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# **NEW CASTLE COUNTY CODE ENFORCEMENT**

**UPDATE FOR COUNTY COUNCIL  
March 17, 2008**

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## □ **INSTANT TICKETING**

- Basis for enactment
- Procedure
  - How violations are identified and ticketed
  - Post-adoption enhancements
  - Jurisdictional comparison (NCC, City of Wilmington and City of Newark)
- County statistics
- Expanding the scope of the County's program

## □ **WORKFORCE SAFETY**

- Department protocol
  - Tools
  - Training
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# INSTANT TICKETING







3/11/09



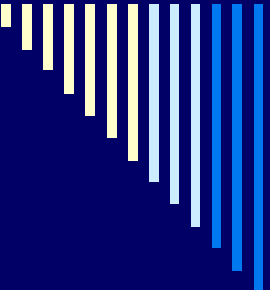
8/11/08



Tue Mar 10 2009, 11:25 am



Tue Feb 10 2009, 12:03 pm



# INSTANT TICKETING

## (Basis For Enactment)

- ❑ Poorly maintained properties pose a significant threat to public health and safety
  - ❑ For years, County Council and constituents have been demanding quicker resolution
  - ❑ Criminal enforcement is time consuming and expensive
  - ❑ Civil penalties shift the cost of enforcement to the parties responsible and yield better results
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# INSTANT TICKETING (Procedure)

- New Castle County Code Enforcement continues to operate as a complaint-based system
  - Cases may be reported to Code Enforcement online or by calling 395-5555
  - On the same day that a complaint is received, a 10-day courtesy letter is mailed to the property owner
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# INSTANT TICKETING

## (Procedure...continued)

- The courtesy letter advises the recipient that a complaint has been received, and also identifies code provisions for which infractions may be ticketed if observed during the first inspection.
  - A minimum of 12 days after a courtesy letter is mailed, a code enforcement officer performs a first inspection. If violations are observed during that inspection, then a ticket may be issued for each code provision that has been violated.
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# INSTANT TICKETING

## (Procedure...continued)

- ❑ Each \$50 ticket must be paid within 30 days, or it automatically doubles to \$100.
  - ❑ An appeal must be requested within 21 days from the issuance of the ticket. To initiate an appeal, the appellant must pay the ticket and submit a completed appeal form.
  - ❑ If the independent administrative hearing officer reverses, revokes or decreases the penalty, the appellant is reimbursed for the portion vacated or decreased.
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# INSTANT TICKETING

## (Procedure...continued)

- If the administrative hearing officer rules against the appellant, a subsequent appeal may be taken to the NCC Board of Licenses, Inspection & Review.
  - Administrative appeals (7/1/08 – 3/13/09)
    - Number of appeals – 212
    - Number of violations - 599
    - Violations vacated - 319
    - Violations upheld - 244
    - Appeals returned - 17
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# INSTANT TICKETING

## (Procedure...continued)

- The third ticket provides notice to the property owner that the code violations may be abated and the property owner may request a hearing on the matter.
- Liens will be recorded for properties with unpaid fines totaling \$500 or more. Those outstanding amounts will also be added to the property tax bills if not paid within the time allotted by the County. As of March 16, 2009, there are 276 properties with unpaid fines amounting to \$500 or more.



## Enhancements to program

- 12 days is now provided before a First inspection
  - No specific violations are referenced in CL
  - The insert was incorporated into the courtesy letter
  - All tickets are reviewed by supervision prior to being issued
  - If a property is not owner occupied, a separate notice also gets mailed to property address
  - Door hangers are used to notify that complete compliance was not attained
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# Jurisdictional Comparison

|   | <u>NCC</u> | <u>Wilmington</u> | <u>Newark</u> |
|---|------------|-------------------|---------------|
| <input type="checkbox"/> 12-day CL                    | Yes        | No                | No            |
| <input type="checkbox"/> Ticket amt.                  | \$50       | \$50              | \$100         |
| <input type="checkbox"/> May double                   | Yes        | Yes               | Yes           |
| <input type="checkbox"/> Admin. Appeal                | Yes        | Yes               | Yes           |
| <input type="checkbox"/> Payment due<br>(with appeal) | Yes        | Yes               | Yes           |



# INSTANT TICKETING

## Statistics – 7/1/08 - Present

| District | Cases | Tickets | Violations |
|----------|-------|---------|------------|
| □ 01     | 265   | 663     | 1,260      |
| □ 02     | 45    | 133     | 197        |
| □ 03     | 26    | 50      | 71         |
| □ 04     | 0     | 0       | 0          |
| □ 05     | 109   | 313     | 685        |
| □ 06     | 200   | 527     | 778        |



# INSTANT TICKETING

## Statistics – 7/1/08 - Present

| District     | Cases        | Tickets      | Violations   |
|--------------|--------------|--------------|--------------|
| □ 07         | 320          | 903          | 1,373        |
| □ 08         | 160          | 388          | 655          |
| □ 09         | 94           | 190          | 347          |
| □ 10         | 200          | 537          | 1,053        |
| □ 11         | 208          | 690          | 1,339        |
| □ 12         | <u>197</u>   | <u>537</u>   | <u>909</u>   |
| <b>TOTAL</b> | <b>1,824</b> | <b>4,931</b> | <b>8,667</b> |



# INSTANT TICKETING

## Statistics – 7/1/08 - Present

- Breakdown of tickets issued county-wide:
    - **Outside storage of debris – 29%**
    - Inoperable/unregistered vehicles – 21%
    - **High weeds/grass – 18%**
    - Outside storage of household items – 9%
    - **Parking on grass – 7%**
    - Accessory structures in disrepair – 6%
    - **Rubbish and trash accumulation – 6%**
    - Shrubs/trees encroaching on sidewalks – 2%
    - **Swimming pool issues – 2%**
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# INSTANT TICKETING

## Results

- Comparing the period (Aug 08 – Mar 09) with the period (Aug 07 – Mar 08), the officers, on average, have:
    - Resolved 70 more cases
    - Resolved cases 6 days faster
    - Resolved 16% more cases with only one inspection
    - Reduced court cases from 11% to 2%
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# INSTANT TICKETING

## (Expanding scope)

Due to the success of this program, it is recommended that additional violations be added, including:

- Evms violations
  - Signs prohibited by the Sign Code
  - Graffiti
  - Accumulation of animal feces
  - Individual tickets for each inoperable or unregistered vehicle observed on a property
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# WORKPLACE SAFETY

## (Department Protocol)

- It is the policy of the Code Enforcement Division to avoid confrontation where possible and to safely retreat from an uncomfortable situation before it escalates to violence.
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# WORKPLACE SAFETY

## (Tools)

- ❑ Code enforcement officers are issued two-way radios with a panic button that allows access to the police channel.
  - ❑ County Police has been very supportive of Code Enforcement and provides uniformed officers when requested.
  - ❑ County police is helping Code Enforcement assess its safety equipment needs and training
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# WORKPLACE SAFETY (Training)

- All of the code enforcement officers have been trained in verbal judo.
  - County Police is working with Code Enforcement to identify and provide necessary training. Prior to receiving defensive tactics and other training, the codes and protocol must be reviewed with the Law Department.
  - We are also evaluating outside services
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