

Town of Bowling Green
Town Council Meeting



Date: August 3, 2017
Agenda Item: Adoption of Code Enforcement as presented at work Session

TYPE OF AGENDA ITEM:

- CONSENT AGENDA
- PRESENTATION
- ACTION ITEM
- TOWN MANAGER & STAFF COMMENTS
- PUBLIC HEARING
 - Duly Advertised

PURPOSE OF ITEM:

- INFORMATION ONLY
- DISCUSSION ONLY
- DISCUSSION AND/OR DECISION
 - Introduction Resolution
 - Ordinance Grant/MOU
 - By Motion Bylaws
 - Certificate

PRESENTER: Melissa Lewis

PRESENTER TITLE: Clerk/Treasurer

AGENDA ITEM:

Adoption of Code Enforcement as presented at work Session

BACKGROUND / SUMMARY:

Items that were presented the Town Attorney and discussed Council at the July 20 Work Session.

ATTACHMENTS:

1. Code Enforcement Policy
2. Violation Form Letter
3. Compliance Agreement

REQUESTED ACTION:

Adopt the Code Enforcement Policy as presented at the July 20 Work Session.

FOR MORE INFORMATION, CONTACT:

Phone#:

Name:

E-mail:

FOR USE DURING MEETING

| Y | N | | Y | N | |
|--------------------------|--------------------------|---------|--------------------------|--------------------------|-------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Coleman | <input type="checkbox"/> | <input type="checkbox"/> | McDearmon |
| <input type="checkbox"/> | <input type="checkbox"/> | Davis | <input type="checkbox"/> | <input type="checkbox"/> | Wright |
| <input type="checkbox"/> | <input type="checkbox"/> | Gaines | <input type="checkbox"/> | <input type="checkbox"/> | Rowe |
| <input type="checkbox"/> | <input type="checkbox"/> | Hauser | <input type="checkbox"/> | <input type="checkbox"/> | Satterwhite |

VOTE: PASSED NOT PASSED



Code Enforcement Policy

The Code Enforcement Policy, adopted by the Bowling Green Town Council, provides guidelines for enforcement of the Bowling Green Town Code (trash, tall grass, weeds,

inoperable motor vehicles, building code violations, dilapidated housing) and the Zoning Ordinance.

Effective: _____

Our mission

To preserve and improve the physical, social and economic health of the Town of Bowling Green, and enhance the quality of life for our residents and businesses through community-based problem solving, neighborhood-oriented services and public/private cooperation.

Contact Us

To report a violation, ask about a case or get information about the Code Enforcement Policy, contact _____

at:

I. Standard Code Enforcement

A. Purpose

It is the intent of the Town of Bowling Green to promote the health, safety and welfare of the residents of the Town. Part of this responsibility includes protecting neighborhoods from blighting and deteriorating conditions that have a negative impact on area property values and encourage social disorder and crime. This is achieved through ordinances and by establishing a policy to guide enforcement of the ordinances.

B. Standard Enforcement Policy

Town of Bowling Green residents are encouraged and supported in their efforts to maintain the physical environment of their neighborhoods through standards set in local ordinances.

To assist in this endeavor, the following code enforcement policy has been established to guide the Town in addressing code violations. Code violations include, but are not limited to tall grass/weeds, trash & debris, inoperable motor vehicles, dilapidated structures and zoning violations.

The following actions will be taken:

1. Receipt of Complaint

When a complaint is received, the Town will respond in the following manner:

a. Immediate Inspection

Within five business days of receipt of a complaint, the Town Manager will conduct an inspection of the property and take photographs. He will also talk with the property owner(s) regarding the alleged violation(s).

b. Violation Letter

If, based upon the Town Manager's inspection and investigation (which may include talking with neighbors), a violation appears to exist, the Town Manager will send a letter to the property owner(s) requesting voluntary compliance (sample letter attached). The letter will request that the property be brought into compliance within fourteen (14) days.

c. Agreement to Bring Property into Compliance

Depending upon the circumstances, the Town Manager shall possess the authority to allow the property owner to enter into a Compliance Agreement (sample attached). This Agreement shall set out specific deadlines for certain actions to be taken. If the property owner does not fully comply with

the Agreement and/or adhere to the timelines, the Town Manager shall refer the matter to the Town Attorney for enforcement action.

With respect to business owners, the Town Manager will make every reasonable effort to cooperatively work with the business owner to support the continuation of the business in the Town of Bowling Green while complying with federal, state and local laws. With respect to business owners, provided that the business owner expresses a willingness to conform to law and regulation, a Compliance Agreement should be utilized in lieu of enforcement action.

LETTERHEAD

DATE

METHOD OF DELIVERY

NAME

ADDRESS

NOTICE OF VIOLATION & CORRECTIVE ORDER

Dear _____:

Description of Complaint

On _____ the Town of Bowling Green received a complaint regarding _____ located at _____.

Description of Violation

On ____ I made a visit to _____ and I observed _____ (photos enclosed). Currently the Property owned by you is in violation of section ____ of the Bowling Green Town Code because _____.

Corrective Action Required

Please bring your property into compliance by _____ no later than _____. If you are not able to bring you property into compliance by _____, it may be possible to enter into a Compliance Agreement. Please contact me if you are interested in discussing such a possibility.

You may appeal this Notice & Order to the Bowling Green Board of Zoning Appeals. The appeal paperwork may be obtained by _____. The fee is _____. If you do not appeal this letter within thirty (30) days, the determination in this letter as to the zoning violation will be final.

Failure to bring your property into compliance will result in this matter being referred to the Town Attorney for enforcement.

Compliance Agreement

I, _____, owner of _____ (Tax Map _____) (the "Property") which is located in the Town of Bowling Green, Virginia (the "Town"), acknowledge that my Property is currently in violation of section ____ of the Bowling Green Town Code because _____. In exchange for the Town not proceeding with enforcement action at this time, I agree to:

- 1. _____ By:_____
- 2. _____ By:_____

I understand that if I should fail to adhere to any of the provisions in this Agreement, this matter will be referred to the Town Attorney for enforcement. In the event that enforcement action should be necessary, I agree to pay for any and all costs and attorney's fees related to the enforcement action. In signing below, I acknowledge that I understand the terms of this Agreement, I have had enough time to review this Agreement, and that I am entering into this Agreement voluntarily.

Signature Date:_____

Signature Date:_____