediate threat to the public health, safety, or welfare of the community will be investigated first.

- Zoning is not to be used as a mean of furthering neighbor and/or civil disputes. In such cases, the staff may advise the complainant to address the issue by private means.
- All Code Enforcement letters and orders shall include the following: the nature of the violation; the date of inspection; the regulation being violated; the means to comply with the regulation; fine for non-compliance; and the appeals process.

ENFORCEMENT PRIORITIES

The Code Enforcement Department shall prioritize all zoning enforcement actions in the following order:

1. Violations that pose immediate danger to public health, safety, or general welfare of the community;
2. Violations related to development projects that are in the construction phase;
3. Proactive enforcement programs initiated by the Village Council or staff;
4. Reactive or complaint based enforcement programs;
5. Complaints, unless the Code Enforcement Department determines that the reported violation may pose an immediate threat to the public health, safety and welfare of the community.

ENFORCEMENT PROCEDURES

When conducting proactive and/or reactive enforcement action, the Code Enforcement Department shall adhere to the following procedures:

STEP ONE – *COMPLAINT FILED*

A concerned citizen must complete a Code Complaint Form. A code compliance form can also be generated/filed by the Zoning officials if a violation is observed during an inspection, or if the Village Council brings an apparent violation to the Code Enforcement Department's attention. All complaints shall be recorded and entered into the zoning file for the subject property and into the enforcement database. No action will be taken if the Zoning Official determines that the complaint is not considered a violation.

STEP TWO – *CONDUCT A SITE INSPECTION*

A site inspection is required to determine whether there is a code violation or any other issues associated with the property. Photographs of the property should be taken to document the violation existed. The photographs should be included in the file, dated and initialed and/or signed by the inspector.

STEP THREE – *PROPERTY RESEARCH*

The Code Enforcement Department shall conduct a check of its records for the subject property, such as subject property address, tax identification number, owner, tenant and previous and/or pending violations.

STEP FOUR – *ENFORCMENT*

If it is determined that a violation exists, the following procedural options are:

A. Issuance of an initial zoning violation notification letter requesting 10 calendar days for violation abatement measures to be taken.

B. Following 10 calendar days if violator has not contacted the Village to request extension of time to abate violation OR applied to the Zoning Board of Appeals for a challenge of interpretation, a Notice of Violation Citation will be issued giving an additional 5 calendar days to abate the alleged violation.
C. If violation abatement has not occurred within the additional 5 calendar days following the Notice of Violation Citation a Notice of Civil Infraction will be issued and court proceedings will be scheduled with District Court 14A, Chelsea.

The above procedures are not intended to be mutually exclusive and may be used in any combination to remove the violation.

STEP FIVE – *ABEYANCE*

There may be instances where the violator has been issued a Notice of Violation or a Notice of Civil Infraction and the violator may need additional time to remedy the violation. In these instances, the Code Enforcement Department may agree to an abeyance of the enforcement action, so long as the violator is willing to agree in writing to specific terms of compliance set forth by the Code Enforcement Department. This technique has been developed in recognition that enforcement of codes requires flexibility in the approach in order to enable compliance. The Code Enforcement Officer may grant abeyance periods not to exceed 30 calendar days each during any enforcement proceedings.

STEP SIX – *CLOSURE*

Once the violation has ceased and the violator is in compliance, the Code Official can close the case. Cases are closed if the Zoning Board of Appeals or the Courts do not find in favor of the Code Enforcement Department. No fee shall be collected where the case has been closed for the above referenced reasons.

Adopted by Village Council on July 27, 2009