



AGENDA

CODE ENFORCEMENT BOARD WORKSHOP

May 31, 2018 - 9:30 a.m.

City Hall, 301 S. Ridgewood Avenue, Conference Room 149 A & B

Time	Item
9:30 - 9:40 AM	Welcome – Mr. James Morris, Deputy City Manager
9:40 – 10:10 AM	STAFF PRESENTATIONS: Anthony Jackson, Assistant City Attorney <ul style="list-style-type: none">• Overview of Board Member duties, responsibilities, and Code Enforcement Procedures• Code Liens• Foreclosure of Code Enforcement Liens (Florida Statute 162.09)
10:10 – 10:30 AM	Charles Cino, Code Board Attorney <ul style="list-style-type: none">• Case Law and Attorney General Opinions
10:30 – 10:40 AM	Break
10:40 – 11:00 AM	Denzil Sykes, Neighborhood Services Manager <ul style="list-style-type: none">• Code Inspector Introductions/Zones• Anatomy of a Code Case
11:00 – 11:20 AM	Glen Urquhart, Chief Building Official <ul style="list-style-type: none">• BTR and RTL Process (BTR – authorization to run a business; RTL – confirmation the rental is ok)• Permits & other Licensing Process
11:20 – 11:30 PM	Questions and Discussions
11:30 AM	Adjournment

SAMPLE MOTIONS

Motion finding in Non-Compliance

Motion adopting the Inspector's Affidavit on < Say "the Respondent" Case Number and Address> and finding it in Non-Compliance as of the last inspection date.

Typical Motion

Motion allowing < Say "the Respondent" Case Number and Address> until <date> to come into Compliance or be returned to the Board at a subsequent meeting for consideration of a fine of up to \$1,000 per day until Compliance is achieved.

Motion to Continue

Motion to continue < Say "the Respondent" Case Number and Address> until the <date> meeting to return to the Board with a Progress Report.

Motion Imposing Fine

Motion to impose a fine of \$ <amount> per day beginning <date> on < Say "the Respondent" Case Number and Address> until Compliance is achieved.

Will Fine

Motion ordering that <"the Respondent" Case Number and Address> will be returned to the Board for a fine of up to \$5,000 for each repeated violation.

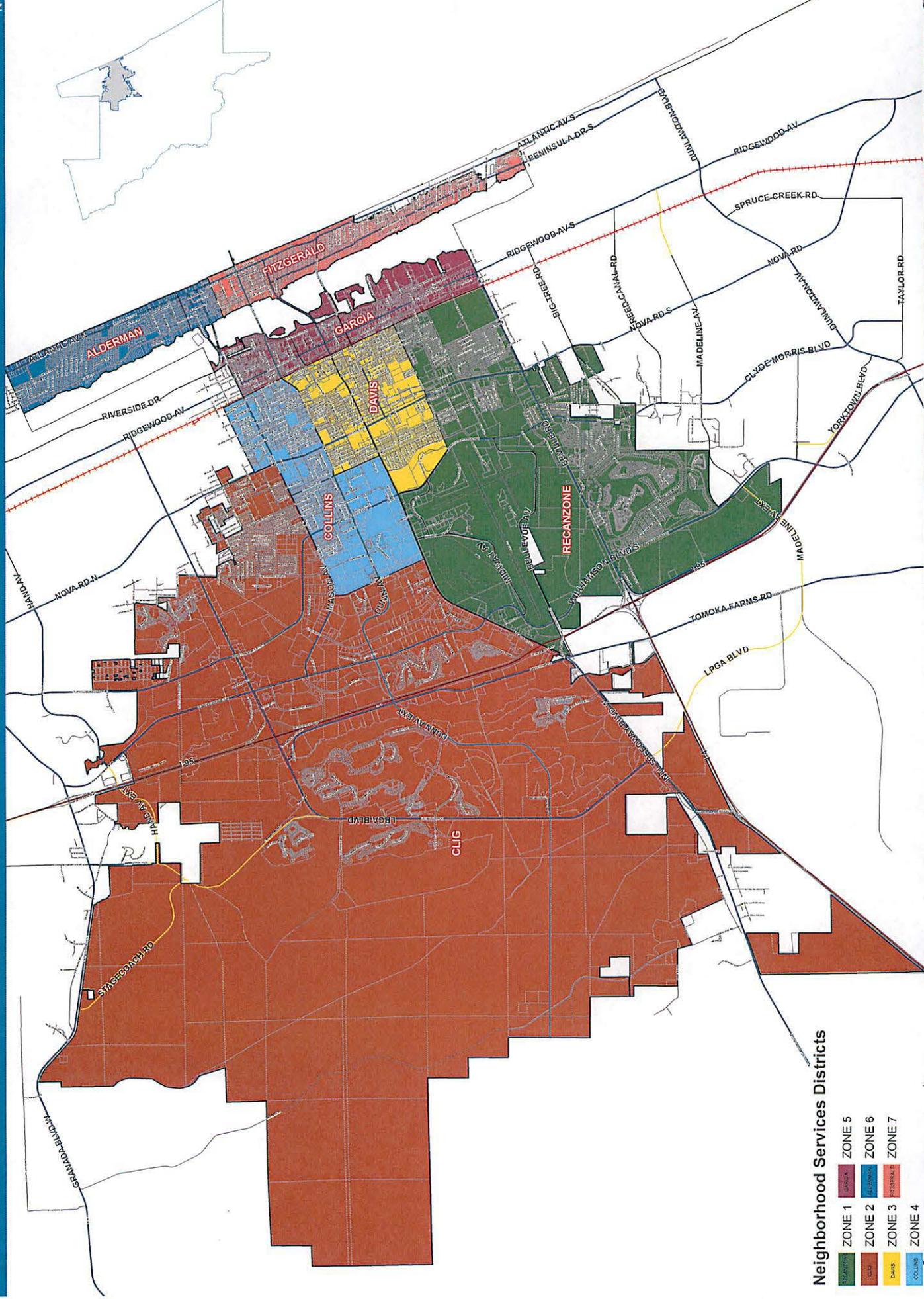
A motion allowing <"the Respondent" Case Number and Address> until <date> to secure the property to City standards <by securing the property, removing the boats, outside storage, etc>; and further allowing until <date> to come into Compliance; and failing any of that be returned to the Board for consideration of a fine of up to \$1,000 per day until Compliance is achieved.

**RESOLUTION 10-204 (Adopted 8/4/10) – MAXIMUM FINE AMOUNTS
PROSPECTIVELY AND RETROACTIVELY**

Maximum Fines

Running fines, exclusive of interest and repairs, shall not exceed the following amounts:

<u>Type of Property</u>	<u>Maximum Amount</u>
Single-family/duplex – owner occupied	\$10,000
Single-family/duplex - non-owner occupied	\$15,000
Multi-family residential/commercial less than \$500,000 assessed value	\$20,000
Multi-family residential/commercial \$500,000 assessed value	\$25,000
Multi-family residential/commercial – for each additional \$500,000 in excess of \$1.5 million assessed value the maximum fine will increase by an additional \$5,000.	

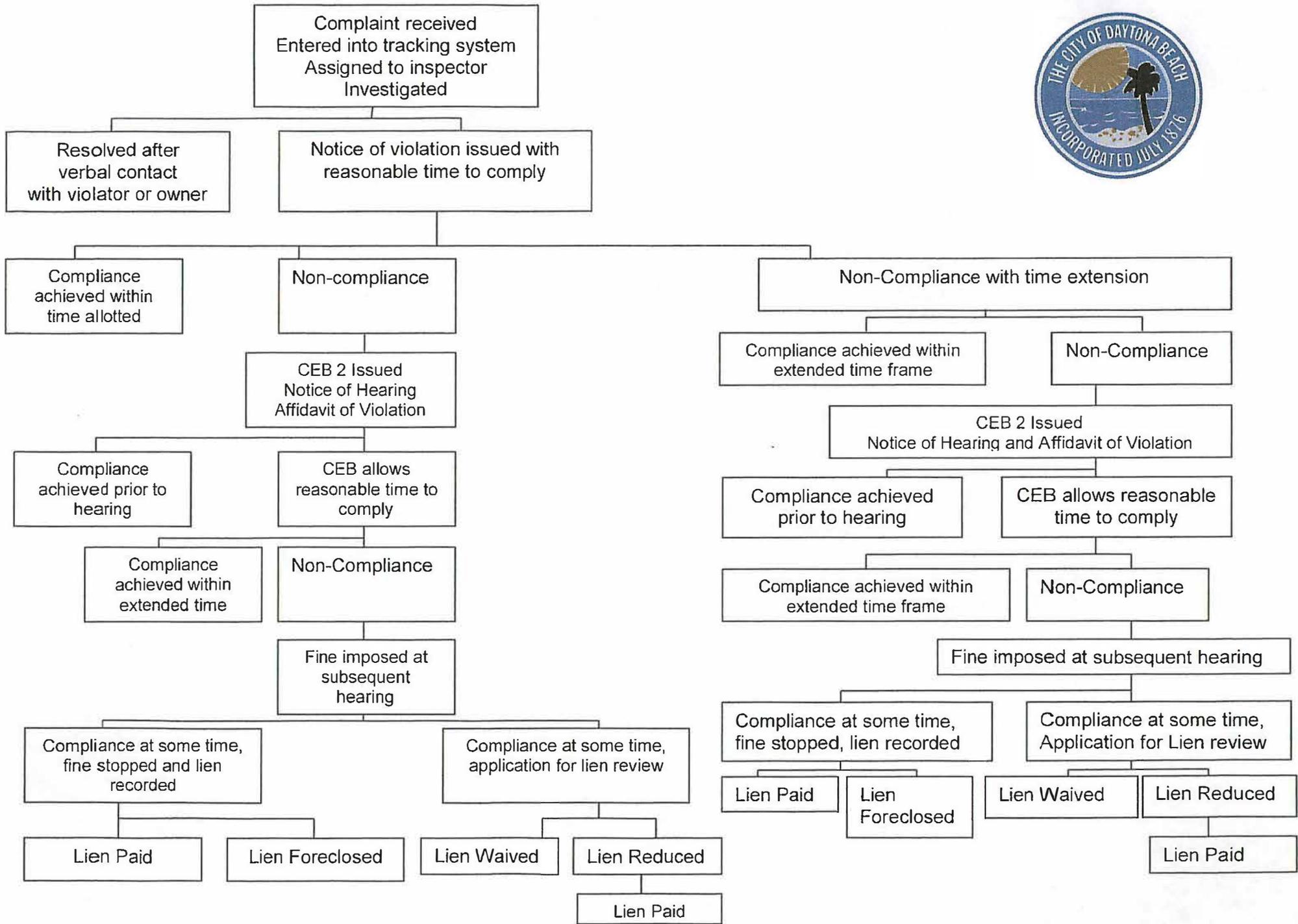


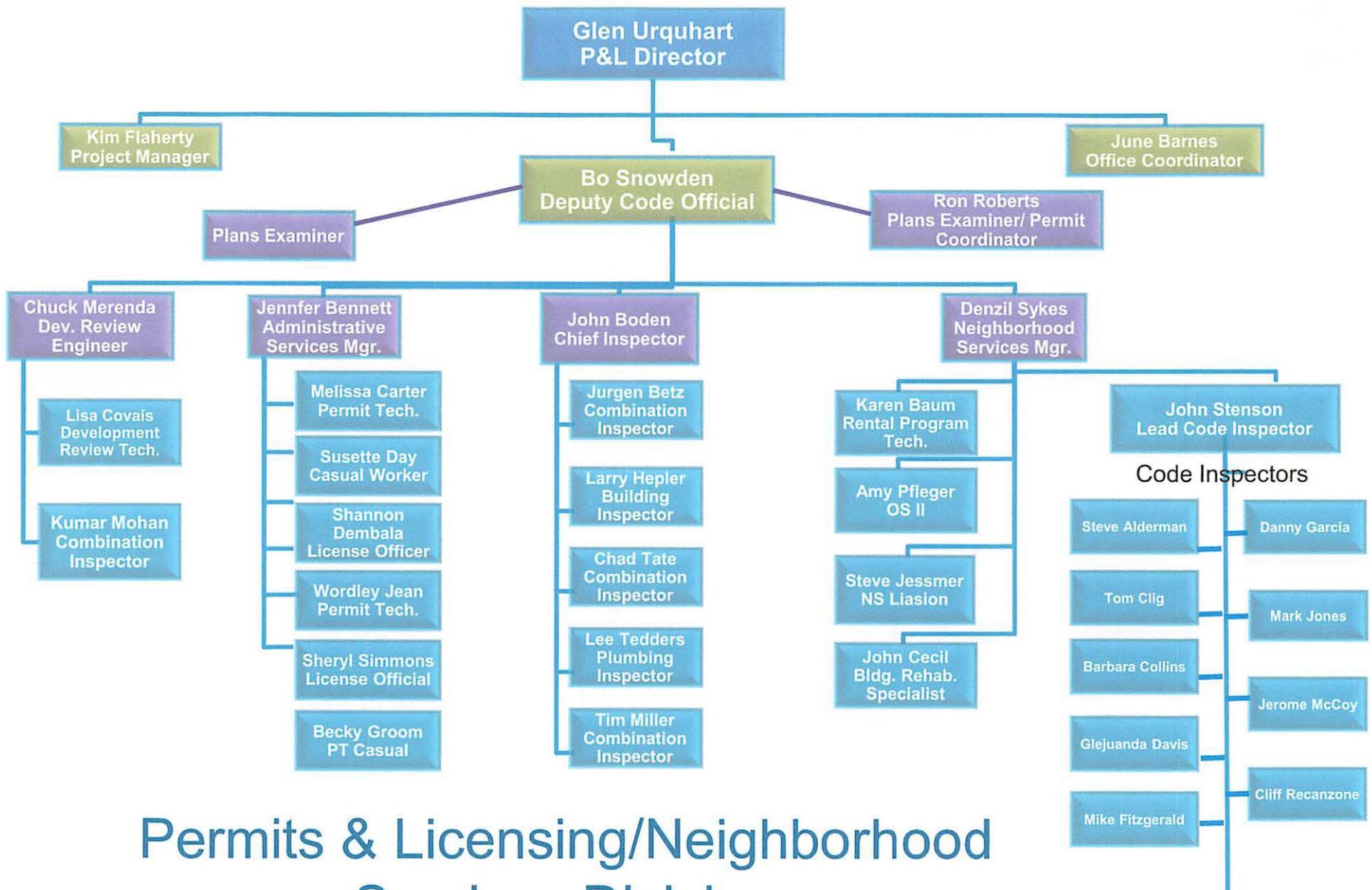
Neighborhood Services Districts

Zone 1	Zone 5
Zone 2	Zone 6
Zone 3	Zone 7
Zone 4	Zone 8



ANATOMY OF CODE ENFORCEMENT CASE PROCESSING





Permits & Licensing/Neighborhood Services Division

Sec. 2.7. - Code Enforcement Board.

- A. **Establishment.** The Code Enforcement Board is hereby established in accordance with State law to provide an equitable, expeditious, effective, and inexpensive method of enforcing this Code and other authorized City Codes and ordinances for all parties.
- B. **Powers and Duties.** The Code Enforcement Board shall have all powers and duties set forth by State law, including the following powers and duties, as further set forth in Article 10: Enforcement:
1. To conduct administrative hearings concerning alleged violations of this Code and other authorized City Codes and Ordinances—Including authority to subpoena alleged violators, witnesses, and evidence at such hearings and to take testimony under oath;
 2. To issue orders having the force of law to command whatever steps are necessary to bring a violation into compliance;
 3. To impose fines, or fines plus enforcement and repair costs, for repeat violations or noncompliance with its orders;
 4. To adopt rules governing its proceedings, conduct regular public meetings, call special meetings, and create committees to help carry out its powers and duties; and
 5. To carry out any other powers and duties delegated to it by the City Commission, in accordance with State law.
- C. **Membership, Appointment, and Terms of Office.**
1. The Code Enforcement Board shall consist of seven members appointed by the City Commission as a whole.
 2. Appointments shall be made on the basis of experience or interest in zoning and development regulation, building regulations and control, or other fields within the jurisdiction of the board. Whenever possible, board members shall include an architect, a businessperson, an engineer, a general contractor, a subcontractor, and a realtor.
 3. All board members shall be residents of the City.
 4. Board members shall be appointed for three-year, staggered terms, and may be appointed to successive terms. Members shall continue to serve until their successors are appointed.

5. Vacancies occurring for reasons other than expiration of term shall be filled for the period of the unexpired term only.
 6. Board members shall serve without compensation.
- D. **Attendance.** If a member of the Code Enforcement Board fails to attend two of three successive regularly scheduled board meetings without cause, the board shall declare the member's office vacant. The City Commission shall promptly fill the vacancy in accordance with Section 2.7.C.5.
- E. **Removal.** Code Enforcement Board members may be removed for cause by a majority vote of the City Commission. If a member is removed, the City Commission shall fill the vacancy in accordance with Section 2.7.C.5.
- F. **Chair and Vice-Chair.**
1. The Code Enforcement Board shall elect a Chair and a Vice-Chair from among its members, each to serve a one-year term. No member shall serve more than two consecutive terms as Chair. The Vice-Chair may be elected to successive terms without limitation.
 2. The Chair shall preside over all board meetings. The Vice-Chair shall perform the duties of the Chair in the absence of the Chair. If both the Chair and Vice-Chair are absent, the board shall vote to determine who shall serve as acting Chair for the meeting.
- G. **Staff.** The City shall provide clerical and professional staff liaison to the Code Enforcement Board and shall provide for notification of board members of all meetings, the keeping of the minutes of the meetings, and administrative support.
- H. **Meetings.**
1. *Schedule.* The Code Enforcement Board shall adopt a schedule establishing the date, time, and location of regular meetings. The Chair may cancel a regular meeting on determining that there are no agenda items for consideration, and may call special meetings.
 2. *Official Record.* The Code Enforcement Board shall keep a written record of its recommendations, transactions, and determinations. Such record shall include minutes of meetings in accordance with State law and shall be a public record. The record shall be filed with the City Clerk and shall be available for inspection by the public during normal business hours.
 - 3.

Notice of Meetings. Notice of all Code Enforcement Board hearings shall be provided to the public in accordance with State law and the public hearing requirements in Section 3.3.E.3, Public Hearing Notice, as appropriate.

4. *Open Meetings.* All meetings of the Code Enforcement Board shall be open to the public.
- I. **Quorum and Necessary Vote.**
 1. *Quorum.* Four members of the Code Enforcement Board shall constitute a quorum. No official business of the board shall be conducted without a quorum present.
 2. *Voting.* The affirmative vote of a majority of Code Enforcement Board members present and voting is required to approve any item.
- J. **Voting Conflicts.** All board members shall comply with State law regarding voting conflicts.
- K. **Rules of Procedure.** The Code Enforcement Board may adopt rules of procedure governing its procedures and operations.
- L. **Sunshine Law Requirements.** All meetings and decisions of the board shall comply with State Sunshine Law requirements.

Sec. 2.8. - Special Magistrates.

- A. **Establishment.** The City Commission is hereby authorized in accordance with State law to appoint one or more Special Magistrates to provide an equitable, expeditious, effective, and inexpensive method of enforcing this Code and other authorized City Codes and ordinances for all parties. Nothing in this section shall prohibit the City from using a Special Magistrate or the Code Enforcement Board to hear and decide enforcement cases in lieu of the other.
- B. **Powers and Duties.** Special Magistrates shall have all the powers and duties granted to the Code Enforcement Board by State law, this Code, and the City Commission, including the following powers and duties, as further set forth in Article 10: Enforcement:
 1. To conduct administrative hearings concerning alleged violations of this Code and other authorized City Codes and Ordinances—Including authority to subpoena alleged violators, witnesses, and evidence to such hearings and to take testimony under oath;
 2. To issue orders having the force of law to command whatever steps are

necessary to bring a violation into compliance;

3. To impose fines, or fines plus enforcement and repair costs, for repeat violations or noncompliance with his or her orders;
4. To carry out any other powers and duties delegated to them by the City Commission, in accordance with State law.

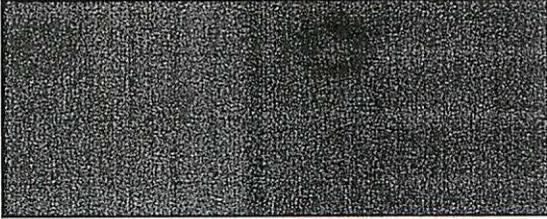
C. Appointment and Terms of Office.

1. From time to time, based on the City Attorney's recommendation, the City Commission may appoint, by resolution, one or more Special Magistrates to perform the powers and duties set forth in subsection B above.
2. Every Special Magistrate shall be an attorney duly licensed to practice law in the State of Florida for a period of at least five years and shall be a member in good standing of the Florida Bar.
3. No Special Magistrate shall be considered to be a City employee.
4. The resolution appointing a Special Magistrate may fix terms and conditions on the appointment, in accordance with the provisions of this section.
5. Conditions of appointment fixed by the appointing resolution may include compensation for the Special Magistrate's services, and costs such as travel, mileage, and per diem expenses, subject to compliance with the City's record-keeping and other documentation requirements. Rates for such compensation shall be as established in the appointing resolution or if the resolution is silent as to rates, by administrative order of the City.

CHAPTER 162 PART 1

**LOCAL GOVERNMENT
CODE ENFORCEMENT BOARDS**

HIGHLIGHTS



**CHAPTER 162 PART 1
LOCAL GOVERNMENT CODE ENFORCEMENT BOARDS**

162.02 – Intent

- To promote, protect, and improve the health, safety, and welfare of the citizens of the counties and municipalities of this state

- Provide an equitable, expeditious, effective, and inexpensive method of enforcing any codes and ordinances

**CHAPTER 162 PART 1
LOCAL GOVERNMENT CODE ENFORCEMENT BOARDS**

162.03 – Applicability

- A special magistrate shall have the same status as an enforcement board under this chapter. References in this chapter to an enforcement board, except in s. 162.05, shall include a special magistrate if the context permits.

162.04 DEFINITIONS

- (1) "Local governing body" means the governing body of the county or municipality, however designated.
- (2) "Code inspector" means any authorized agent or employee of the county or municipality whose duty it is to assure code compliance.
- (3) "Local governing body attorney" means the legal counselor for the county or municipality.
- (4) "Enforcement board" means a local government code enforcement board.
- (5) "Repeat violation" means a violation of a provision of a code or ordinance by a person who has been previously found through a code enforcement board or any other quasi-judicial or judicial process, to have violated or who has admitted violating the same provision within 5 years prior to the violation, notwithstanding the violations occur at different locations.

**PURPOSE OF THE BOARD;
QUASI-JUDICIAL HEARING**

There is sometimes confusion, both among the public as well as Board members, as to what the actual role of the Board is. The Board evaluates the evidence presented, and based on the evaluation, determines whether the City has proven a violation of the City Code.

The Board's role is not to fashion a remedy for a violation or suggest ways to come into compliance, the Board merely determines if there is a violation, and if so, sets compliance timelines and potential penalties.

The Code Enforcement Officer determines when a property is in compliance and files an affidavit of compliance or non-compliance.

- All Code Board hearings are quasi-judicial, meaning that the alleged violator has to be given notice of the hearing and opportunity to be heard. The respondent has to be given sufficient notice in advance of the Board hearing, so that they are not prejudiced when they come to the meeting to present their case.
- Quasi-judicial hearings are conducted in a way similar to court proceedings, but not as formal. The purpose of the hearing is to find the facts associated with the alleged code violation.
- The burden is on the staff to present a case that demonstrates a code violation. The respondent then presents his or her case, and the Board then makes a finding based on the facts and evidence presented at the hearing.

**162.05 LOCAL GOVERNMENT CODE
ENFORCEMENT BOARDS; ORGANIZATION**

- (1) The local governing body may appoint one or more code enforcement boards and legal counsel for the enforcement boards.... The local governing body of a county or a municipality that has a population equal to or greater than 5,000 persons must appoint seven-member code enforcement boards. The local governing body may appoint up to two alternate members for each code enforcement board to serve on the board in the absence of board members.
- (2) Members of the enforcement boards shall be residents of the municipality, in the case of municipal enforcement boards, or residents of the county, in the case of county enforcement boards. Appointments shall be made in accordance with applicable law and ordinances on the basis of experience or interest in the subject matter jurisdiction of the respective code enforcement board, in the sole discretion of the local governing body. The membership of each enforcement board shall, whenever possible, include an architect, a businessperson, an engineer, a general contractor, a subcontractor, and a realtor.
- (3)(a) The initial appointments...

**162.05 LOCAL GOVERNMENT CODE
ENFORCEMENT BOARDS; ORGANIZATION**

- any appointment shall be made for a term of 3 years.
- (c) The local governing body of a county or a municipality that has a population of less than 5,000 persons...
- (d) A member may be reappointed upon approval of the local governing body.
- (e) An appointment to fill any vacancy on an enforcement board shall be for the remainder of the unexpired term of office. If any member fails to attend two of three successive meetings without cause and without prior approval of the chair the enforcement board shall declare the member's office vacant, and the local governing body shall promptly fill such vacancy.
- (f) The members shall serve in accordance with ordinances of the local governing body and may be suspended and removed for cause as provided in such ordinances for removal of members of boards.
- (4) The members of an enforcement board shall elect a chair, who shall be a voting member, from among the members of the board. The presence of four or more members shall constitute a quorum of any seven-member enforcement board.... Members shall serve without compensation, but may be reimbursed for such travel, mileage, and per diem expenses as may be authorized by the local governing body or as are otherwise provided by law.
- (5) The local governing body attorney shall either be counseled to an enforcement board or shall represent the municipality or county by presenting cases before the enforcement board, but in no case shall the local governing body attorney serve in both capacities.

162.06 ENFORCEMENT PROCEDURE

- (1) It shall be the duty of the code inspector to initiate enforcement proceedings of the various codes; however, no member of a board shall have the power to initiate such enforcement proceedings.
- (2) Except as provided in subsections (3) and (4), if a violation of the codes is found, the code inspector shall notify the violator and give him or her a reasonable time to correct the violation. Should the violation continue beyond the time specified for correction, the code inspector shall notify an enforcement board and request a hearing. The code enforcement board, through its clerical staff, shall schedule a hearing, and written notice of such hearing shall be hand delivered or mailed as provided in s. 162.12 to said violator. At the option of the code enforcement board, notice may additionally be served by publication or posting as provided in s. 162.12. If the violation is corrected and then recurs or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the enforcement board even if the violation has been corrected prior to the board hearing, and the notice shall so state.

162.06 ENFORCEMENT PROCEDURE

- (3) If a repeat violation is found, the code inspector shall notify the violator but is not required to give the violator a reasonable time to correct the violation. The code inspector, upon notifying the violator of a repeat violation, shall notify an enforcement board and request a hearing. The code enforcement board, through its clerical staff, shall schedule a hearing and shall provide notice pursuant to s. 162.12. The case may be presented to the enforcement board even if the repeat violation has been corrected prior to the board hearing, and the notice shall so state. If the repeat violation has been corrected, the code enforcement board retains the right to schedule a hearing to determine costs and impose the payment of reasonable enforcement fees upon the repeat violator. The repeat violator may choose to waive his or her rights to this hearing and pay said costs as determined by the code enforcement board.
- (4) If the code inspector has reason to believe a violation or the condition causing the violation presents a serious threat to the public health, safety, and welfare or if the violation is irreparable or irreversible in nature, the code inspector shall make a reasonable effort to notify the violator and may immediately notify the enforcement board and request a hearing.
- (5) If the owner of property that is subject to an enforcement proceeding before an enforcement board, special magistrate, or court transfers ownership of such property between the time the initial pleading was served and the time of the hearing, such owner shall:

162.06 ENFORCEMENT PROCEDURE

- (a) Disclose, in writing, the existence and the nature of the proceeding to the prospective transferee.
- (b) Deliver to the prospective transferee a copy of the pleadings, notices, and other materials relating to the code enforcement proceeding received by the transferor.
- (c) Disclose, in writing, to the prospective transferee that the new owner will be responsible for compliance with the applicable code and with orders issued in the code enforcement proceeding.
- (d) File a notice with the code enforcement official of the transfer of the property, with the identity and address of the new owner and copies of the disclosures made to the new owner, within 5 days after the date of the transfer.

A failure to make the disclosures described in paragraphs (a), (b), and (c) before the transfer creates a rebuttable presumption of fraud. If the property is transferred before the hearing, the proceeding shall not be dismissed, but the new owner shall be provided a reasonable period of time to correct the violation before the hearing is held.

162.07 CONDUCT OF HEARING

- (1) Upon request of the code inspector, or at such other times as may be necessary, the chair of an enforcement board may call a hearing of an enforcement board; a hearing also may be called by written notice signed by at least three members of a seven-member enforcement board.... Minutes shall be kept of all hearings by each enforcement board, and all hearings and proceedings shall be open to the public. The local governing body shall provide clerical and administrative personnel as may be reasonably required by each enforcement board for the proper performance of its duties.
- (2) Each case before an enforcement board shall be presented by the local governing body attorney or by a member of the administrative staff of the local governing body. If the local governing body prevails in prosecuting a case before the enforcement board, it shall be entitled to recover all costs incurred in prosecuting the case before the board and such costs may be included in the lien authorized under s. 162.09(3).

162.07 CONDUCT OF HEARING

(3) An enforcement board shall proceed to hear the cases on the agenda for that day. All testimony shall be under oath and shall be recorded. The enforcement board shall take testimony from the code inspector and alleged violator. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings.

(4) At the conclusion of the hearing, the enforcement board shall issue findings of fact, based on evidence of record and conclusions of law, and shall issue an order affording the proper relief consistent with powers granted herein. The finding shall be by motion approved by a majority of those members present and voting, except that at least four members of a seven-member enforcement board, or three members of a five-member enforcement board, must vote in order for the action to be official. The order may include a notice that it must be complied with by a specified date and that a fine may be imposed and, under the conditions specified in s. 162.09(1), the cost of repairs may be included along with the fine if the order is not complied with by said date. A certified copy of such order may be recorded in the public records of the county and shall constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property, and the findings therein shall be binding upon the violator and, if the violation concerns real property, any subsequent purchasers, successors in interest, or assigns. If an order is recorded in the public records pursuant to this subsection and the order is complied with by the date specified in the order, the enforcement board shall issue an order acknowledging compliance that shall be recorded in the public records. A hearing is not required to issue such an order acknowledging compliance.

162.08 POWERS OF ENFORCEMENT BOARDS

Each enforcement board shall have the power to:

- (1) Adopt rules for the conduct of its hearings.
- (2) Subpoena alleged violators and witnesses to its hearings. Subpoenas may be served by the sheriff of the county or police department of the municipality.
- (3) Subpoena evidence to its hearings.
- (4) Take testimony under oath.
- (5) Issue orders having the force of law to command whatever steps are necessary to bring a violation into compliance.

162.09 ADMINISTRATIVE FINES; COSTS OF REPAIR; LIENS

(1) An enforcement board, upon notification by the code inspector that an order of the enforcement board has not been complied with by the set time or upon finding that a repeat violation has been committed, may order the violator to pay a fine in an amount specified in this section for each day the violation continues past the date set by the enforcement board for compliance or, in the case of a repeat violation, for each day the repeat violation continues, beginning with the date the repeat violation is found to have occurred by the code inspector. In addition, if the violation is a violation described in s. 162.06(4), the enforcement board shall notify the local governing body, which may make all reasonable repairs which are required to bring the property into compliance and charge the violator with the reasonable cost of the repairs along with the fine imposed pursuant to this section. Making such repairs does not create a continuing obligation on the part of the local governing body to make further repairs or to maintain the property and does not create any liability against the local governing body for any damages to the property if such repairs were completed in good faith. If a finding of a violation or a repeat violation has been made as provided in this part, a hearing shall not be necessary for issuance of the order imposing the fine. If, after due notice and hearing, a code enforcement board finds a violation to be irreparable or irreversible in nature, it may order the violator to pay a fine as specified in paragraph (2)(a).

162.11 APPEALS

An aggrieved party, including the local governing body, may appeal a final administrative order of an enforcement board to the circuit court. Such an appeal shall not be a hearing de novo but shall be limited to appellate review of the record created before the enforcement board. An appeal shall be filed within 30 days of the execution of the order to be appealed.

162.12 NOTICES

- Must be provided to the alleged violator
 - Certified mail to the address listed on the tax collector's office for tax notices or to the address listed in the county property appraiser's database. May also provide an additional notice to any other address it may find for the property owner.
 - Corporation notices may be provided by certified mail to the registered agent of the corporation
 - If not signed as received within 30 days after the postmarked date of mailing, notice may be provided by Posting at least 10 days prior to the hearing in at least two locations, one of which shall be the property and the other the primary municipal government office. Proof of posting shall be by affidavit of the person posting the notice, which affidavit shall include a copy of the notice posted and the date and places of its posting.
 - Hand delivery by the sheriff or other law enforcement officer, code inspector, or other person designated by the local governing body;
 - Leaving the notice at the violator's usual place of residence with any person residing therein who is above 15 years of age and informing such person of the contents of the notice; or
 - In the case of commercial premises, leaving the notice with the manager or other person in charge. [not place of employment - this is when premises is subject of the violation]
- **Posting Cannot substitute for Mailing or Hand Delivery**

162.125 ACTIONS FOR MONEY JUDGMENTS UNDER THIS CHAPTER; LIMITATION

Actions for money judgments under this chapter may be pursued only on fines levied after October 1, 2000.

162.13. PROVISIONS OF ACT SUPPLEMENTAL

It is the legislative intent of ss. 162.01-162.12 to provide an additional or supplemental means of obtaining compliance with local codes. Nothing contained in ss. 162.01-162.12 shall prohibit a local governing body from enforcing its codes by any other means.

SUNSHINE LAW AND EX-PARTE COMMUNICATIONS

As members of the Code Board, you are all subject to the Florida sunshine laws. This means you cannot discuss cases (or any other business) which is going to come before you outside the hearing. You also, cannot whisper amongst yourselves at a hearing. Everything you say, needs to be spoken where the respondent can hear it. Does this mean two of you cannot have lunch together? No. You are welcome to interact with each other and talk to each other outside the hearings; BUT YOU CANNOT SPEAK ABOUT A CASE OR OTHER MATTER THAT IS OR MIGHT COME BEFORE YOU. Also, just realize that should someone see two of you having lunch, they may think you are discussing matters coming before you "outside the sunshine". As such, you may potentially be asked questions about the lunch and its discussions. While you may interact with each other on matters not coming before you, please be aware that it may result in you having to answer questions about the meeting/lunch/discussion etc.

SUNSHINE LAW AND EX-PARTE COMMUNICATIONS

- Ex-parite contacts are when someone (who is not a fellow Board member) speaks to you about an upcoming case. For instance, someone knows you are a Board member and either they or a friend of theirs has been cited for a code violation and a hearing has been set. They approach you to try to let you know information regarding the person, or the case.
- In these situations, it is your responsibility to stop them and state that you cannot discuss the case with them. Typically, you would also have the obligation to disclose the ex-parite contact to the Board at the hearing, and to disclose what was said. If not disclosed, Florida case law suggests that the due process rights of one of the parties could be violated by your having gained factual information outside of the hearing; information that was not presented at the hearing. Your decision is supposed to be made on all the information that is presented in public at the Code Board hearing. If you are presented with facts that are not at that hearing, that creates an unbalanced playing field for one of the parties. You are required to disclose with whom you have the ex-parite communication and the substance of the communication. This includes communications with the code enforcement officer. PLEASE DO NOT CONTACT THE CODE OFFICERS to discuss a case coming before you.

SUNSHINE LAW AND EX-PARTE COMMUNICATIONS

- Similarly, while you live in Daytona Beach, and will know and be familiar with some of the addresses and properties brought before you, you should not go out to the properties to conduct your own inspection of an alleged violation prior to the Board hearing. That is a type of ex-parte contact. If you do inspect a property prior to a hearing, you need to disclose that on the record at the hearing, this is not recommended. Base your decision solely upon the evidence presented at the hearing.
- You are required to file financial disclosure statements annually. Failing to do so results in hefty penalties, so please be prompt in filing same.
- Voting Responsibilities: A voting conflict means that your vote must insure to your financial gain or loss. For instance, if your employer is a respondent, and voting one way or the other could impact your future with that company, this is a conflict.
- A respondent who lives down the street or next door is not a conflict as your vote on the matter does not impact you financially.
- However, you are also required to make your decision based on the evidence presented. If you feel you cannot be impartial in a certain case, please contact me to discuss this and potential options. While you could not officially declare a conflict, you may not want to be present at a hearing in which you could not be impartial for some reason.

**CITY CODES ENFORCEABLE BY
CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE**

- Noise – City Code Chapter 42 Sections 42-211 to 42-262.
- Sale or Display of Bath Salts - City Code Chapter 26 Section 26-321.
- Storage or Deposit of Junk/Abandoned Vehicles – City Code Chapter 42 Section 42-111.
- Wrecker Service Violation – City Code Chapter 110 Section 110-1.
- Residential Rental Ordinance – City Code Chapter 26 Section 26-291 to 29-304.
- Vehicle for Hire – City Code Chapter 102 Section 102-2 to 102-3.
- Water Conservation - City Code Chapter 98 Section 98-136 to 98-144.
