CITY OF
SAN JOSE
CAPITAL OF SILICON VALLEY

Memorandum

TO: CITY COUNCIL

FROM: Councilmember Devora "Dev" Davis

SUBJECT: **SEE BELOW**

DATE: March 5, 2019

Approved: _(signature)_

Date: 3/5/2019

SUBJECT: AMEND THE INITIAL CODE ENFORCEMENT SUBMISSION TO THE PRIORITIZATION PROCESS

RECOMMENDATION

1. Price out cost of full-time code enforcement attorney
2. Investigate code ordinance change to allow demolition of a blighted structure without the need for a building permit on file
3. Increase fines for Code Enforcement violations
4. Include residential, commercial, and bad landlord properties for strengthened code enforcement

BACKGROUND

Code Enforcement's ability to address empty residential properties around the city is very limited and has contributed to extended periods of time where blighted empty properties have adversely affected neighborhoods. Giving Code Enforcement more "teeth" to begin fining and taking a property owner to court when an empty residential, commercial, or tenant property is blighted and affecting a neighborhood will provide neighborhoods relief from blight.

After speaking to city staff, we have discovered that there are a few issues keeping code enforcement from having the ability to enforce ordinances. One ordinance change that was recommended was to allow a property owner to obtain a demolition permit of a blighted structure without the need to submit a building permit application. Many property owners do not have a plan (or financing) forward so they are not able to submit a building permit which causes a neighborhood to endure blighted, sometimes, burned out structures that attract vermin, mosquitos (old, abandoned pools), and vandalism.

San Jose also has some of the lowest Code Enforcement fines in the area. By increasing fines, we can get the attention of property owners and start to collect fees that help in cost recovery.

San Jose has also operated without a full-time Code Enforcement attorney for many years. The City of Oakland has 3-4 full-time Code Enforcement attorneys. We ask that this cost be calculated and included in the budget.