

CODE ENFORCEMENT

Canyon County -DSD/BOCC Workshop

Presented by Eric Arthur, Code Enforcement Supervisor

March 2, 2023

earthur@canyoncounty.id.gov

Mission Statement

The mission of Canyon County Code Enforcement is to educate citizens and enforce the Canyon County Code fairly and reasonably, and to maintain and enhance a standard of living for the citizens and businesses of Canyon County.



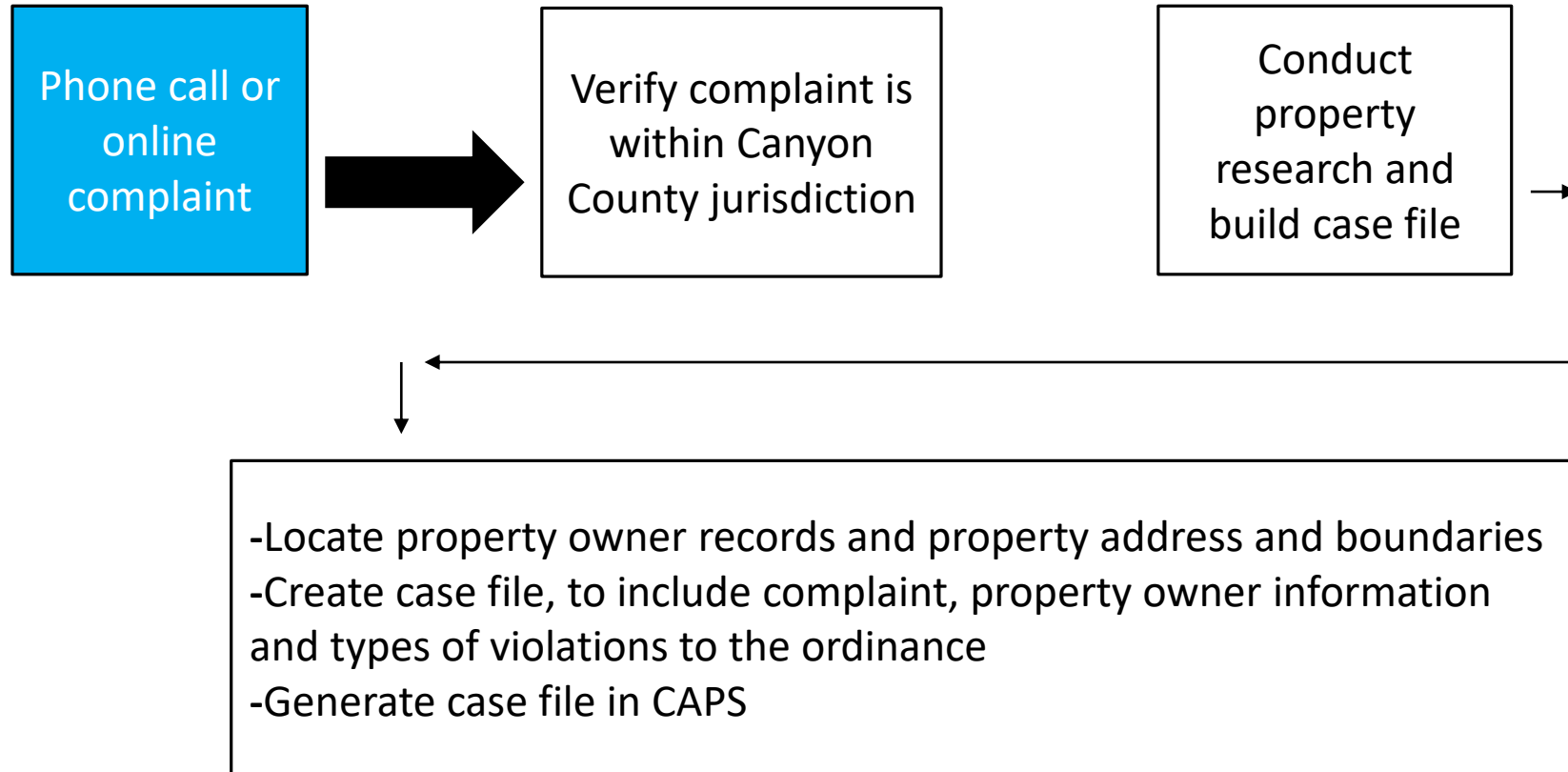
Code
Enforcement
Supervisor
E. Arthur

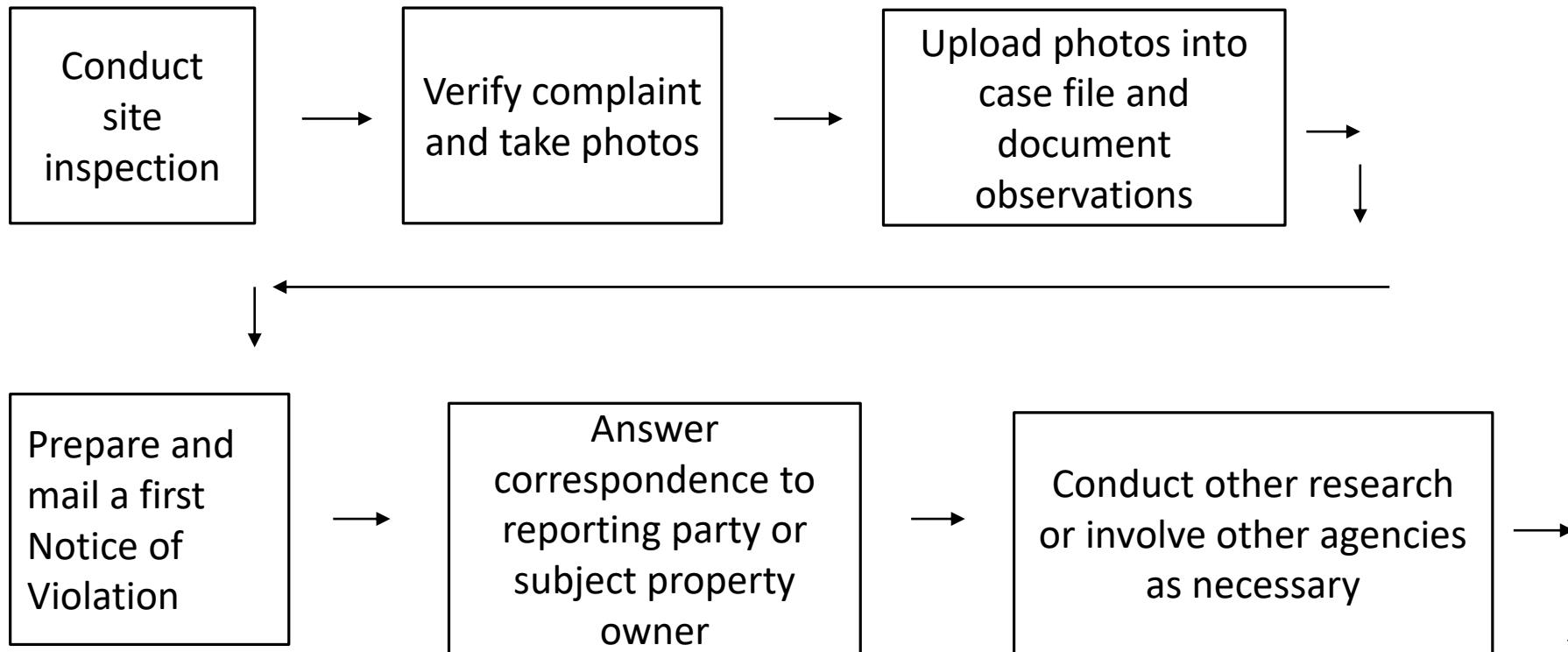
Code
Enforcement
Officer
K. Phillips

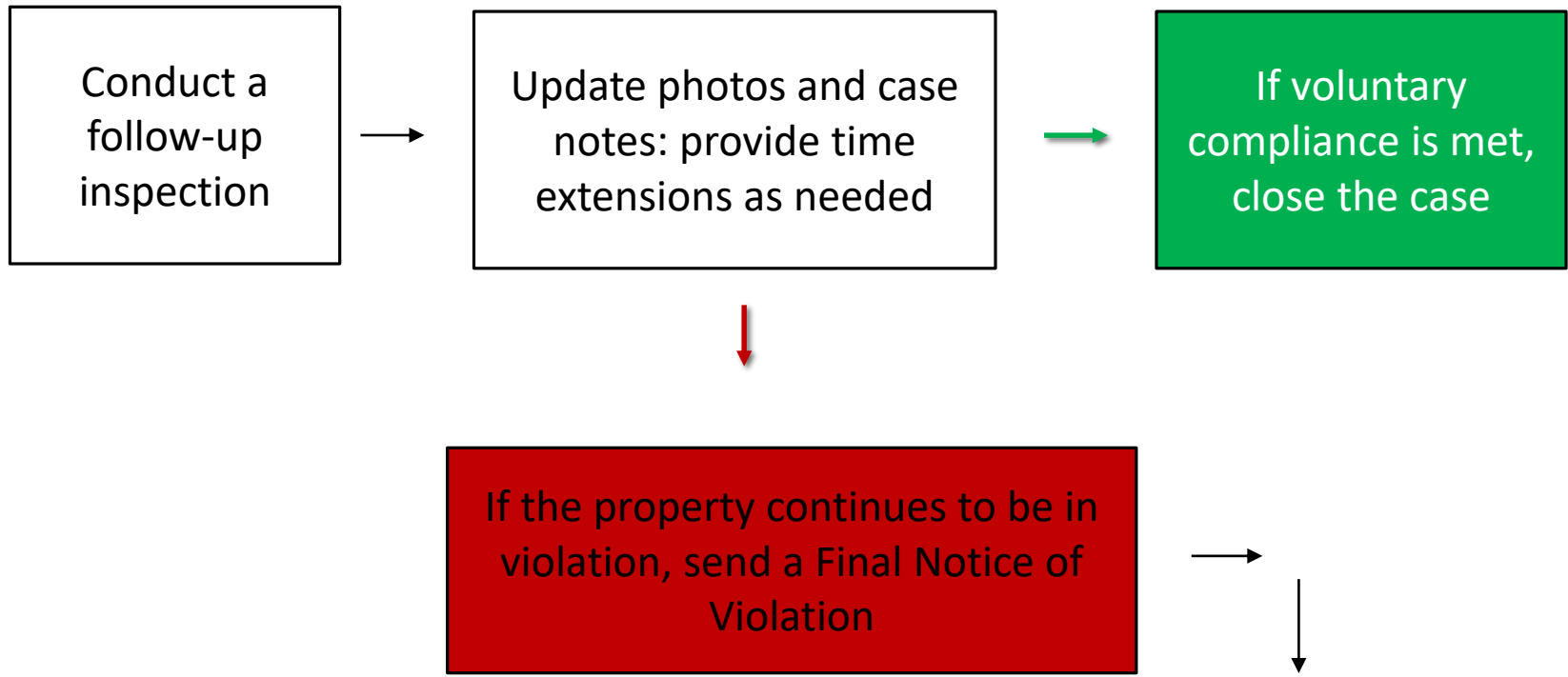
Code
Enforcement
Officer
G.
Westerfield

Administrative
Assistant PT
Kathy Husted

What we do







After exhausting all efforts for voluntary compliance, prepare a Notice of Noncompliance, Misdemeanor Report or schedule the property for Abatement (Determine best action)
Of the three options; one, two or all enforcement actions may be appropriate.

Certificate of Noncompliance



Prepare a Certificate of Noncompliance for BOCC consideration



Subject to annual special assessment for noncompliance

Misdemeanor Citation (Code Amendment)



Prepare and submit a report to the Prosecutor's Office



Subject to enforcement through the PA's office

Abatement



Once abatement bid is approved, and funding obtained via BOCC approval, a contractor removes nuisance conditions



Take after photos, update case notes, demand payment from owner, file lien, close case

Certificate of Noncompliance

In lieu of abatement, the Board may record a Certificate of Noncompliance detailing the violations existing on the property. Such certificate shall be removed upon remedy of the enumerated violation.

Though it has been in code for years, Code Enforcement developed the process with the assistance of the previous BOCC, the Recorder and the legal department at the beginning of September 2022, and have since had some successes with compliance.

*In the future, Code Enforcement intends to propose an ordinance amendment to include an annual special assessment levy.

Infractions and Misdemeanor Citation

Upon the successful issuance and conviction of 3 infractions (tickets), Code Enforcement prepares and submits a report to the Canyon County Prosecutor's Office for consideration. The CCPA may elect to take the property owner to court for noncompliance of County ordinance(s).

*Land use violations and nuisance conditions may not be considered high priority for the justice system.

Abatement

The Board, upon recommendation by the Code Enforcement Officer may cause the abatement of any nuisance where there is noncompliance by the property owner. Code Enforcement will present a contractor's estimate for the BOCC's consideration and, if approved, will cause the nuisance conditions to be abated.

Once the property has been abated, a lien is filed against the property and the abatement fee is placed on the tax rolls to ensure the County's recovery of costs.

*The BOCC may consider creating a budget for abatement funding.

All about the numbers



Development Services Department

Code Enforcement Application Count by Type by Year from 2022 to 2023

| Type | 1st Sub Type | 2nd Sub Type | 2022 | 2023 | Total |
|--|-------------------------|----------------------|------------|-----------|------------|
| Code Enforcement | Building Code Violation | No Building Permit | 24 | 11 | 35 |
| | | Subtotal | 24 | 11 | 35 |
| | Other | | 5 | | 5 |
| | | | 13 | 6 | 19 |
| | | Subtotal | 18 | 6 | 24 |
| | Public Nuisance | Abandoned Vehicles | 32 | 6 | 38 |
| | | Burning | 1 | | 1 |
| | | Junk /trash | 72 | 6 | 78 |
| | | Weeds | 2 | | 2 |
| | | Subtotal | 107 | 12 | 119 |
| | Zoning Violation | FloodPlain Violation | 19 | | 19 |
| | | Living in RV | 43 | 3 | 46 |
| | | Operating a Business | 29 | 7 | 36 |
| | | SetBacks | 2 | | 2 |
| | | Violation of CUP | 10 | 2 | 12 |
| Subtotal | | 103 | 12 | 115 | |
| Total | | | 252 | 41 | 293 |
| Total Cases Not in Compliance/Referred to PA: | | | | | 4 |



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| | Other | | 6 | 6 | |
| | | Subtotal | 6 | 6 | |
| | Public Nuisance | Abandoned Vehicles | Junk /trash | 6 | 6 |
| | | | Subtotal | 12 | 12 |
| | | | | | |
| | Zoning Violation | Living in RV | Operating a Business | 7 | 7 |
| | | | Violation of CUP | 2 | 2 |
| | | | Subtotal | 12 | 12 |
| | | | | | |
| | Total | | | 41 | 41 |
| Total Cases Not in Compliance/Referred to PA: | | | | 0 | |

Successes





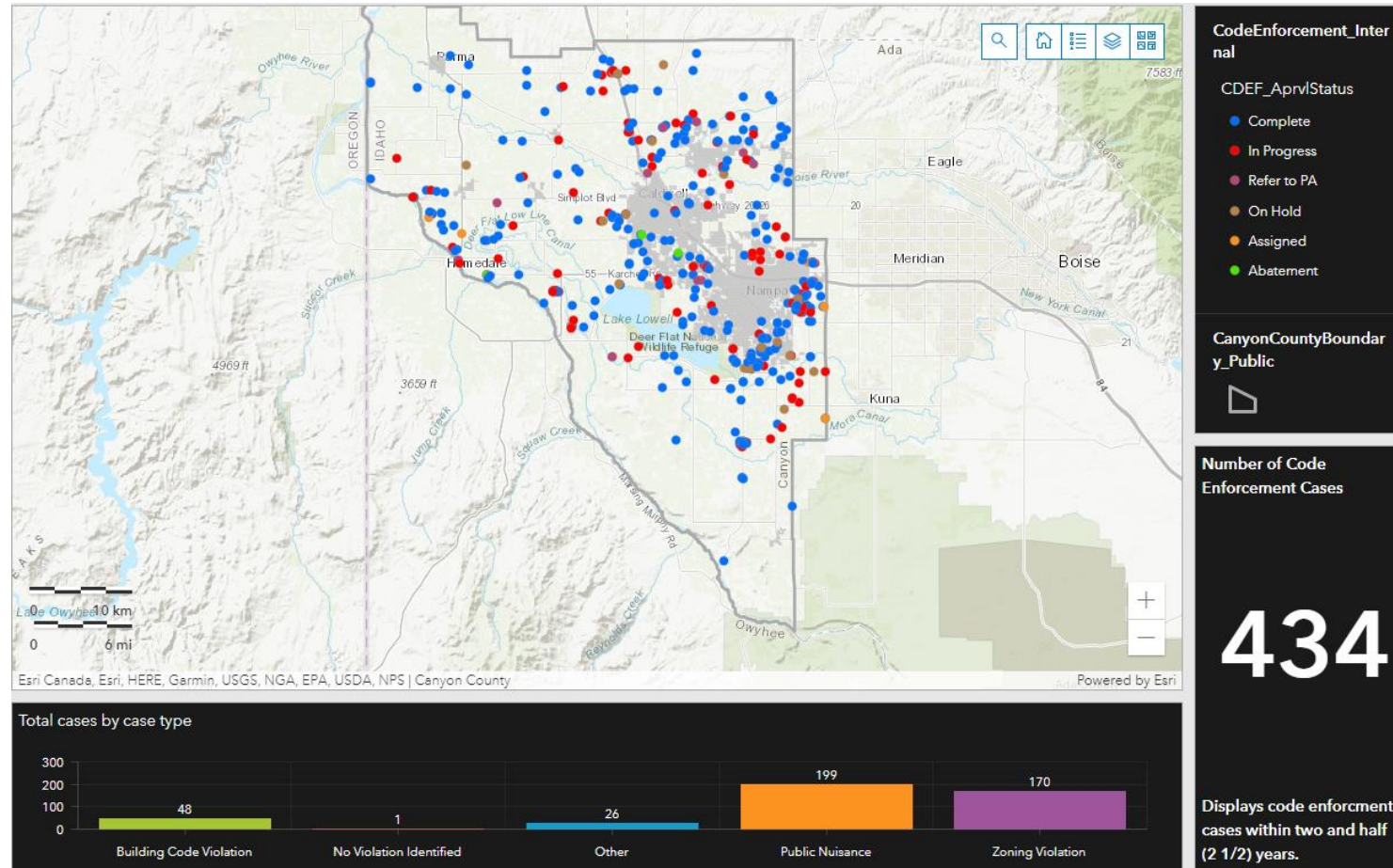
Challenges



On the Horizon

- Voluntary Compliance
 - Offer bi-annual 'free' landfill day to encourage compliance
- Propose an ordinance amendment
 - Clean-up Chapter 2 of Canyon County Code
 - Administrative penalties would apply annually to the property until compliance is achieved (maintenance of a nuisance)
- Cooperation
 - Code Enforcement is working in conjunction with the Building Department and the CCSO's office for issues like buildings with structural/fire damage and RV's and abandoned vehicles in the public right-of-way
- Abatement Fund
 - Consider adding abatement monies to the budget

Staffing: Canyon County is 604 sq. miles with an ever-increasing population. Staffing is needed to address violations and provide adequate citizen service.



BOCC Consideration

Code Enforcement may present to the Board for the following items:

- **1. Certificates of Noncompliance-** The BOCC will determine whether to record a notice of outstanding code violations on the title of real property
- **2. Release of Noncompliance-** Upon the recommendation of Code Enforcement, the Board may release the property
- **3. Abatement Funding-** The BOCC will consider abatement action and costs on a case by case basis
- **4. Special Presentations-** Code Enforcement may request the BOCC take a specific action or provide direction to Prosecutor's Office to seek misdemeanor cha
- **5. Appeals-** Citizens may appeal a Code Enforcement directive to the BOCC

*The BOCC will determine action for Certificates of Noncompliance and abatement funding once all enforcement actions are exhausted