



Reducing Compliance Times – Update Report

April 1, 2024



Reducing Compliance Times

At the August 7, 2023 work session, Council reached a consensus to ask staff to research shortening compliance times for Code Enforcement actions.

At the October 2021 City Council work session SPA presented research and options to council regarding Code Enforcement Abatement Time Reduction. City Council received the presentation and had no further direction to staff.

At the March 2023 City Council work session Code Enforcement presented the Dangerous Building process and key information regarding case activity. Options were presented for possible action. City Council took no action on those items.

At the October 2023 City Council work session Code Enforcement presented information regarding the code enforcement process, dangerous building process, nuisance properties. Included were options and opportunities to be considered. City Council asked for information on some related items and moved to accept options with modifications.

October 2, 2023 City Council Discussion Items Assigned to Development Services Department

1 – Mayor requested Raw data and comments from customer surveys.

Assigned to Development Services

Development Services complied this information and provided to the City Manager. Information updated as of 4/1/2024 and included with agenda item.

2 – Seemed to be willingness to get a 3rd party customer survey.

Assigned to SPA & Development Services

Development Services is currently expanding their role in the customer service survey by proactively reaching out to customers that have recently completed a project.

3 - Can we come up with a way to help those who need help? "Property Maintenance of those who can't" (CM Ingram) [City Manager> ACM Olivera> ECD&Code Enforcement

Assigned to ECD and Development Services

Development Services (Code Enforcement) currently provides ECD contact information to customers that may be able to utilize available ECD services. Code Enforcement has compiled list of agencies and organizations with programs that assist with housing and housing repairs. See attached list.

October 2, 2023 City Council Discussion Items Assigned to Development Services Department

4- Can we bundle("do a full concentration") the backlog of demolition items? (CM Jensen)

Assigned to Development Services & Finance

Other departments are involved in the demolition process as well as outside contractors. Bundling or creating larger projects could actually slow down the process and create the opposite desired result. Project pricing (bids) must be per parcel due to need to assess individual parcels and owners the actual costs for demolition. Bundled pricing would not be able to be assessed to individual properties. Bundling also creates the possibility that the bundled price could be higher than the individual pricing currently use. Chart included as attachment.

5- How can we “help out” the persons who are being taken advantage of by handymen, contractors?

**Assigned to Development Services, City Attorney’s Office & Police Department
Development Services (Permitting & Inspections) reports violators to the proper State agency for investigation. In some cases, the Police can conduct a fraud investigation. In most cases, the dispute would be a civil action between the customer and the contractor.**

October 2, 2023 City Council Discussion Items Assigned to Development Services Department

6- Differentiate "our stuff (that can be changed) versus state (that cannot be changed)" (City Manager)

Assigned to Development Services & City Manager's Office

Development Services created a list of compliance times that indicate City Code vs State Statute. Chart included as attachment.

7- "How can we get the money back [that we spent on demos]?" (CM Thompson)

Assigned to Development Services & Finance

Development Services has spoken with the CAO about this issue and the CAO is researching the possibility of foreclosing on properties that have liens or past due accounts due to lot cleanings, demolitions etc.. Presentation by the City Attorney's Office will be provided during the 4/1/2024 City Council Work Session.

Citizen Resources

Dial 211 (United Way)
<http://Unitedway-cc.org>

United way of Cumberland County
222 Maiden Lane
910-483-1179

Fayetteville-Cumberland Human Relations Department
225 Ray Avenue
910-433-1590
Fair Housing, Landlord/Tenant Laws

City of Fayetteville Economic Community Development
225 Ray Avenue
910-433-1590
Homebuyer assistance, rehabilitation, emergency repair, water & sewer assessment fee assistance

Fayetteville Area Habitat for Humanity Inc
A Brush with Kindness
310 Green Street
910-483-0952
Housing resources

Citizen Resources

Fayetteville Urban Ministry
Nehemiah Project
701 Whitfield Street
910-483-5944
fayurbmin.org
Homeowner rehabilitation and emergency home repair

Fayetteville Metropolitan Housing Authority
1000 Ramsey Street
910-483-3648
faymetha@fmhanc.org
Housing assistance, vouchers

Action Pathways, Inc.
4525 Campground Road PO Box 25759 Fayetteville, NC 28314
910-223-0116

Weatherization Assistance Program, Duke Helping Home Fund, Heating and Air Repair and Replacement Program, Home energy efficiency: testing and evaluation, Carbon monoxide testing, Air sealing, Duct sealing, Insulation of attic, walls, and floors, Evaluation, cleaning and tuning of heating system, Energy education, Heating appliance repair or replacement

Cumberland County Council On Older Adults
339 Devers Street
910-484-0111
Ramps, Accessibility upgrades,

Citizen Resources

North Carolina Department of Health & Human Services / Independent Living Services
155 Eastwood Avenue
910-486-1717

North Carolina Department of Health & Human Services Crisis Intervention Program
2001 Mail Service Center
Raleigh, NC 27699-2000
Customer Service Center: 1-800-662-7030

North Carolina Department of Health & Human Services Low Income Energy Assistance
2001 Mail Service Center
Raleigh, NC 27699-2000

Snyder Memorial Baptist Church
Handicap ramp construction
701 Westmont Drive
910-484-3191

Legal Aid of North Carolina
1-877-201-6426

Catholic Charities
726 Ramsey Street Suites 10 & 11
910-424-2020 ext 2601



Citizen Resources

Rebuild NC
321 Person Street
833-275-7262



Bundling Demolitions Issues

Bundling Demo Issues						
Project Address	Contractor 1	Contractor 2	Contractor 3	Contractor 4	Low	VS overall Low Bidder
A	\$ 5,500	\$ 3,500	\$ 5,500	\$ 5,700	\$ 3,500	\$ 2,000
B	\$ 5,500	\$ 5,500	\$ 5,200	\$ 6,500	\$ 5,200	\$ 300
C	\$ 5,500	\$ 5,500	\$ 5,200	\$ 6,500	\$ 5,200	\$ 300
D	\$ 6,500	\$ 6,500	\$ 7,000	\$ 6,000	\$ 6,000	\$ 500
E	\$ 8,000	\$ 8,100	\$ 8,200	\$ 9,000	\$ 8,000	\$ -
F	\$ 12,500	\$ 15,000	\$ 12,600	\$ 10,000	\$ 10,000	\$ 2,500
Total	\$ 43,500	\$ 44,100	\$ 43,700	\$ 43,700	\$ 37,900	\$ 5,600
					\$ (5,600)	

Bundling has the potential to:

- 1) result in higher overall cost for the projects
- 2) result in higher assessments per individual property owners versus individual project bidding

Compliance Times Required

Violation	Chapter	Typical compliance time	Minimum time Required for Compliance Per Code	Source
Substandard Exterior conditions	14	60 days	such time as the building inspector considers reasonable to correct such conditions.	14-61b
Substandard Interior	14	30 days	such time as the building inspector considers reasonable to correct such conditions.	14-61b
Dangerous Building	14	60 day minimum (180 max by practice)	60 days	NCGS 160D-1122
72 hour emergency building	14	3 days	72 hours per code	14-81
Boarded Building registration	14	10 business days	10 business days	14-127
Blighted Building	14	60 day minimum (180 max by practice)	60 days	NCGS 160D-1122
Boarded Building Expired Registration	14	60 days	60 days	14-124
Junk Vehicles	16	10 business days	7 days	16-357
Nuisance Vehicles	16	10 business days	7 days	16-357
Abandoned Vehicles	16	10 business days	7 days	16-357
Graffiti	17	10 business days	48 hours, emergency notice	17-33c
Solid Waste	22	10 business days	10 business days	22-17A2
Basketball Goals	24	14 days	14 days	24-312a1
Sidewalk maintenance	24	10 business days	24 hours max, as soon as practical	24-312a2
No Outdoor Dining/Use Permit	24	10 business days	24 hours max, as soon as practice	24-312a2
Blocking right of way	24	10 business days	24 hours max, as soon as practice	24-312a2
Trailers parked in ROW	27	10 business days	not specified	27-7a1

Compliance Times Required

Heavy truck parking violation on private	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Fence Maintenance	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
No Building Permit	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
No Fence/Shed Permit	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Heavy truck/trailer in ROW	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Zoning General Warning letter	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
No Sign Permit	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Sign Unspecified Temporary/portable	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Dumpster Screening	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Sign prohibited	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Sign in the Right of Way	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Sign Maintenance	30	15 days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Zoning prohibited uses	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Sign Discontinued	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Fence standards violation	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Temporary Storage Containers time	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Sign Flashing	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Sign Snipe	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Home occupation violations	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Driveway/parking lot maintenance	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Sign Feather Flag	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c

Compliance Times Required

Sign Motion	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
NO COA	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Sign on Vehicle near ROW	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Sign Glare	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Temporary Storage Containers Parking/Loading	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Sign Off premises	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Hotel/Motel extended stay	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
No swimming pool fence	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Sign Above roof line	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Sign attached to items for sale	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Sign Novelty	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Sign Obscene	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Sign Obstructing motorists	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Sign obstruction light, air, egress	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Sign Painted wall	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Sign Roof	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Sign Simulating public safety	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Sign standards violation	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Sign Temp real estate	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Sign Temporary Special Advertising	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Sign Vehicle	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Temporary Storage Containers Driveway	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c
Temporary Storage Containers Size	30	10 business days	reasonable time not to exceed 30 days, must wait 10 business days for return mail	30-8.E.4.b.1, 30-8.E.4.b.1.c

Reducing Compliance Times – Previously Proposed Changes

- 1-Pursue an ordinance change for compliance from ten business days to ten calendar days. This would remove approximately four days from the compliance period.
- 2-Pursue an ordinance change to require compliance time from ten business days to eight business days.
- 3- Pursue an ordinance change to allow city the option to go straight to abatement and bill/lien property using powers granted to the city in the General Statute.
- 4-Pursue an ordinance change to allow city the option to issue citations for verified violations without prior issuance of a NOV.
- 5-Utilize provision in current city code to assess the Administrative Fee of \$200 on all Chapter 22 (Solid Waste) violation cases that are not in compliance by the compliance date.
- 6-Remove some or all extensions in compliance times that are not required.

✓ Reduce time from discovery to action

- Began shift of initial inspections and generation of Notice of Violation letters mainly to Code Enforcement Field Staff from Supervisors and shortened first correspondence with property owners from 60+ days down to two weeks.

✓ Elimination of extensions specifically after Council has approved ordinance

- Actions move forward based on available resources and can only be stopped by the owner coming into compliance prior to demolition or an action of the City Council.

✓ Taking action not withstanding issued permits or ongoing work

- Examples: 5002 Collins Street, 401 Johnson Street, 528 Person Street

✓ **Reduce length of hearing orders to minimum required by state law**

- Whenever possible, hearing order compliance times on Dangerous Building cases are being set at 60 days. Hearing Orders issued since October 2023 with 60 day compliance orders:

5270 Yadkin

726 Sessoms

415 W. Russell

7006 Pantego

218 Hawthorne

6447 Raeford

423 Bevil

5202 Gavins

512 Frink

1909 N. Pearl

1210 Durden

1912 Simon

166 Summer Hill

215 S. King

2036 Rosehill

110 Webb

6457 Raeford

112 Webb

850 Rembrandt

8581 Cliffdale

3248 Chandler

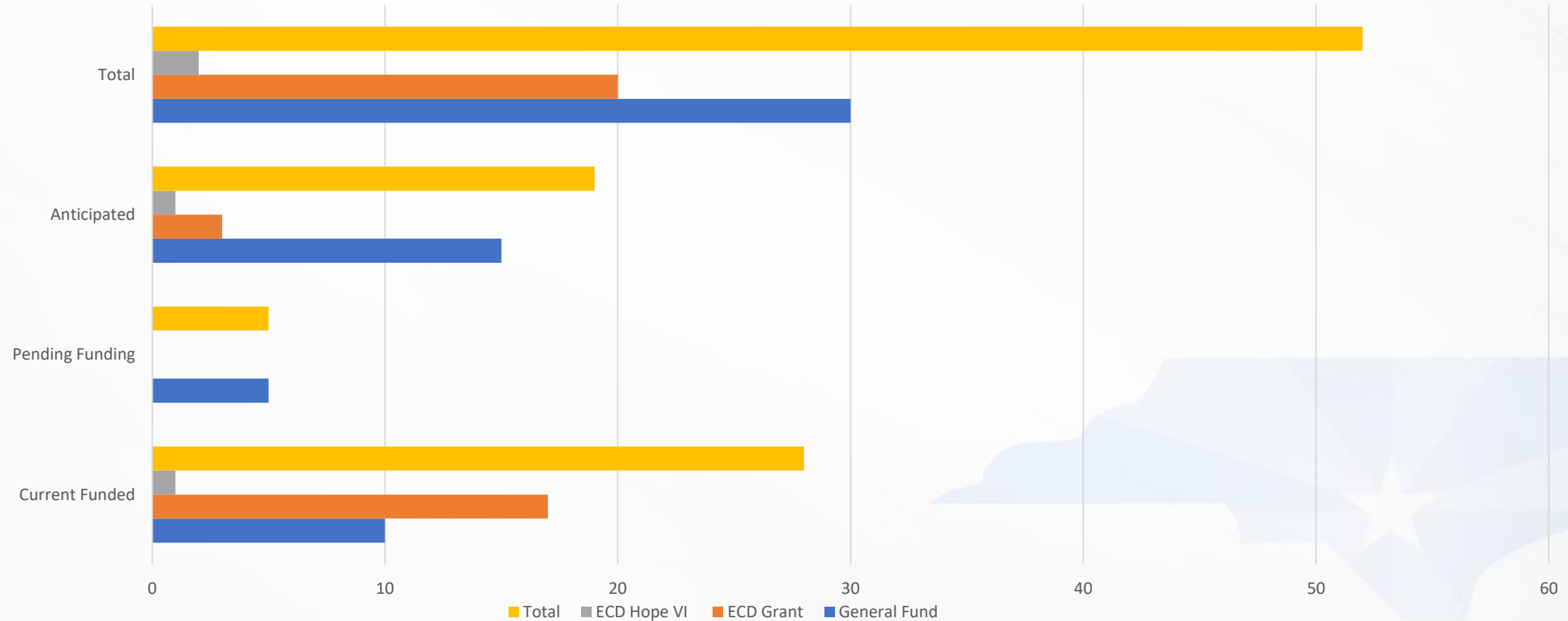
- Hearing Orders Issued Since October 2023 with other than 60 day compliance orders:
1909 N Pearl - 90 days 946 Stewarts Creek - 75 days

21 out of the last 23 Hearing Orders have been for 60 days.

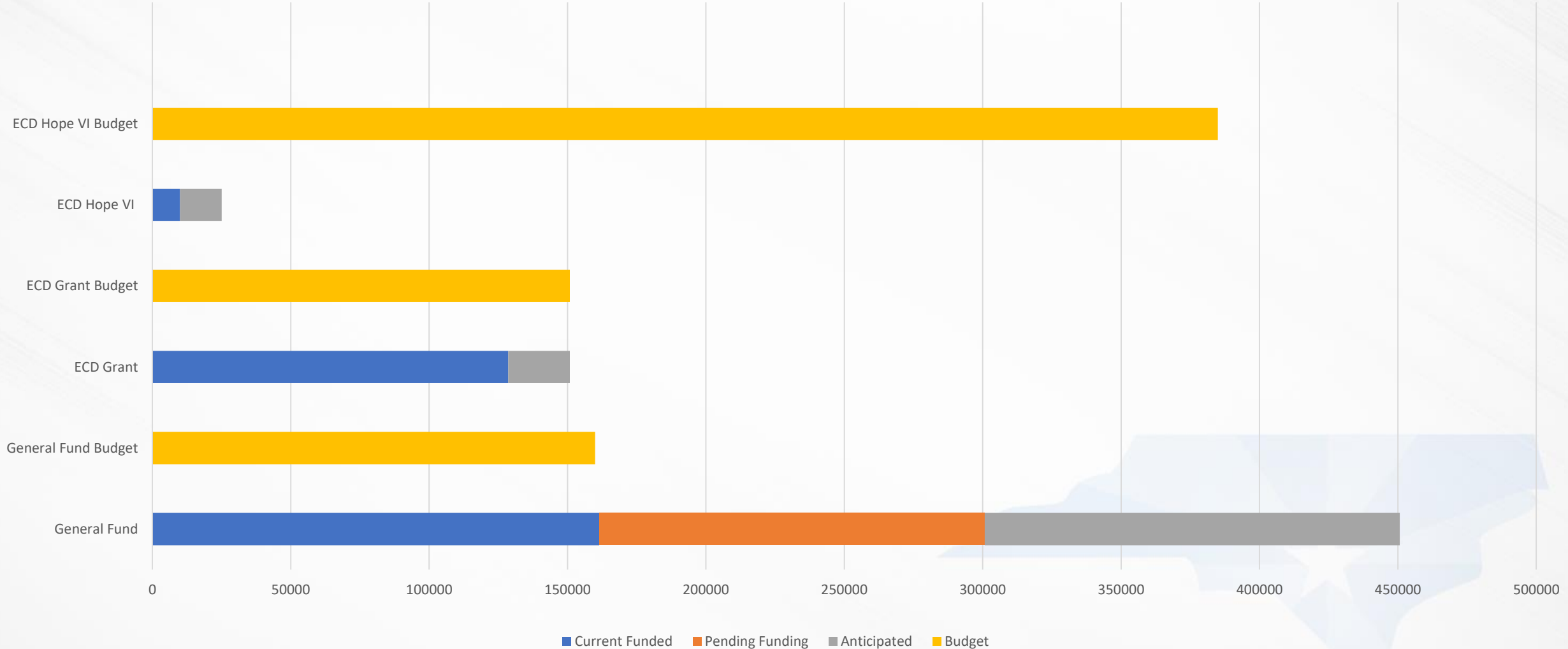
- ❖ **Automatic advertising of all hearing notices**
 - Expenditure of an additional \$15,000 to \$20,000 per year in advertising fees has not been approved in the current year funding.
- ❖ **Council accepting consent items at more meetings**
 - This action has not been acted upon as it has impacts on staff time to prepare, produce and present additional items to the City Council each month.
- ❖ **Lis Pendens filed on all properties upon discovery**
 - This action has not been acted upon. Has impacts on staff time and general fund to produce, mail and record these additional actions.
- ❖ **Dedicated inspector, administrative staff and hearing officer**
 - Initiative has not been approved in current year funding

- Since 2015 Code Enforcement staff has managed 1,217 Dangerous/Blighted building cases.
- There are currently 117 open Dangerous/Blighted building cases:
 - 0-6 Months 47
 - 6-12 Months 37
 - 12-24 Months 22
 - >24 Months 11
- Code Enforcement has completed or pending demolitions on 10 properties in FY24 utilizing the entire \$160,000 general fund budget. Five additional properties have approved demolition ordinances and are awaiting funding. Additional properties are pending presentation to the City Council for demolition ordinances in the remainder of FY24.
- Leveraging resources available from Economic Community Development's Grant and Hope VI funding, another 18 properties have completed or are pending demolitions in FY24 at a savings to the General Fund of nearly \$139,000. Estimates are that ECD will have \$22,000 in funds remaining for FY24 to fund additional qualifying demolition projects.

Demolition Projects



Demolition Funding



- Influencing factors are contributing to a Cleaner City In Less Time*:
 - Coordination with other departments and agencies
 - Fire Department placarding properties for defensive operations only
 - Work by owners
 - Growth and impact of RAPID team
 - Education of public and other City of Fayetteville staff
 - Solid Waste code changes
 - Change in practices
 - Leverage of other resources to fund Code Enforcement activity

* Based upon FY2023 vs FY2021 average days to close times

- Coordination with other departments and agencies
 - Solid Waste (RAPID)
 - Parks & Recreation
 - Public Health Department
 - Economic & Community Development
 - Fayetteville Police Department
 - Fayetteville Fire Department
 - Fire Marshall's Office
 - Alcohol License Enforcement
 - Permitting & Inspections Trade Inspectors and Plans Examiners
 - Monthly Code Compliance Coordinating Committee – Targeted Areas Focus
- Fire Department placarding properties for defensive operations only

- Work by owners
 - Owner Demos in 2023 - 80
 - City Demos in 2023 - 17
- Growth and impact of RAPID team
 - Recent growth of staff by 300% (two to eight)
 - Curbside violations (over 700 cases in 2023)
 - Illegal Dumping monitoring and cleaning
 - Increasing efficiency of Solid Waste bulky pickup routes
- Education of public and other City of Fayetteville staff
 - Code Enforcement Dashboard
 - PSA's and Pod Casts produced by Fayetteville Marketing & Communication
 - Community Watch/Public Event attendance
 - "Who You Gonna Call" brochure distribution

- Solid Waste code changes
 - Every two week cycle on bulky items and limb collection
 - New caps on number of trash and recycle containers
 - New caps on number of yard waste containers/bags
 - Reduction in size of curbside bulky limb piles
- Change in practices
 - Faster compliance times on Dangerous Building Hearing Orders
 - Starting communications with owners much earlier
 - Moving to Demolition Ordinance as quickly as resources allow
- Leverage of other resources to fund Code Enforcement activity
 - Economic Community Development Grant funds used to fund projects in qualifying areas.
 - Projects in FY24 - 18
 - Funding used or pledged in FY24 - \$139,000
 - Funding remaining available for FY24 – approximately \$22,000



 **FAYETTEVILLE** ^{NC}
AMERICA'S CAN DO CITY

FayettevilleNC.gov