

CODE ENFORCEMENT CITY OF VALLEJO
2008-2009 Grand Jury

REASON FOR INVESTIGATION

The 2008-2009 Solano County Grand Jury elected to investigate Vallejo Code Enforcement due to observations made by Grand Jury members.

GRAND JURY ACTIONS

- Toured selected areas of the City of Vallejo
- Photographed several areas of the City
- Interviewed Code Enforcement Department Manager
- Interviewed Senior Code Enforcement Officer
- Interviewed Vallejo City Manager

BACKGROUND AND SUMMARY

The Code Enforcement department of Vallejo has four inspectors and one senior clerk. Two inspectors also have administrative responsibilities. All inspectors are assigned a vehicle to be used for travel during work hours.

Vallejo is a city of approximately 120,000 residents and 40,000 real estate parcels (including approximately 500 vacant lots). The Department receives an annual average of 1,200 violation referrals, with 800 to 1,000 cases cleared yearly. The process for each case depends on the type of violation. Property owners can be issued citations for:

- Lack of weed abatement
- Lack of maintenance of swimming pools
- Excessive standing water on property
- Lack of maintenance of foreclosed properties
- Operating an illegal business on private property
- Activities that result in zoning violations
- Parking of unregistered vehicle(s) on private property (in the presence of other violations)

Since 1998, the Department has been responsible for code enforcement along the Mare Island railroad right-of-way to the switching yard beyond Broadway and Sereno Drive.

Complaints concerning vehicles illegally parked on the street are routed to the Police Department. Complaints involving trash in alleys or on public streets are routed to Public Works, who forwards the complaint to the Vallejo Garbage Company. Fire hazard complaints are referred to the Fire Department. Public Works deals with hazardous waste collection.

Department actions are usually complaint-driven as opposed to action initiated by Department employees. Inspectors do not routinely patrol the City to detect code violations. According to the Code Enforcement Department Manager, this is due to “a lack of staffing and the time required to do the paperwork for each violation.” However, it was indicated that the Department has initiated one achievement that can be construed as proactive: volunteers have been utilized to paint over graffiti on 300 buildings.

Code Enforcement staff reported that the foreclosed property issue is the top priority of the Department at the present time. When foreclosed properties are not properly maintained and secured, they become a haven for vagrants, rodents and illegal activity.

According to the City Manager, he advised the Code Enforcement Department to become self-sustaining through fine collections. He informed the Grand Jury that the self-sustaining issue was being addressed.

The Code Enforcement complaint process is as follows:

- Complaints are usually telephoned by residents to the Code Enforcement Department
- Complaints requiring action by Code Enforcement are referred to one of the inspectors
- Other complaints are routed by the receiving Clerk to the appropriate department
- Complaints to be handled by Code Enforcement are entered into the computer tracking system
- Record search is performed to establish ownership of the property
- There is a drive-by inspection to verify existence of violation
- If the violation is verified, an attempt is made to contact the property owner
- A site inspection letter is sent to the property owner
- A notice of violation is sent to the property owner, which requires compliance or substantial compliance within 30 days
- A re-inspection of property is conducted following the 30-day period, as appropriate
- Additional notices may be issued, including second, third and final notice
- If violations have been removed or resolved, no further action is required
- If violations continue, a final inspection will be conducted after the third and final notice has expired
- If the violations have not been corrected, legal actions may be taken

Generally, the property owner will make progress toward bringing the property into compliance. Often, the property owner will request an extension of the deadline. A reasonable extension will usually be granted with the intention of resolving matters within 90 days whenever possible. If the property owner does not comply and legal action is taken, it may take 18 to 24 months to resolve violations through the court process. If a court order is issued as a result of a hearing, a strict timeline will be invoked and abatement of the violation(s) will usually follow.

Complaints that are referred to other departments are not tracked by Code Enforcement. As a result, Code Enforcement is not aware of whether or not these complaints have been resolved.

Observations made by Grand Jury Members:

Members of the 2008-2009 Grand Jury spent two hours driving around the city of Vallejo. In this period of time, the Grand Jury found several areas of blight that require action by the Code Enforcement Department. Several of the areas were photographed and some are included below in this report. The violations noticed by the Grand Jury could, if pursued by the Code Enforcement Department, produce revenue that would assist the Department in its efforts to become self-sustaining.

FINDINGS AND RECOMMENDATIONS

Finding 1 - Lack of a Code Enforcement pro-active policy (which could generate revenue via fines) leaves money on the table that could otherwise be used to initiate pro-active procedures. In its inspection of the City, the Grand Jury found many opportunities for generation of fines. If Code Enforcement inspectors performed the same inspections conducted by the Grand Jury, many more violations would be observed and processed. As a result, the appearance of the City of Vallejo would be improved.

Recommendation 1 - The Code Enforcement Department should begin weekly inspections in problem areas of the City. Revenue generated from the increased inspection activity would help to pay for the increased inspection activity.

Finding 2 - The lack of an integrated, centralized database for all complaints received by Code Enforcement, which includes those referred to other departments, results in an inability to determine if code violations have been remedied.

Recommendation 2 - The City Manager should delegate to the appropriate department heads the task of establishing an integrated, centralized database, which can be accessed by all departments involved in the resolution of Code Enforcement violations.

Finding 3 - The process for resolving Code Enforcement complaints is very cumbersome and appears to take a ridiculous amount of time. It may actually take years to resolve a clean up issue.

Recommendation 3 - The procedure for complaint resolution needs to be streamlined. This may be accomplished by the Code Enforcement Department working with the City Council to change the City ordinances and the established procedures that encumber the process.

COMMENTS

The Vallejo Code Enforcement Department is advised to make contact with the other six cities in the County and ask the following questions: “Does it take you two years to resolve a Code Enforcement complaint issue? If it takes less time, what procedures are you using to accelerate the resolution process?” The answers to these questions may assist Vallejo in developing a practical and effective procedure that will result in cleaning up the City in a timely manner. As indicated in the above recommendations, the clean up efforts could be accomplished without the addition of staff to Code Enforcement if they simply engaged in a pro-active effort to clean up the City. The fines generated could pay for the cost of any additional enforcement.

It is recommended that the 2009-2010 Grand Jury conduct a follow-up inspection of the City of Vallejo to determine if any progress has been made in cleaning up the City.

RESPONDING AND AFFECTED AGENCIES

Vallejo City Manager

Vallejo Code Enforcement Manager

COURTESY COPIES
Vallejo Police Department
Vallejo Fire Department
Vallejo Public Works Department
Vallejo Garbage Company





