



City of Peoria

419 Fulton Street
Peoria, IL 61602

Certified Copy

Ordinance: ORD 17,664

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Enactment Number: ORD 17,664

Communication from the City Manager and Community Development Director with a Request to Amend an ORDINANCE Amending CHAPTER 13 of the CODE of the City of Peoria Pertaining to VIOLATION FINES and FEES.

BACKGROUND: The Code Enforcement Division of the Community Development Department has worked diligently over the past five years to provide the most effective and efficient service delivery with the resources it has available. The Division hopes to build off past improvements to continue to find innovative ways to reduce blight and improve the quality of life in our neighborhoods. The Division has worked incredibly hard over the past few years to redefine how neighborhood improvement occurs in our community. Code Enforcement no longer defines the Division but is just one of the many tools at its disposal to improve our neighborhoods. This communication provides a summary of those services and offers a series of fine and fee recommendations that will allow the Code Enforcement Division to provide increased service in 2019, at the expense of those who have code violations and lack respect for our neighborhoods.

Traditional Code Enforcement Efforts - The Code Enforcement Division is responsible for the enforcement of Chapter 5 and Chapter 13 of the City of Peoria Code. These codes deal with environmental property maintenance violations and property maintenance violations related to residential structures. In 2018, the Division comprised of 7 full time Code Enforcement Inspector and 3 temporary summer employees demolished 84 dangerous buildings and issued 5,098 Abates notices, 5,415 Work Orders and 982 Housing Notices. In addition, they were able to recognize 1,167 properties for doing a good job throughout the year. Based on historical data, 2017 and 2018 were the most productive years of the Code Enforcement staff ever experienced in terms of total actions. Through focused process improvement techniques learned through the Innovation Academy offered by the I-Team, staff has challenged itself to surpass this workload in 2019.

Proactive Mowing - During the summer of 2018, approximately 60 lots in the South Side were identified as part of a pilot project regarding proactive mowing. Letters were sent to the property owners informing them that we had previously executed multiple work orders on their vacant lots in the previous year and they would be put on a pro-active mowing schedule at the owner's expense if they did not contact the City to ensure us they would be maintained in 2018. (All of the properties also were delinquent on property taxes.) From that list, we did not hear back from 50 of the property owners and we started issuing work orders to have those properties maintained about every three weeks. This lessened the burden on the Inspector to have to issue an individual work order at that property every three weeks which freed up their time to focus on additional code violations. In addition, it allowed us to get the grass cut as soon as it reached ten inches versus going through our traditional process that allowed the lot to grow to 15+ inches before our contractor cut the grass.

Based on the success of the Pilot Program, the Code Enforcement Division will be expanding this concept to the entire First District in 2019. In March of 2019, a letter will be sent to property owners who own vacant lots where the City had to issue 3 or more work orders to cut the grass in 2018. Property owners will have an opportunity to remove themselves from that list with a commitment to maintain the property themselves in 2019. If we do not hear from the property owner, the property will be placed on the pro-active mowing list and a schedule will be created to mow the grass

ensuring quicker service delivery and reduced blight in our neighborhoods. This will allow Code Enforcement Inspectors to focus on additional code violations.

Administrative Court Avoidance Program - The Code Enforcement Division will officially launch the Administrative Court Avoidance Program in the first quarter of 2019. The program which was previously approved by Council will allow properties that are being rehabbed additional time to correct code violations and reduce the amount of staff time involved in re-inspections for properties that have an end date for completion. It would allow qualifying property owners to avoid the court process for 90-180 days, no court appearances, and no monthly follow-ups with an Inspector. A signed agreement will be required. A work scope must be provided at the beginning of the process and work completed within the agreed upon time limit. If all violations are not resolved within the time limit, the property will be put into housing court, an administrative fee and reinspection fee will then be assessed, and a bill sent to the property owner at the end of the process. If compliance is gained within that time frame and agreement, then no administrative fee or reinspection fee.

Focus Deterrence Strategy for Habitual Offenders - Code Enforcement Division staff will create a list of property owners who have had multiple code enforcement actions at their properties over the last year. Based on this list, a "Top Ten" list of property owners who own multiple properties and have the most code violations will be created. A Code Enforcement Inspector will be assigned to evaluate all their properties and take appropriate action based on current violations. The Inspector will be assigned to pro-actively monitor their properties on a consistent basis to ensure compliance. A small number of property owners cause a significant amount of blight and damage to our neighborhoods and this strategy will force them to bring all their properties into compliance or face the consequences identified in the code. It will allow a more focused deterrent strategy for habitual code violators based on data collected from the previous year. The list will be evaluated every six months to ensure property owners can rectify their history and start to become a contributing member of our neighborhoods.

Collaboration with the Peoria County/City Health Department on Lead Abatement - Over the last four months, staff has been meeting with the Health Department to get a better understanding of issues related to the lead poisoning of children in rental property. The City already collaborates on lead remediation efforts, but a gap was identified when property owners refuse to bring the property into compliance or when the tenants move out of the property. The Health Department staff will be working with Code Enforcement Inspectors to put properties that have interior property maintenance violations related to peeling and chipped paint (which can cause elevated lead levels in the blood if ingested) into the City's Administrative Hearing Officer process to ensure the properties are brought into compliance in a timely manner. This will only affect properties that have children with high levels of lead in their blood as identified by the Health Department. In addition, a section will be added to the Self-Inspection form for property owners to have to disclose to tenants if the property has been identified by the Health Department in the last year and the problem has not been remediated. The Health Department has a program available to remediate the lead issues which only requires a 20% match by the landlord. (There is no match requirement for an owner-occupied property.) The program is subject to additional requirements as well. The Hearing Officer process will only penalize property owners who absolutely refuse to bring the property into state and local compliance.

Continued Collaboration with the Police Department Neighborhood Services Unit - In the first quarter of 2019, the Community Development Department and the Police Department will host a series of neighborhood meetings throughout the City where the public will be invited to learn more about the services that both departments provide related to problem properties in the neighborhoods. The meetings will provide information on what a nuisance property is, how to report a nuisance property, which type of complaint will be handled by which department, basic tips for code compliance and neighborhood safety, programs available in 2019, and answers any general

questions related to the processes.

In 2018, we conducted four multiple department sweeps in the City with involvement from the Community Development Department, the Police Department, Peoria County Animal Shelter, PDC, and multiple community groups. Sweeps focused on education first which was followed up with enforcement activities. We will take the same approach in 2019 and look to expand the involvement of other groups and City departments. Our goal is to schedule four sweeps but will try to do additional sweeps if timing and staff resources allow.

Educational Campaign Around Illegal Dumping - The Department worked with Pink Lion Design in 2018 to create large signs to place in areas where garbage, furniture, and tires were routinely dumped. The signs bring attention to the issue and work to show the neighborhoods that the City is working to stop the problem. Three signs were placed in various locations in the first part of December and to date, no additional dumping has occurred, and the signs have remained in place. In addition, the department has mounted night time hunting cameras in various locations hoping to catch people in the act of illegal dumping. The signs and cameras will continue to be rotated to problem areas throughout the community in 2019.

Side-Lot Program - The City of Peoria currently owns multiple vacant lots in our community. Each lot costs approximately \$300 - \$500 per year to mow. Through techniques learned the I-Team Peak Academy, City staff has been working to create a more efficient side lot program to allow the City to transfer some of these lots to adjoining property owners. Criteria will include lack of previous code violations, unlikely future development potential, and a willingness by the property owner to maintain the property going forward. The City hopes to transfer 30 to 50 properties in 2019 and will be pro-actively identifying eligible applicants.

Increased Tenant Education - The Community Development Department has focused on tenant education significantly over the last few years. Educational sessions were held in conjunction with Prairie State Legal Services and a Credit Counseling Agency. Educational postcards were created, and more emphasis was placed on the self-inspection form. The plan for 2019 is to continue to educate and inform tenants of their rights and responsibilities. As stated in a previous Council Communication, when a rental property is put into the Hearing Officer for exterior violations, a copy of the notice along with educational information will be sent to the tenant of the property. This will put a greater emphasis on interior life safety conditions as opposed to exterior cosmetic issues.

Neighborhood Engagement and Citizen Involvement - The Department will continue to build on its relationships with residents and neighborhood leaders to improve code enforcement service delivery to our residents. The Code Enforcement Division will launch a new program that encourages residents to take a pledge to keep their grass cut all year. Tall grass is the number one complaint the Department receives, and Inspectors spend a large majority of their time in the summer months addressing this issue. Residents will be asked to sign a pledge simply stating that they will make sure to keep their grass cut all year. The plan is to solicit some prize donations from the community and at the end of the year, draw names from those who took the pledge and didn't have any code violations for the year to win those prizes. In addition, the Division will engage Neighborhood Associations by offering a Neighborhood Improvement Grant for the Neighborhood Association that has the most residents take the grass cutting pledge. The Code Enforcement Division will be launching this program in April.

The Code Enforcement Division will also continue the current "Code Encouragement" program and the current outreach efforts which include attending neighborhood association meetings, passing out "Good Job" door hangers, hosting multiple Coffee with Code events, visiting 100 Blocks in 100 Days to provide code education to residents and continuing to push the brand "Appreciate Peoria."

Enhanced Service Delivery in 2019

Staff believes through some minor tweaks to the fines and fees asses to code violators, additional changes/enhancements can be made to the services being delivered to neighborhoods through the Code Enforcement function. It can be achieved through adjustments specifically related to those who are violating the code and causing the highest demand for service. Please note the anticipated revenue is based on collection rates from 2017 and 2018. The continued adjustments and emphasis on collections will likely increase the amounts identified below. The changes to fines and fees are summarized below and following that is a summary of the additional services for 2019. **The fee and fine increases would generate about \$100,000 in additional revenue and only impact property owners who have code violations at their properties. The estimates were based on the collection rates from the last two years and do not consider the additional focus placed on collections in the later part of 2018.**

Increase the Code Enforcement Minimum Fine to \$100 - Currently, the first offense for almost all code enforcement environmental fines is \$50 except for litter and debris, which is \$100 for the first offense. Increasing the minimum fine to \$100 for all violations would generate an additional \$25,000.

Apply a \$25 administrative/court cost fee to violators who are found guilty in the Hearing Officer and do not pay their citations by their court date - This would encourage property owners who are clearly guilty of a code violation to pay their original fine before the court date and not take up staff time to prosecute the case in front of the Hearing Officer. This would not apply to those found not guilty in the Hearing Officer process. This would generate about \$7,500 but more importantly, it would encourage violators to pay their fine before the court date.

Increase Work Order Administrative fee to \$160 - Currently, the administrative fee for a work order is \$125. Increasing the fee to \$160 would generate an additional \$50,000 and better reflect the staff time involved in a work order. A work order only occurs when a property owner refuses to correct a violation. A significant amount of staff time is involved with the inspection, reinspection, processing the work order, paying the contractor and processing the invoice for payment.

Apply a \$40 late fee to work orders not paid within forty-five days - To encourage faster payment of work order bills, we recommend adding a \$25 late fee on work orders paid after forty-five days. This would generate about \$7,500 but more importantly encourage quicker payment by those in violation.

Increase the Administrative Appeal Fee to \$60 - Currently, if a property owner does not make corrections and is fined by the Hearing Officer, they can appeal the judgment for \$40. We recommend increasing this appeal fee to \$60 due to the staff time involved with reinspection and reprocessing the case. This would generate an additional \$3,000.

Add a \$100 administrative fee to board up bills - When the first floor of a property is open and not secure, a board up contractor is called to board up the property. The bill is sent to the property owner. No administrative fee is attached to this bill, so no staff time is accounted for the time it takes to contact the board up contractor, verify the work was completed, and process and bill the property owner. This bill is typically paid by an insurance company if the property has insurance. In addition, most of the board-ups occur on vacant residential property. This would generate an additional \$10,000.

Additional/Enhanced Services in 2019

Hire Additional Temporary Code Enforcement Aides - The additional revenue would allow the Code Enforcement Department to hire three additional temporary Code Enforcement Aide positions in 2019 at a total cost of \$45,000. The geographical areas of all Inspectors would be adjusted to reflect this change. Hiring additional help in the summer would allow our full-time Inspectors to focus on additional housing issues in the City and provide more pro-active coverage for tall grass and other environmental issues. In addition, the change would allow the Division to reassign a full-time Code Enforcement Inspector to provide enhanced delivery to smaller nodes of strength around the community. Examples of this would include the North Valley, the East Bluff, Randolph/Roanoke area in the West Bluff, and the Sheridan Triangle area in the Center Bluff. The emphasis would be placed on areas that have seen private investment to encourage other property owners to improve their property. In addition, they would focus on areas that the City has made investments in infrastructure, such as the MacArthur Bridge, Sheridan Road, Forrest Hill, and Main Street. The current staffing levels make it hard for Inspectors to provide targeted focused service delivery without letting other parts of their area go unattended.

Purchase Software for Self-Inspection Process - The I-Team and Community Development Department are currently working with a software vendor through the Start Up in Residence Program (STIR). The STIR program connects government and start up technology companies to solve government-led civic challenges. The cost to be involved in the program was paid for with funds from the Bloomberg Grant. The program does not involve any financial commitment from the City to develop the program and software unless the City decided to purchase the software at the end of the program. The challenge that staff proposed to the project was the creation of a mobile/web-based application that could be used by landlords and tenants to conduct self-inspections of rental properties. The information would be sent to the City of Peoria and a copy would be available for the landlord and tenant. Landlords would be able to use this information if the property is damaged by the tenant and it would provide an additional educational source for tenants when moving into the property to ensure all life safety items comply before renting the property. In addition, forms could be digitally available to the City of Peoria. This will help alleviate some of the staff time involved in the submission of all forms to the City of Peoria as part of the registration process. This is a 16-week program and we are currently in the first four weeks. However, based on initial conversations and conceptual mockups of the site and app, staff feels this could be an incredibly valuable tool to the community and staff. Until the application is fully developed, it is not known the exact cost. An additional communication would be brought back to Council to allocate funds for purchase when the program is complete.

Attached to this document for informational purposes: PowerPoint presentation prepared for LISC Cohort meeting of central Illinois communities highlighting the City of Peoria approach to Code Enforcement as requested from multiple regional partners, detailed handout highlighting multiple code enforcement processes, Code Enforcement geographical assignments, August Chapter 5 code changes presentation made to Council and Staff Appreciation brochure.

Information Request from City Council meeting on February 12th, 2019 -

All of the fee increases above will only impact property owners with code violations. Code Enforcement staff does not issue tickets to tenants of rental properties, the fines and fees are issued to the property owner at the time of the violation.

Impact of Fee Increase for Work Order Administrative Fee and late fees - In 2018, 3,313 work orders were billed to property owners who own property in the City of Peoria. Of those 3,313 work orders billed and completed, 82% of them were on vacant lots or vacant structures. Only 18% of those were completed on occupied properties. All occupied properties were posted with a five day

ABATE notice and the work order was not issued until that warning time had expired. The fee increase will have the biggest impact on out of City property owners and owners of vacant property who do not maintain their property.

The Community Development Department staff posted 5,098 ABATE notices in 2018 on occupied structures. Staff proceeded to issue 712 work orders to have those environmental code violations corrected when the owners would not correct the violations for a voluntary compliance rate on environmental issues of 86.1%. Please note that correcting the violation before the five-day period will prevent the City from paying to abate the issue but does not void the penalty/citation issued by Code Enforcement Inspectors to repeat offenders or when the violation is so egregious the first inspection. Staff does not issue a citation on the first visit to a property for the same code violation in a 12-month period. Citations are issued to habitual offenders who continue to have the same issues generating blight for the neighborhood. At the beginning of 2018, the Community Development launched a new notification system to inform property owners when ABATE notices are posted at properties and work orders are issued. Compared to 2017, 2018 saw a 5% decrease of work orders needing to be issued on occupied structures after an ABATE was posted and an increase of work orders done by the owner before our contractor arrived on site of 33%.

Works Order Completed by the City of Peoria based on Zip Code

	Vacant Lots or Vacant Structures	Occupied Structures	Percent of Work Orders done on Vacant Property
61602	35	0	
61603	801	287	64.00%
61604	325	179	45.00%
61605	1796	177	90.14%
61606	179	46	74.39%
61614	34	9	73.53%
61615	43	14	67.44%

Staff looked at the zip codes of the owners of the property. 45% of the work orders that were billed were billed to property owners who do not reside in the City of Peoria. Please note that this is based on available billing address. If a property owner vacates or abandons a property, the billing address might still reflect the vacant property address.

Owner's Zip Code	Owner's Billing Address
61602	56
61603	389
61604	404
61605	505
61606	83
61614	187
61615	183
Outside of the City of Peoria	1,506

Impact of Increasing the Citation amount - In 2018, Community Development staff issued 4,083 citations for code enforcement violations. 41% of those citations were issued to properties owned by people who were not City of Peoria residents. Based on the chart below, the biggest impact of increasing the citation amount would be to people who own property in the City of Peoria but do not reside within city limits and allow their properties to have code violations.

Citations to Owners	
61602	119
61603	551
61604	554

61605	408	
61606	181	
61614	304	
61615	43	
61616	30	
Outside of the City		1677

The majority of the other fine and fee increases are directly related to citation and work orders and paying those bills on time so the correlation would be the same.

FINANCIAL IMPACT: An additional \$100,000 in revenue will be generated and \$75,000 would be appropriated to fund the additional temporary code enforcement aides and the software purchase. A budget amendment will be prepared for the final adoption of the ordinance.

NEIGHBORHOOD CONCERNS: The efforts of the Community Development Department work to stabilize our neighborhoods, improve public safety and increase the quality of life for our residents.

IMPACT IF APPROVED: Fines and fees will be raised for people who violate the City of Peoria code.

IMPACT IF DENIED: Fines and fees will not be raised, and additional programs will not be implemented.

ALTERNATIVES: n/a

EEO CERTIFICATION NUMBER:

WHICH OF THE GOALS IDENTIFIED IN THE COUNCIL’S 2017 - 2032 STRATEGIC PLAN DOES THIS RECOMMENDATION ADVANCE?

- 1. Beautiful Peoria
- 2. Grow Peoria
- 3. Safe Peoria

WHICH CRITICAL SUCCESS FACTOR(S) FROM THE COMPREHENSIVE PLAN DOES THIS RECOMMENDATION IMPLEMENT?

- 1. Reinvest in neighborhoods.
- 2. Keep taxes and fees competitive.
- 3. Have an efficient government.

DEPARTMENT: Community Development

I, Beth Ball, certify that this is a true copy of ORDINANCE NO. 00000 which was adopted by the City Council on December 13, 2016, by roll call vote of 7 Yeas, and 0 Nays; The Council being composed of 9 duly elected Councilmen and Mayor -- with the original record thereof remaining in my office, and have found the same to be a true and correct transcript therefrom, and of the whole of such original record.

Attest: _____

Date Certified