

# Memorandum



July 14, 2015

**To:** Community Advisory Committee  
**Cc:** Project Team  
**From:** Rithy Khut, Assistant Land Use Planner  
**Re:** Code Compliance Policy

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## POLICY DEVELOPMENT HISTORY

This memo presents policies pertaining to the County's Code Compliance Program that are being recommended by the Land Use subcommittee. The subcommittee discussed this policy topic at its June 17, 2015 meeting. In general, the subcommittee was supportive of adding policy language and strategies that directed the Code Compliance Program to ensure flexibility towards enforcement, to work with person(s) to achieve compliance, and as a last resort to issue fines that were appropriate to the violation.

Jed Tomkins, Assistant County Attorney, has reviewed the policy language being recommended by the subcommittee and is proposing some revisions to that language. Both the subcommittee version and Jed's version of the policy are given below, with Jed's version shown in **shaded highlights**.

## RECOMMENDED CODE COMPLIANCE POLICY

### POLICY

Enforce compliance in a manner that is fair and consistent with the County Zoning Code in all cases of verifiable code violations.

JT: **Enforce compliance with the County Comprehensive Plan and Zoning Code in a fair and consistent manner.**

### STRATEGIES

1. Coordinate and work with appropriate local, state and federal agencies to ensure compliance with the County's Zoning Code and policies.

JT: **Coordinate and work with appropriate local, state and federal agencies to ensure compliance with the County's Comprehensive Plan and Zoning Code.**

2. To ensure compliance, the County should be flexible enough to allow the level of enforcement that best fits the type and circumstances of the code violation(s).

JT: To ensure compliance, the County Zone Code shall provide the County with enough flexibility to utilize a method and degree of enforcement that best fits the type and circumstances of a given violation of the County Comprehensive Plan or Zoning Code.

3. Seek voluntary code compliance by providing code violators with information about the County's Zoning Code and an opportunity to comply with the County's Zoning Code within reasonable timeframes with little or no penalty. Reasonable timeframes which code violators are given to come into compliance should be closely monitored and enforced to ensure that violators are not unnecessarily delaying compliance.

JT: Seek voluntary compliance by providing the person(s) responsible for an actual or alleged violation with information about the County's Zoning Code and by providing such person(s) an opportunity to comply with the County's Comprehensive Plan and Zoning Code within reasonable timeframes with little or no penalty. Such timeframes should be closely monitored and enforced to avoid unnecessary delays to achieving compliance.

4. Fines should be set at a level that will prevent willful violators from becoming unjustly enriched and will serve as an incentive for voluntary code compliance. Knowing or willful violations will result in fines that are substantial and objective.

JT: No changes are recommended.