



November 2, 2012

IFYI HIGHLIGHTS

TO: Mayor and Members of Council
FROM: Denise Turner Roth, City Manager *DTR*
SUBJECT: Items for Your Information

- Food Truck Commerce Place Parking
- Code Compliance Benchmark Study
- Central Gateway Corridor Update
- Regional Population and Housing Study
- Performing Arts Center Task Force
- Food Truck Pilot Program Update

Council Follow-Up Items

Food Truck Commerce Place Parking

As a follow-up to a request from Councilmember Vaughan at the October 2, 2012 City Council meeting, attached is a memorandum from Assistant to the City Manager Mary Vigue, dated November 2, 2012, regarding the amount of actual revenue lost for the parking spaces at Commerce Place due to the food trucks operating in the spaces.

Code Compliance Benchmark Study

Attached is the Code Compliance Benchmark Study that was conducted by the City's Budget and Evaluation Department.

Central Gateway Corridor Update

Attached is a memorandum from Planning and Community Development Planner Russ Clegg, dated October 17, 2012, providing an update on the Central Gateway Corridor Partnership.

Regional Population and Housing Study

Attached is a memorandum from Planning and Community Development Director Sue Schwartz, dated November 2, 2012, regarding the Piedmont Triad Sustainable Communities Planning Project. Dr. Nelson's study is available in the City Clerk's office, as it is too large to be included with the IFYI.

Performing Art Center Task Force

Attached is an update from the Performing Art Center Task Force.

Food Truck Pilot Program Update

Attached is a memorandum from Small Business Coordinator Reggie Delahanty, dated November 2, 2012, with the weekly update on the Food Truck Pilot Program.

Contact Center Feedback

Attached is the weekly report generated by our Contact Center for the week of October 22, 2012 through October 28, 2012.

Small Group Meetings

For the week of October 26, 2012 through November 1, 2012, there were no small group meetings between City Staff and [more than two but less than five] Councilmembers.

DTR/mm
Attachments

cc: Office of the City Manager
Global Media

Office of the City Manager
City of Greensboro



November 2, 2012

TO: Denise Turner Roth, City Manager

FROM: Mary Vigue, Assistant to the City Manager

SUBJECT: Food Truck Commerce Place Parking

At the October 2, 2012 Council meeting, staff was asked about the actual revenue lost for the parking spaces at Commerce Place due to the Food Truck Pilot. Staff collected the information for October 2011 and compared the data to October 2012 of the revenue collected from meters in the 200 block area of Commerce Place. Here is a summary of the information:

200 Block of Commerce Place Parking Meters

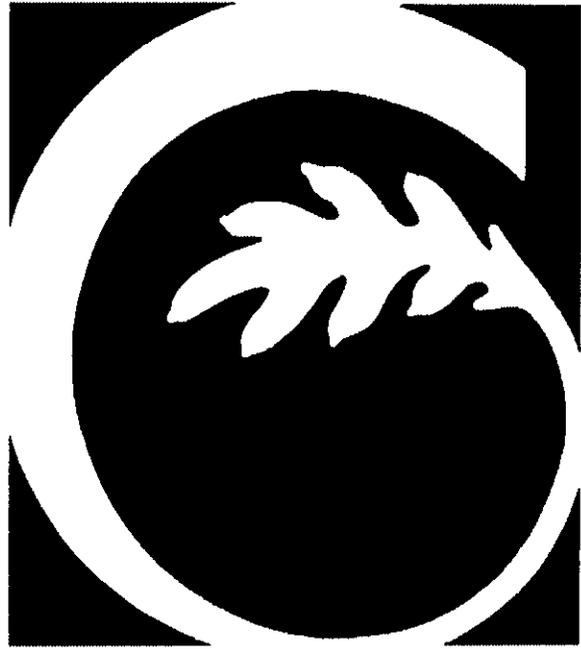
- October 2011: \$1,399
- October 2012: \$1,329

Please let me know if you require additional information.

MV

cc: Reggie Delahanty, Small Business Coordinator

Code Compliance Benchmark Study



GREENSBORO

Conducted by the Budget and Evaluation Department

November 2012

Executive Summary

A study of the Greensboro Code Compliance Division was requested by the Planning and Community Development Department in early Fiscal Year 2012-2013. Budget and Evaluation was asked to review the Code Compliance Division’s procedures compared to the following benchmark cities: Charlotte, Durham, Raleigh, Salisbury, and Winston-Salem. In addition, Budget and Evaluation was asked to look at the composition and resource allocation of the code compliance divisions in the different benchmark cities and compare them to the City of Greensboro’s Code Compliance Division.

The findings in this benchmark study show that there are opportunities to streamline the processes for code compliance and especially in the areas of minimum housing and nuisances (lot cleanup). Also, this study found that Greensboro’s Code Compliance Division spends fewer funds, has fewer personnel per 100,000 population, and conducts more inspections per inspector than the median of its benchmark cities. This study highlights the differences between proactive and reactive code compliance, which are the two major code compliance strategies. Many of the recommendations from this study could be implemented without policy direction on which strategy the Code Compliance Division should follow. Yet, moving forward it would seem imperative that direction be given on which strategy the division should follow, so it can assess its resource needs.

There is no recommendation in this study for additional staff at this time. Evaluating the need for additional staff was difficult due to irregularities with some of the data in the code compliance computer system and the lack of information from the zoning compliance area.

Recommendations

If all the recommendations are taken in the minimum housing and nuisance (lot cleanup) processes there are opportunities for significant time savings with cases. A minimum housing compliance case has no maximum time limit. The Minimum Housing Standards Commission can give an indefinite amount of extensions. A typical case without any extensions from the Minimum Housing Standards Commission would take 454 days. The potential time savings for a minimum housing case could be up to 275 days if the recommendations were accepted (for a case that does not come into compliance).¹ The maximum amount of time for a nuisance (lot cleanup) case is 44 days. The time savings for a nuisance (lot cleanup) case could be up to 15 days (for a case that does not come into compliance).

Case Type	Current Time	Potential Time Savings	Time Remaining
Minimum Housing	Unlimited	275	N/A
Minimum Housing case without extensions from the Minimum Housing Standards Commission	454	275	179
Nuisance (Lot Cleanup)	44	15	29

¹ The potential time savings for a minimum housing case of 275 days includes 90 days of extensions given by inspectors.

Through the evaluation of the City of Greensboro's Code Compliance Division procedures and the benchmark cities' procedures, the following leading recommendations were made.

Recommendation – The Code Compliance Division should research obtaining a case management system.

Currently, the Code Compliance Division has an in-house computer program that allows for inspectors to input information on cases. The information that is put into the current system is limited and it does not report all of the significant aspects of a case.

A case management system would be a more robust version of the current program. The case management system would record all the important times when an inspector interacts with a possible violation. In addition, a case management system would allow for inspectors to upload electronic photos from cases to the system, so there would be evidence of the condition of a case over time.

A case management system should be compatible with all areas of code compliance, so that the zoning compliance area can input information into it as well. Currently, zoning enforcement officers have no electronic system to input their information that tracks all their activities, which means there is no quick method to evaluate their cases.

Minimum Housing

Recommendation – Reserve full title searches for demolition cases and cases with special circumstances.

The City of Durham does not conduct a full title search on cases until they have come to the point of a possible demolition. The City of Charlotte does full property searches for the following situations: demolitions, properties posted for sale, open or vacant properties, and cases going before the Environmental Court.

The City of Greensboro conducts full title searches for all cases as a way to make sure it contacts all the property owners no matter the situation. The City could save time if it delayed the full property searches until it became necessary. By following this procedure, the City could eliminate full property searches for cases that have a high likelihood that they will come into compliance.

Recommendation – Eliminate the requirement that all property owners give notice that they have received a certified letter before moving forward in a housing case.

There are different strategies employed by the benchmark cities with regards to owner notification. The City of Charlotte moves forward after only one owner has given notice that he/she has been notified by a certified letter; however, it still attempts to contact owners through first class mail and posting the property while moving forward. The City of Salisbury notifies the public through a paper advertisement if all owners do not give notice of receiving the certified letter. The City of Winston-Salem sends the Notices of Hearing and repair orders by certified mail and by first class mail in conjunction with posting. If service is not achieved to all the owners through either method and an address cannot be determined by reasonable due diligence, the city publishes the information in a newspaper of general circulation in the county.

Each city moves forward in the process to bring a house into compliance. If it becomes apparent that the owner in communication with the city will not comply then before moving forward, with an order or official appeal, multiple forms of communication are used to notify all the owners of the property.

Similar to Raleigh and Durham, the City of Greensboro makes sure all owners of a house have given notice that they have received a certified letter before moving forward in the process. If the City considered strategies from the other three benchmark cities, it could continue the minimum housing process for a case while still trying to notify additional owners instead of delaying the process.

Recommendation – Reduce the amount of extensions inspectors can give.

Currently, the code compliance inspectors can give up to 270 days in extensions in 30 day increments. This amount of time is longer than most of the benchmark cities. The City of Raleigh gives its inspectors the ability to give an extension of 20 days. The cities of Durham and Salisbury allow their inspectors to give an extension of 30 days. The City of Winston-Salem does not give inspectors the ability to give extensions and only gives this ability to its department director. The only city that allows its inspectors to give more extensions than the City of Greensboro is Charlotte, which allows its inspectors to give approximately 360 days in extensions.

The City of Greensboro could give the authority to allow extensions to the department director instead of inspectors. Also, it could limit the amount of extensions by the inspector and allow any further extensions be granted by the Minimum Housing Standards Board.

Recommendation – Use lis pendens instead of doing multiple full title searches. Lis Pendens is a notice filed to warn interested persons of any known liens, levies, or procedures taken out on a property.

No other benchmark city completes multiple full title searches just to see if any new owners are found. Late in the housing process, the City of Greensboro does another full title search to see if there is any other owners that still need to be notified (e.g. a new owner bought the property). All the benchmark cities do a lis pendens early in the housing process. A lis pendens is a notice filed to warn interested persons of any known liens, levies or procedures taken out on the property. The lis pendens is used to make sure anyone, including potential new owners, knows about the procedures taken out on any property that has violated the City Code.

Nuisance – Lot Cleanup

Recommendation – Stop sending certified mail to property owners with a lot cleanup violation.

The City of Raleigh sends out certified mail later in the process than the City of Greensboro and this only happens if the estimated clean up costs are \$500 or above. None of the other benchmark cities send certified mail. All the other cities send a first class letter to the person on the tax record and/or post the property. All benchmark cities said it was too expensive to send out certified mail to all lot cleanup cases.

The City of Greensboro sends out a certified letter to property owners relatively early in its process (e.g. step 3 in the process). The City of Greensboro feels that sending out a certified letter helps to make sure the property owners are notified of the violation. However, there are other options in notifying a property owner that can be quicker and cheaper.

Recommendation – Eliminate full property searches on lot cleanup cases.

No other benchmark city does a full property search for lot cleanup cases, which is the second property search the City of Greensboro conducts. Many of the cities believe that sending a first class letter and posting the property are sufficient to contact all of the potential owners of one property. In other words, they feel there is no need to do an additional property search to locate other owners because the due diligence has already been completed.

Currently, the full property search process takes the City of Greensboro 19 days to complete. If first class mail or posting the property was conducted it would help to shorten the 19 day wait.

Recommendation – Give property owners 10 days to comply with a lot cleanup order instead of 15 days.

The City of Greensboro gives property owners 15 days to come into compliance with a lot cleanup violation. The 15 days starts from the time the letter is sent to the property owner. Almost all the benchmark cities in this study give property owners 10 days to comply. The City of Winston-Salem is the only city that does not give its citizens 10 days to comply. Winston-Salem gives its citizens 9 days to comply.

Findings

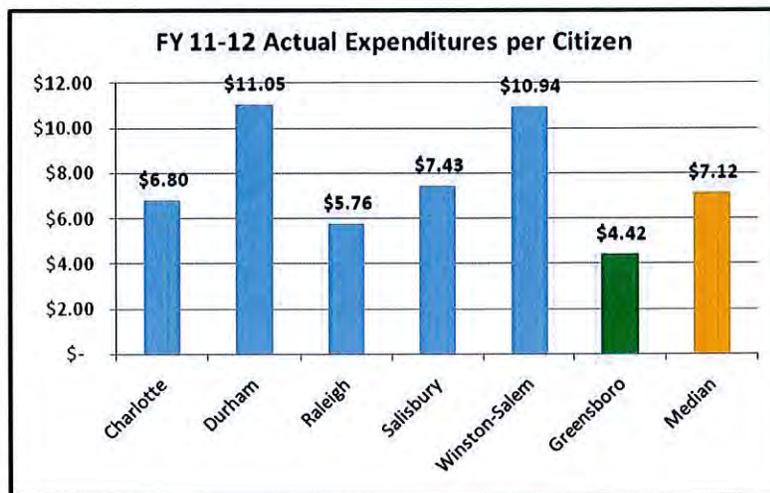
Budget and Evaluation was able to obtain benchmark information on composition and resource allocation to the benchmark cities. The following two graphs are an example of the findings from the Data Analysis Comparison section:

Finding: The City of Greensboro has a higher threshold to declare a house in noncompliance compared to most of the benchmark cities.

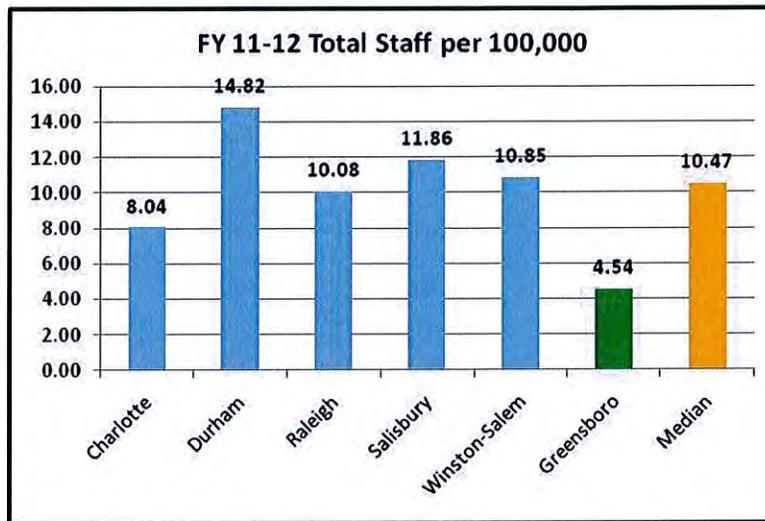
The cities of Charlotte, Durham, Salisbury, and Raleigh find just one minor violation to be enough for a case to be in noncompliance. The City of Winston-Salem only sends a letter to a property owner if they have less than six minor violations and then they close out the case.

The City of Greensboro only finds a house in noncompliance if it has one major violation or 6 or more minor violations.

Finding: City of Greensboro has the lowest expenditure per citizen when compared to its benchmark cities and the median for the whole group.



Finding: The Code Compliance Division has less total staff per 100,000 in the population compared to its benchmark cities and the median.



The following table has information from the other graphs in the Data Analysis Comparison section.

	Percent Cost Recovery	Inspectors per 100,000	Inspectors Plus Supervisors per 100,000	Inspectors per Sq Mile	Total Inspections per Inspector	Percent Proactive Cases
Charlotte	13%	4.39	6.54	0.14	1,527	75%
Durham	8%	7.84	9.15	0.17	795	25%
Raleigh	20%	6.88	7.87	0.20	930	40%
Salisbury	35%	5.93	8.90	0.09	2,750	N/A
Winston-Salem	22%	6.95	8.25	0.12	7,168	63%
Greensboro	21%	3.05	3.80	0.07	2,096	15%
Median	15%	6.41	8.06	0.13	1,812	28%

In addition to the comparable data from the benchmark cities, this study obtained information on proactive code compliance programs from our benchmark cities and from cities around the country. These programs were identified so the reader could have examples of proactive programs cities and counties were operating around the country.

This review concentrated most of its efforts on quantifiable data or processes that were studied through site visits to the benchmark cities. Additional areas of study that could be explored in the future include looking at areas of the process that are qualitative like staff interaction with the public and with each other to see if stakeholder expectations are being met and all possible efficiencies are being obtained.

Introduction

In 2012, the City of Greensboro's Planning and Community Development Department requested a review of its Code Compliance Division. Since the beginning of FY 11-12, the Code Compliance Division has been located in the Planning and Community Development Department (before FY 11-12, the division was located in the Engineering and Inspections Department). With the Code Compliance Division being new to the Planning and Community Development Department, the department wanted a process evaluation completed to review how the department was operated compared to the City of Greensboro's benchmark cities that also operate code compliance divisions. The benchmark cities are Charlotte, Durham, Raleigh, and Winston-Salem. The City of Salisbury is included in this comparison; Salisbury was selected as a benchmark partner for this evaluation due to its reputation as an excellent provider of code compliance service.

This review is organized into seven different sections. The following are the sections with a short description of each:

- **Code Compliance Statutes and Local Ordinances** – An overview of the regulations that support the Code Compliance Division including state statutes and local ordinances (located on pages 6-14).
- **Code Compliance Process Comparison** – Code Compliance process review including junk and abandoned vehicles, minimum housing, nuisance (lot cleanup), and zoning enforcement compared to our benchmark partners' processes (located on pages 14-24).
- **Data Analysis Comparison** – Evaluation of the resource allocation and outputs of the City of Greensboro's Code Compliance Division compared to its benchmark partners (located on pages 24-30).
- **Two Major Code Compliance Strategies** – This section describes the two dominant code compliance strategies (located on pages 30-31).
- **Code Compliance Proactive Programs** – Proactive procedures/programs being practiced by our benchmark cities and jurisdictions around the country (located on pages 31-32).
- **Recommendations** - Recommendations to improve the efficiency and effectiveness of the code compliance processes (located on pages 32-42).
- **Further Methods of Study** – This section recommends further methods on how to study the City's code compliance processes (located on page 42).

Code Compliance Statutes and Local Ordinances

Where state legislation gives clear rules and directions, the Greensboro code mirrors the general statute, verbatim in most cases. In some areas, the authorizing legislation also leaves decisions to the discretion of municipalities. Areas of municipal discretion are the focus of the section below. The analysis will not go through each section of the statute or code. Rather, this section will highlight areas of the statutes, local legislation, City Charter, and City Codes that are essential to understanding the compliance process. There is a level of authority when it comes to the rules that code compliance follows. Statutes and local legislation from the General Assembly and City Charter take precedence over City Code.

Statutes and City Codes most closely related to code compliance:

- Junk and Abandoned Motor Vehicles: NCGS 160A-303 and City Code 17-51 – 17-59
- Minimum Housing Standards: NCGS §160A-441 – §160A-450, City Code 11-1 – 11-56

- Nuisance (Lot Cleanup): NCGS 160A-193 and City Code 17-1 – 17-7
- Zoning Enforcement: NCGS 160A-381 and City Code 30-5

Junk and Abandoned Motor Vehicles

Under state statutes §160A-303 and § 160A-303.2 cities may adopt necessary ordinances to prohibit the abandonment of motor vehicles on public streets or on public or private property and remove and dispose of these vehicles. Greensboro has adopted this ordinance under Sec. 17-51 through Sec. 17-59. State statute §20-219.9 provides the post tow procedures.

Definitions of Junked and Abandoned Vehicles

State law says an abandoned motor vehicle is one that has been left on the street or highway in violation of the law, left on city property for longer than 24 hours, left on private property without permission for over 2 hours, or is left on the street for longer than 7 days. A junked motor vehicle is defined as being any of the following: partially dismantled or wrecked, cannot be self propelled, is more than 5 years old and worth less than \$100 or more than 5 years old and worth less than \$500 depending on the City ordinance, or does not display a current license plate. Sec. 17-51 restates these definitions.

Finding: Greensboro’s definitions of junked or abandoned motor vehicles match state law definitions.

§160A-303 Removal

Pursuant to NCGS §160A-303, any vehicle in violation of the adopted ordinance may be removed and stored, but no vehicle that is on private property with the permission of the property owner may be removed from private property unless the City official has deemed it to be a health or safety hazard.

In addition NCGS §160A-303.2 allows the City to tow vehicles on private property when the inspector finds that the benefits of removal outweigh the burdens imposed to the owner. Aspects for the inspector to consider include protection of property values, community character, and the promotion of comfort of area residents as defined in Sec. 17-55(b). Indirect impacts for the inspector to consider include finding that the vehicle creates other nuisances as outlined in Sec. 17-55(c). These factors that an inspector has to weigh are defined by the City ordinance and not by state statutes.

Finding: In determining if the benefits of the vehicle’s removal outweigh the burdens imposed by the removal, the inspector may consider many things including the protection of property values, comfort and happiness of residents, and if the vehicle creates other nuisances.

Also included as part of §160A-303 (c), after a vehicle is removed the City shall give notice to the owner within 24 hours if registered within the state and 72 hours if registered in another state. The notice must contain information including a description of the vehicle, the place the vehicle was removed from, the violation, and the procedures that the owner must follow to have the vehicle returned or to request a probable cause hearing. This is detailed in Sec. 17-56. Notice should be given by telephone if feasible. Regardless, written notification must be sent to the last known address. All details of notification are included by reference in the statute from §20-219.11.

In the case that the vehicles owner cannot be determined through a valid registration plate or vehicle identification number, the City shall make a reasonable effort in determining the last known-registered owner and to notify the owner. Sec. 17-56 (c) further states that it is not presumed that reasonable effort was made unless the vehicle was posted with notice of the towing at least 7 days before the

towing occurs. If there is an eminent risk to public health or safety the vehicle can be removed without waiting the 7 days.

Finding: Vehicle owners must be notified of the towing within 24 hours if registered in North Carolina and within 72 hours if registered in another state. The notification should be by phone if possible, but a written notice must also be mailed. If the owner cannot be determined then the vehicle must be posted with a notice of towing at least 7 days before the towing occurs.

The owner of the vehicle is entitled to a hearing under Sec. 17-57 to determine if there was probable cause for the tow. The owner must request a hearing in writing to determine if probable cause existed for the towing. The hearing shall be set within 72 hours of receiving the request. Any person feeling the City appeal is unjust may appeal the finding of the inspector to superior court.

Sec. 17-55.1: Penalties

City code specifies civil penalties for violations of this ordinance. Violators will be subject to a penalty of \$25 for the first violation, \$50 for the second, \$100 for the third, and \$200 for the fourth and each subsequent violation. All penalties are to be restorative and presumed to provide sufficient restoration to the City for its costs.

Finding: Penalties for junk and abandoned motor vehicle cases are restorative and are levied on a graduated scale (e.g. \$25 for the first violation, \$50 for the second violation, etc.).

Minimum Housing

Minimum housing enforcement is the most specifically defined by state statute. In other words, there is less room for interpretation compared to the other code compliance areas (junk and abandon vehicles, and zoning enforcement). However, there are a few issues left to the discretion of cities. These areas that influence the procedures of minimum housing outside state statutes come from the following: local legislation passed by the General Assembly, City Charter, and City Code.

Greensboro's authority to enforce minimum housing standards is mostly derived from state statutes §160A-441 through §160A-450, also known as Part 6 Minimum Housing Standards. These statutes outline the police power, authority to inspect, power to order repairs and closings, power to order demolitions, service of orders, authority to establish a Housing Board, and several other topics essential to minimum housing standards. Greensboro's regulations related to minimum housing are contained within Chapter 11 of the Greensboro Code of ordinances, also referred to as the Minimum Housing Code. Greensboro also has special legislation related to minimum housing establishing the Minimum Housing Standards Commission within the City Charter, Chapter V, Sec. 5.74. Specific rules and policies are also outlined within the Manual on Greensboro Minimum Housing Standards Commission.

For the vast majority of the Greensboro Housing Code, state statute is followed nearly verbatim. Outlined below are areas of the code that allow for discretion by the City and areas most pertinent to the overall minimum housing process.

§160A-443 (1): Designation of the Public Officer

This section of the general statutes calls on the City to adopt a series of provisions relating to the enforcement of the Minimum Housing Code ordinance. The first provision calls for the designation of a

public officer to exercise the powers prescribed by the adopted ordinance. In Sec. 11-31 (a), Greensboro's code designates the superintendent of building inspections as this public officer.

Finding: Greensboro's code designates the superintendant of public buildings, also the director of the Engineering & Inspections Department, as the public officer for the enforcement of the Minimum Housing Code.

§160A-443 (3) a. & b.: Order of Public Officers

The statute gives municipalities wide latitude with regard to the period time allowed to conform with an order for repair or demolition with frequent references to "within a reasonable time". Greensboro's code outlines more specific time periods. Sec. 11-39 (b) of the Greensboro Minimum Housing Code states that inspectors can decide on a reasonable time for repair anywhere from 30 to 270 days using 30 day extensions.

This section further specifies that if the inspector finds that substantial compliance is being made or a contract for repair is entered in by the owner, an extension not exceeding 90 days may be given. All repair periods and extensions by the inspector are limited to a total of 270 days.

Finding: Greensboro's code is more specific about the amount of extensions and total time of extensions than state statute. The time period to comply with an order is between 30 and 270 days. It allows the inspector to determine what a reasonable amount of time is. The inspector has the option to grant 30 day extensions up to 270 days and cannot give any further extension over 270 days in total before it is sent to the Minimum Housing Standards Commission.

In Sec. 11-10 of the City Code it allows an inspector to determine that a residential building is unfit for human habitation when one of the violations in Sec. 11-10 (a) (1)-(9) has been violated (these are known as major violations) and when five or more minimum violations (these are known as minor violations) are found [outlined in section Sec 11-10(b)]. The City has adopted the minimum standards for minor violations stated in the International Property Maintenance Code (IPMC). Section 11-56 of the City of Greensboro Code states that any change to the IPMC automatically becomes a part of the City Code.

Finding: The City has adopted the minimum standards for minor violations stated in the International Property Maintenance Code (IPMC). Section 11-56 of the City of Greensboro Code states that any change to the IPMC automatically becomes a part of the City Code.

§160A-443 (3) a. & b.: Reasonable Cost for Repairs

These sections of the statute also state that if repairs can be made at a "reasonable cost" an order to repair can be given. If the cost of repair is not "reasonable" then an order to remove or demolish can be given. The statute gives municipalities the discretion to fix a certain percentage of the current value of the property to determine reasonability. The City of Greensboro has local legislation that allows the Minimum Housing Standards Commission to demolish a house no matter the percent value of the repairs.

Finding: Greensboro's local legislation allows the Minimum Housing Standards Commission to demolish a house no matter the percent value of the repairs.

§160A-445: Service of Complaints, Agents for Rental Property, Use of Lis Pendens

State statute is very specific about the manner in which service is to be handled for any order given under the Minimum Housing Code. Orders may be served either personally or by registered or certified mail. When service is by registered or certified mail, the complaint may also be sent by regular mail. Service shall be deemed sufficient if the registered or certified mail is unclaimed or refused, but regular mail is not returned within 10 days. If regular mail is used then the property must be posted.

The statute goes further under part (a1) stating that if the identities or whereabouts of any owners cannot be ascertained by the public officer after "reasonable diligence", or if the owners are known but have refused service, service can be made through the publication in a newspaper having general circulation in the city, at least once, and the publication should last at least the same amount of days that it allows for response from a notification letter. Notice through publication also requires that the property be posted.

Sec. 11-35 (a) of the Greensboro code mirrors the service provisions in the statute. The last section of part (a) also provides more specific provisions related to owners of rental property within the City. This section requires that each owner of rental property in the City shall authorize an agent for the purpose of receiving service for such orders. Also, it is the responsibility of the owner to inform the City of changes to the agent information within ten days of the change. Currently, the City of Greensboro is not enforcing this part of the code.

Finding: Owners of rental property within the City are required to have an agent on record for the purpose of receiving notices of orders. The property owner is responsible for updating agent information as necessary. Currently, the City of Greensboro is not enforcing this part of the code.

The use of lis pendens is also outlined within this section of the Greensboro code. Lis pendens is a formal notice of pending legal action. This notice would inform any interested party of pending actions related to code violations. Under Sec. 11-35 (b) and (c) the codes states that once a complaint or order has been made, a copy of the order may be filed with the Clerk of Superior Court in Guilford County. The copy of the order shall include the name of the entity where the order is pending, the names of the parties to the action, the nature of the action, and a description of the property. The notice of lis pendens will remain in force until all violations are remedied and the costs of the action are reimbursed to the City.

The Greensboro code also specifies under Sec. 11-36 that the owner of a property under order must provide a true copy of the order when selling or transferring the property. Any transferee that receives notice of the order is bound by that order.

Finding: The use of lis pendens is given as a specific option of notification for any successors of the property under Sec. 11-36 of Greensboro's code. Further, it shall be unlawful for the owner of a building under order to sell, transfer, mortgage, lease, etc. the property without providing a copy of the order to the transferee.

Penalties for Violations

Section 11-42 of the Greensboro code establishes the penalties for violation of the housing code. It specifies that each violation is a class 3 misdemeanor, punishable by a fine up to \$500 or imprisonment up to 20 days. Under 11-42 (b) violators are also subject to civil penalty of \$200 for the first violation and

\$75 each day the violation is not corrected. These penalties are restorative, and intended to provide compensation to cover costs related to the minimum housing enforcement function of the City.

Finding: Under Sec. 11-42, Greensboro has the authority to assess civil penalties in the amount of \$200 for each violation and \$75 for each day the violation is not corrected after the owner is serviced and a decision has been finalized.

§160A-446: Remedies, Board of Appeals, Extensions

Part (a) of this section provides cities with the authority to establish a housing appeals board or appeals may be heard by a city's board of adjustment. It further states, in part (b) that if created, the appeals board shall consist of 5 members to serve three year staggered terms. Part (b) also allows the board to establish such rules as necessary to discharge its duties. Part (c) of this section specifies that appeals of orders must be made within 10 days, and further details that orders are stayed during this appeal unless the charge presents imminent peril. The remainder of §160A-446 states that the appeals board shall fix a reasonable time for hearing appeals and rendering its decision. Further, all decisions by the appeals board are subject to petition to superior court within 15 days.

Greensboro's code establishes the Minimum Housing Standards Commission for the purposes of review and appeal under Sec. 11-46 through Sec. 11-50. Greensboro has also received special legislation outlined in the Charter, Chapter V, Sec. 5.74 establishing the size of the board as seven members instead of 5 as prescribed in §160A-446 (b). The code and charter give the commission the same authority as that of a housing inspector.

Finding: The Minimum Housing Standards Commission is afforded all of the same authority and powers granted to the inspector through related statutes and ordinances.

Within the provisions of the statute, code and charter, it is stated that the board shall fix a reasonable time for hearing the appeal and a reasonable time for rendering their decision. These reasonable times, among other parliamentary procedures, are outlined in the Manual on Greensboro Minimum Housing Standards Commission, Part VI. All inspector decisions that affect the property of an owner in violation automatically go to the Greensboro Minimum Housing Commission. The Commission rulings on appeals are made after voting on the findings of fact. A vote of at least four members is required to overrule or modify the order of the inspector, as outlined by Sec. 11-50. Although not expressly stated, it can be inferred that finding of facts and the decision on the appeal both take place at the same appeal hearing.

Finding: The reasonable time for requesting appeals from the Minimum Housing Standards Commission and for the Commission to render decisions on appeals is established within the Commission's rules. All inspector decisions that affect the property of an owner in violation automatically go to the Minimum Housing Commission. After findings of fact are made by the Commission, decisions on the appeal are made.

Section 5.74 (d) of the City Charter gives the Minimum Housing Standards Commission an undefined amount of extensions it may give a property owner. The Charter says the following, "The commission shall have power also in passing upon appeals, in any case where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the housing code, to adapt the application of the code to the necessities of the case to the end that the spirit of the code shall be observed, public safety and welfare secured and substantial justice done. "

Finding: The Greensboro City Charter Sec. 5.74 gives an undefined amount of extensions the Minimum Housing Standards Commission can give a property owner.

Nuisances (Lot Cleanup)

The authority for cities to enforce and remedy ordinances related to nuisances are outlined in the general statutes §160A-174, and §160A -193. The entirety of the nuisance abatement authority is derived from these statutes. Neither statute defines what a nuisance is or what notice is required to be given before the nuisance is abated by the City. The cost of abatement can be charged as a lien on the property. Unpaid liens are to be treated the same as unpaid ad valorem taxes.

Greensboro's Definition of a Public Nuisance is in the City Code Section 17-1

Section 17-1 of the Greensboro Code specifies these public health nuisances in part (a) (1) – (8). Included in this list is any breeding ground for pests, dense growth of weeds or noxious vegetation exceeding 12 inches, a concentration of combustible items, collection of garbage, hides, dangerous structures or furniture, and many other items. The City of Greensboro has defined what health nuisances are within its City limits by powers vested in it by the State of North Carolina.

Finding: Greensboro code defines lots with vegetation exceeding 12 inches to be a nuisance.

Sec. 17-2 and 17-3: Notice and Service of Notice

Notice of abatement is detailed in Sec. 17-2, and states that nuisances shall be abated within 10 days from the date the notice is provided. Further, if in the opinion of the City official the condition provides an imminent threat to public health or safety it can be immediately removed without notice.

Finding: Sec. 17-2 states that nuisances shall be abated within 10 days of notice.

Sec. 17-3 details the service of notice. Property owners shall be notified of the violation by personal delivery or by registered or certified mail. If the notice is refused or returned unclaimed, then the property can be posted with the notice. If the name of the owner cannot be determined then any person in possession of the property may be served personally. Sec. 17-4 goes further to state that any defect in notice does not affect the ability to put the cost of abatement as a lien.

Finding: City code specifies the terms of notice in Sec.17-3. Notice may be made personally or by registered or certified mail. If the notice is returned or refused the notice may be served by posting the property. Any defect in notice does not affect the ability to put the cost of abatement as a lien.

In Sec. 17-5 it is stated that if the owner fails to abate then the City may abate the condition. Further, in Sec. 17-5 (b) once abated the City official shall deliver to the tax collector a statement of the cost of the abatement plus an administrative fee of 10% of the cost to abate, with a minimum of \$100. If there is a subsequent violation with 12 months the minimum administrative fee is \$500. The tax collector shall mail the invoice to the property owner and give them 30 days to pay. If the lien is not paid within 30 days then it is collected in the same manner as delinquent taxes.

Finding: The cost for abatement shall be a lien against the property plus an administrative fee of 10% with a minimum of \$100. If there is a subsequent violation by the same owner at the same location the minimum administrative fee is \$500.

Sec. 17-6: Appeals

Within 10 days of the notice of violation, the property owner may appeal the findings of the City official to City Council by giving written notice. Once appealed the abatement is stayed until the council makes a final determination. If there is no appeal the finding of the City official is final.

Finding: Appeals of the City official's findings must be made in writing to the director of the Engineering and Inspections Department within 10 days of the notice of violation. Appeals are heard and determined by the city council.

Zoning Enforcement

Municipalities are authorized to develop and enforce certain zoning regulations by state statute under NCGS §160A-381. Under this section of the statutes cities are granted the power to adopt zoning and development regulations to promote health, safety, morals, and the general welfare of the community. These powers are described in general within the statutes. Zoning and its enforcement powers are codified in detail within the Land Development Ordinance, Chapter 30 of Greensboro's Code. Violations, inspections, enforcement, remedies and assessments are covered in detail in Sec. 30-5 of the Greensboro Code of Ordinances.

Sec. 30-5-3: Enforcement

Provisions governing the enforcement of these provisions are laid out in Sec. 30-5-3. The code calls for the owner and occupant to remedy the violation at the earliest reasonable date. If the owner or occupant fails to take prompt actions, the investigator must notify the property owner as described in Sec. 30-5-3.1. The investigator must give the owner or occupant written notice of the violation by certified or registered mail, to the violator's last known address, by personal service, or by posting notice on the property.

Finding: If corrective action is not taken quickly, as determined by the investigator, a Notice of Violation must be delivered personally, sent to the violator's last known address by certified or registered mail, or posted on the property.

According to Sec. 30-5-3.2 appeal of this notice of violation may be appealed by the owner or occupant in writing to the Board of Adjustment (or other designated board) within 15 days. The Board of Adjustment must hear the violation within a reasonable time. The Board of Adjustment may affirm, modify, or revoke the notice of violation. Similar to the code on minimum housing standards it is up to the Board of Adjustment to establish what a reasonable time for hearing an appeal is (within the rules of the Board). Any notice not appealed within 15 days is final. The decision of the Board of Adjustment on the appeal must also be delivered to the aggrieved party personally or by registered or certified mail.

Sec. 30-5-5: Civil Penalties

Any person who violates this ordinance may be held responsible for the violation and subject to the penalties and remedies detailed in the ordinance. Under Sec. 30-5-5.2 civil penalties cannot be assessed until after the alleged offender is served notice in accordance with the ordinance. A civil penalty may be imposed in the form of a citation. Citations shall be served in the same manner as a notice of violation. If the violation is not corrected, each day serves as an additional and separate violation under Sec. 30-5-5.3. The penalties for violations are described under Sec. 30-5-5.4 and range from a general penalty of

\$50 for the first violation, \$100 for the second, \$200 for the third and \$500 for the fourth and each subsequent violation. More specific penalties are detailed by type of violation under Sec. 30-5-5.4 (A) through (C).

Finding: Citations informing the offender of the violation are to be served in the same manner as the notice of violation. Each day a violation is not corrected is a separate and additional violation.

Code Compliance Process Comparison

In the Code Compliance Division there are four main areas of focus, which includes junk and abandoned vehicles, housing, nuisances (lot cleanup), and zoning enforcement. Each area follows different procedures in a process that either ends with a code violation coming into compliance or with the removal of the violating object(s) from its location (Please see Appendix A for each step of the different code compliance areas without the findings).

This section will describe each of the four processes followed by the City of Greensboro's Code Compliance Division. In addition, this section will show findings that point to the differences between Greensboro's processes and the processes of the benchmark cities that were visited (Charlotte, Durham, Raleigh, Salisbury, and Winston-Salem). If a benchmark city follows the same procedures or time periods as Greensboro then it was left out of the findings below. This section's objective is to show the differences in processes the City's Code Compliance Division follows compared to its benchmark cities.

Junk/Abandoned Motor Vehicles

The following are the procedures that the City of Greensboro's Code Compliance Division follows to complete a noncompliant case. Be aware that at anytime through the process a case in violation can come into compliance and once in compliance the case is closed. The Code Compliance Division conducts evaluations of vehicles that are on public and private property and are nuisances or abandoned.

In the following comparisons with the benchmark cities on Junk/Abandoned Motor Vehicles, the City of Greensboro generally followed many of the same time frames. However, the following findings will show a few procedures that the City of Greensboro differs with the benchmark cities.

Finding: Not all the benchmark cities' code compliance divisions have responsibility for vehicles on public property.

The City of Raleigh and the City of Salisbury code compliance divisions do not have responsibility for vehicles that park in public parking places. Their police departments have responsible for this duty.

- **Step 1** – Complaint is received by administrative staff in the Code Compliance Division area, in the municipal building, or an inspector finds a vehicle in noncompliance through their own initiative.
- **Step 2** – The administrative staff taking the complaint call or the inspector in the field determine if the vehicle is on public or private property.

Vehicle Found on Private Property (with permission of property owner)

- **Step 3** – Vehicle is tagged immediately for noncompliance and the right to an appeal hearing. The individual has 10 days to appeal the violation.

Finding: Three benchmark cities have a different time period for an appeal compared to the City of Greensboro.

The cities of Durham, Raleigh, and Salisbury have a different time period in which individuals can appeal a case. The City of Durham gives 7 days for an appeal, while Raleigh gives 10 days and Salisbury gives 15 days.

- **Step 4** – Appeal hearing is set up 7 days from the confirmation of the citizen making an appeal request. The citizen appeals their case to the inspector who ticketed their vehicle.

Finding: Three cities have appeals for vehicles found on private property that go to an individual or board outside of their code compliance division.

The cities of Raleigh, Salisbury, and Winston-Salem vehicle cases are appealed to entities outside their code compliance division. The City of Raleigh vehicle cases go to the administrator of the Housing Division and then to city council, the City of Salisbury vehicle cases go to the Zoning Board, and the City of Winston-Salem vehicle cases go to the City Attorney's Office.

- **Step 5** – At the expiration of the appeal time or following the appeal hearing where the vehicle owner has been determined to still be in violation, the inspector reinspects the vehicle within 24 hours. If the vehicle's owner has only been identified/found at this time they are given 7 days to come into compliance.
- **Step 6** – Within 2 days of the reinspection the vehicle is towed by a private contractor to a contracted lot. From this point, the contractor handles the process with the owner of the vehicle. The inspector then closes out the case.

Finding: Two benchmark cities have different turnaround times from the reinspection to when a vehicle is towed on private property.

Durham tows vehicles the day after the appeal time has expired or the day after the appeal hearing. Charlotte has a 5 day turnaround on towing.

Finding: One benchmark city, which contracts with a lot operator, makes vehicle owners pay a fee to the city before they can claim their vehicle.

The City of Charlotte makes vehicle owners pay a fee with the city before they can claim their vehicle at a private tow lot.

Finding: One benchmark city operates its own car lot where towed cars are kept.

The City of Winston-Salem owns a lot where cars are towed and kept while waiting for their owner(s) to claim them.

Junk/Abandoned Vehicles on Private Property Highlighted Steps		
Charlotte	10 days	5 days
Durham	7 days	1 day
Raleigh	10 days	2 days
Salisbury	15 days	2 days
Winston-Salem	10 days	2 days
Greensboro	10 days	2 days

Vehicle Found on Public Property

- **Step 3** – Vehicle is tagged immediately for compliance and the right to an appeal hearing. The individual has 7 days to appeal the violation.
- **Step 4** – Appeal hearing is set up 7 days from the confirmation of the citizen making an appeal request. The citizen appeals their case to the inspector who ticketed their vehicle.

Finding: Vehicle cases on public property are appealed to the city Attorney’s Office in Winston-Salem.

- **Step 5** – Following the appeal hearing, where the vehicle owner has been determined to still be in violation, the inspector reinspects the vehicle within 1 day of the appeal hearing.
- **Step 6** – Within 1 day of the reinspection the vehicle is towed by a private contractor to a contracted lot. From this point, the contractor handles the process with the owner of the vehicle. The inspector then closes out the case.

Finding: One benchmark city, which contracts with a lot operator, makes vehicle owners pay a fee to the city before they can claim their vehicle.

The City of Charlotte makes vehicle owners pay a fee to the city before they can claim their vehicle at the private tow lot.

Finding: One benchmark city operates its own car lot where towed cars are kept.

The City of Winston-Salem owns a lot where cars are towed and kept while waiting for their owner to claim them.

Minimum Housing

The following are the procedures that the City of Greensboro’s Code Compliance Division follows to complete a noncompliant housing case. Be aware that at anytime through the process a case in violation can come into compliance and once in compliance the case is closed. The Code Compliance Division completes evaluations of housing cases that are lived in by the house’s owner or renters.

In the following comparisons with the benchmark cities, the City of Greensboro alters its procedures to be more cautious when it comes to notifying all owners of a property and checking and rechecking the steps that have occurred in comparison to all the benchmark cities. In addition, the City of Greensboro gives its inspectors more opportunities to give extensions compared to a majority of the benchmark cities.

- **Step 1** – Complaint is received by administrative staff in the Code Compliance Division area in the municipal building, inspection petition letter is received or an inspector finds a site in noncompliance through their own initiative.
- **Step 2** –An inspector makes an appointment to see the house within one day of the complaint being made.
- **Step 3** – The inspector inspects the dwelling within 5 days of the day of the complaint. A house is noncompliant if it has one major violation or 6 or more minor violations.

Finding: All other benchmark cities take a photo of the property the first time they visit it.

The City of Greensboro waits to take a picture of the site until much later in the process. The City inspectors take a photo after visiting a site later in the process to verify if the violation has come into compliance.

Finding: The City of Greensboro has a higher threshold to declare a house in noncompliance compared to most of the benchmark cities.

The cities of Charlotte, Durham, Salisbury, and Raleigh find just one minor violation to be enough for a case to be in noncompliance. The City of Winston-Salem only sends a letter to a property owner if they have less than six minor violations and then they close out the case.

- **Step 4** – A notice of a hearing is sent by certified mail to the owner on the property tax records. On average it takes two to three weeks to accomplish this task, which includes notification that the owner received the letter.

Finding: Three benchmark cities notify their property owners with certified mail, first class mail, and by posting the property.

The cities of Charlotte, Raleigh, and Winston-Salem notify their property owners three different ways – certified mail, first class mail, and posting the property. Charlotte will also utilize personal delivery and advertisement when needed.

Finding: Benchmark cities have different time frames it gives owners to respond to a notice of a hearing.

Both Charlotte and Raleigh give their property owners around 30 days to respond while the City of Salisbury gives 20 days for individuals that live in the area and 30 days for individuals that live outside the area. The City of Winston-Salem gives their property owners from 10 to 30 days from the service date of the notice. In Winston-Salem posting occurs in conjunction with first class delivery and the service date is 10 days from the mailing but their preferred method is a certified mail return receipt.

- **Step 5** – In addition to sending a letter to the individual on the property tax records, the Legal Department does a full title search to see if there are any additional owners of the property. If any additional owners are found then a certified letter is sent to them. The full title search averages 30 days and the wait for the notification that all the owners received the letter can vary.

Finding: Three benchmark cities do not require that all owners of a property give notice back that they have received a certified letter before they move forward in the process.

The City of Charlotte moves forward after only one owner has given notice that he/she has received a certified letter; however, it still attempts to contact owners through first class mail and posting the property while moving forward. The City of Salisbury notifies the public through a paper advertisement if all owners do not give notice of receiving the certified letter. The City of Winston-Salem sends the notices of hearing and repair orders by certified mail and by first class mail in conjunction with posting. If service is not achieved to all the owners through either method and an address cannot be determined by reasonable due diligence, the city publishes the information in a newspaper of general circulation in the county.

Each city moves forward in the process to bring a house into compliance. If it becomes apparent that the owner in communication with the city will not comply then before moving forward, with an order or official appeal, multiple forms of communication are used to notify all the owners of the property.

Finding - Two cities conduct full title searches only for demolition cases and cases with special circumstances.

The City of Durham does not conduct a full title search on cases until they have come to the point of a possible demolition. The City of Charlotte does full property searches for the following situations: demolitions, properties posted for sale, open or vacant properties, and cases going before the Environmental Court.

The City of Greensboro conducts full title searches for all cases as a way to make sure it contacts all the property owners no matter the situation.

Finding: The City of Greensboro is the only benchmark city that takes 30 days to complete a full title search.

The City of Charlotte takes around 2 weeks and Durham 10 days to complete a full title search. The cities of Salisbury and Raleigh take two to five days to complete a search. The City of Winston-Salem takes 2 to 3 weeks due to the volume of housing cases and other assigned duties.

Two possible reasons were identified why the City of Greensboro takes more time than the benchmark cities for full title searches. One, anecdotally, benchmark city staff said the City of Greensboro seems to be conducting more full title searches than them. Two, a majority of the other cities have staff outside of their legal departments conducting searches.

- **Step 6** – A meeting is set 15 to 30 days after the initial inspection or after all the owners have been notified to see if the repairs have been made.

Finding: Due to equity issues, one benchmark city makes sure all initial appeals are seen by the code compliance supervisor.

At the initial appeals hearing, the City of Winston-Salem makes sure the property owners meet with the code compliance supervisor. The meeting with the supervisor, instead of with the inspector, allows for quality control according to the City of Winston-Salem -- each property owner and appeal is treated the same.

- **Step 7** – If repairs have not been completed in 30 days a repair or demolish order is sent to the owners.

Finding: Benchmark cities have different time frames for repairs to be made before an order to repair or demolish is sent.

The cities of Durham and Raleigh provide distinctions between properties that will be demolished if not repaired and all other properties (usually properties that need to just be repaired). The City of Durham gives houses that have the chance of being demolished 60 days to make repairs and 30 days to all other properties. The City of Raleigh gives property owners of houses that have the chance of being demolished 90 days to make repairs and 20 days to all other properties. The City of Salisbury gives different time frames for major and minor repairs. The city gives property owners with major repairs only 30 days (e.g. due to safety and health reasons) and property owners with minor repairs 90 days to fix the problems.

- **Step 8** – Within 30 days of the repair or demolish order, an inspection is conducted to see if repairs were made. If repairs were not made the inspector recommends this case to the Minimum Housing Standards Commission. However, the inspector has the prerogative to give the owners 30 day extensions, up to 270 days in total, if progress is being made.

Finding: A majority of the benchmark cities do not allow their inspectors the latitude to give as many days of extensions as the City of Greensboro.

The City of Raleigh gives its inspectors the ability to give an extension of 20 days. The cities of Durham and Salisbury allow their inspectors to give an extension of 30 days. The City of Winston-Salem does not give inspectors the ability to give extensions and only gives this ability to its department director.

- **Step 9** – The Code Compliance Division issues a Letter of Condemnation that gives the tenants in the property 30 days to vacate if the repairs from step 8 are not completed.

Finding: The City of Durham differs from the other benchmark cities in the amount of time it gives tenants to vacate a property.

The City of Durham does not give a tenant 30 days to move out. The City of Durham gives a date of condemnation and it lets the owner and the tenant work out the date in which they will move.

- **Step 10** – The Legal Department reviews the case for due diligence. If the process has taken a substantial period of time then a new full title search is made. If new owners are found then the process needs to start over at Step 5.

Finding: The City of Greensboro is the only benchmark city that conducts multiple title searches.

All the benchmark cities do a lis pendens early in the housing process. The lis pendens allows for any new or current owner to know any liens, levies, or procedures taken out on their property. In other words, with this procedure any new property owner or current property owner should know of any action pending on their property. Due to the lis pendens, the benchmark cities said they do not conduct multiple title searches.

- **Step 11** – The case goes to the Minimum Housing Standards Commission. The commission has an undetermined amount of extensions it can give. The commission has the ability to have a structure demolished.

Finding: Each city has a different appeals process that at times can involve more than one board, committee, or council. In addition, many cities have their city council make the final decision on demolition cases.

The cities of Raleigh and Winston-Salem have all appeals go to the city council or a subcommittee that is comprised of city council members. In both locations, the city council makes the final decision before a final action is taken. In Charlotte, a case can be appealed to the Housing Appeals Board within 10 days of receiving an order. After the appeal, the final decision involving a possible demolition is presented to the Charlotte City Council and repair cases go to the city’s Environmental Court. The City of Durham has two locations for appeals. Repair appeals go to the Community Life Board and demolition appeals go to the Housing Appeal Board. In Salisbury, appeals go to the Zoning Board and final rulings are made by the city council.

Both in Charlotte (with the Environmental Court) and Durham (with the Community Life Board), the cities give boards/courts the ability to fine individuals. Lastly, information on how many extensions each council, sub-committee, board, and court can give was not obtained. Further time will be needed to collect this information.

- **Step 12** – If the commission decides to demolish a property, staff records a lien against the property for the cost of the demolition (in the Guilford County Courthouse). This process is completed three days after the Minimum Housing Standards Commission meeting.
- **Step 13** – An inspector reinspects the property within 90 days of the commission meeting to see if the property has been brought into compliance.

Finding: The cities of Charlotte, Durham, and Salisbury give less time than Greensboro or no additional time to property owners after their council or board gives the final determination.

The City of Charlotte gives property owners no additional time after the council votes. The city of Durham and Salisbury give their property owners 30 and 14 days more before the final action is taken.

- **Step 14** – The Legal Department reviews the case and advises to proceed with the demolition. This happens after the reinspection in Step 13.

Finding: The City of Greensboro is the only benchmark city that proceeds with a last review from its Legal Department.

A majority of the benchmark cities commented that once the process has gone this far either there was no need for a final review because a final decision had been made or that their legal department had already checked the information. Also, many departments had quality control procedures in place when it came to reviewing demolition cases. For example, the City of Charlotte has an employee inside the Code Compliance Division that makes sure that all legal/ordinance procedures are followed before a vote on a demolition occurs.

- **Step 15** – The property is inspected for asbestos. This task takes up to 30 days after the Legal Department has advised to proceed with the demolition.

- **Step 16** – The bids for the demolition are awarded to the lowest bidder within 30 days of the asbestos inspection.
- **Step 17** – The demolition is completed within 30 days.
- **Step 18** – An inspector verifies if the structure has been demolished one day after the contractor scheduled date. Following the verification, the inspector closes out the case.

Minimum Housing	Highlighted Steps					
	Step 4: Response to Notice of Hearing	Step 5: Allowers Give Notice of General Mail before City Move Forward	Step 6: Conduct Full Title Searches of All Cases	Step 9: Time for a Full Title Search	Step 8: Max Extensions Inspectors Allowed to Give	Step 10: Complete Multiple Full Title Searches
Charlotte	30 days	No	No	14 days	360 days	No
Durham	14 to 21 days	Yes	No	10 days	30 days	No
Raleigh	30 days	Yes	Yes	2 to 5 days	20 days	No
Salisbury	20 days	No	Yes	2 to 5 days	30 days	No
Winston-Salem	10 to 30 days	No	Yes	14 to 21 days	0 days	No
Greensboro	14 to 21 days	Yes	Yes	30 days	270 days	Yes

Nuisances - Lot Cleanup

The following are the procedures that the City of Greensboro’s Code Compliance Division follows to complete a noncompliant nuisance case (from this point forward nuisance cases will be called lot cleanup cases to distinguish it from junk and abandon vehicle cases, which at times are referred to as nuisance cases). Be aware that at anytime through the process a case in violation can come into compliance and once in compliance the case is closed. The Code Compliance Division provides evaluation of lots and residential properties in this process.

In the following lot cleanup comparisons with the benchmark cities, the City of Greensboro generally followed many of the same time frames as the benchmark cities. However, the following findings will show a few administrative procedures and one appeal time frame that cause the City of Greensboro’s process to be longer than the other benchmark cities.

- **Step 1** – Complaint is received by administrative staff in the Code Compliance Division area in the municipal building or an inspector finds a site in noncompliance through their own initiative.
- **Step 2** –An inspector inspects the lot within 2 days of the violation being reported.

Finding: All the benchmark cities take a photo of the property the first time they visit it. Greensboro does not.

The City of Greensboro waits to take a picture of the site until much later in the process. The City takes a photo before the site is cleaned by a contractor. The benchmark cities have their inspectors take a photo at their first visit to record the original state of the violation.

- **Step 3** – A Notice of Violation (NOV) is written and mailed to the homeowner on the tax record by certified mail, first class mail, and a notice is posted on the property. The posting on the property is completed immediately after the violation has been seen.

Finding: The City of Greensboro is the only benchmark city that will send out certified mail no matter the situation.

The City of Raleigh does a property search and sends out certified mail further down in the process and only if the estimated clean up costs are \$500 or above. None of the other benchmark cities send certified mail. All the other cities send a first class letter to the person on the tax record and/or post the property.

- **Step 4** – Inspector reinspects the property within 15 days to see if violations have been corrected.

Finding: Most benchmark cities allow property owners less days to comply from the time the letter leaves the division.

The cities of Charlotte, Durham, and Raleigh allow 10 days and Winston-Salem allows 9 days.

- **Step 5** – The Property Management Division does a full title search to see if there are any additional owners of the property. If any additional owners are found then a certified letter is sent to them. The full title search and the wait for notification that all the owners of the property received the letter takes 19 days.

Finding: The City of Greensboro is the only benchmark city that does an additional property search in the process.

Many of the cities believe that sending a first class letter and posting the property are sufficient to contact all of the potential owners of one property. In other words, they feel there is no need to do an additional property search to locate other owners because the due diligence has already been completed.

Again, Sec. 17-3 details the service of notice. Property owners shall be notified of the violation by personal delivery or by registered or certified mail. If the notice is refused or returned unclaimed, then the property can be posted with the notice

- **Step 6** – The inspector reinspects the property to see if the violation has been corrected. This happens 15 days after a notification letter has been sent indicating the owner received the notification.
- **Step 7** – Property violations are recorded (video camera or pictures) and a price is assigned for cleaning the lot. This usually happens one day after the reinspections.
- **Step 8** – The Code Compliance Division assigns the job to an independent contractor or a contractor that is assigned to the area. The contractor has 2 days to clean the property.

Finding: Three benchmark cities have their own department cleanup crews with one other city in the process of evaluating starting their own.

The cities of Durham, Raleigh, and Winston-Salem have their own department cleanup crews. The three cities still contract out cleanups during peak seasons. The City of Salisbury is evaluating the idea of adding a division cleanup crew.

- **Step 9** – Once completed the contractor notifies the inspector of completion and then sends the bill to the City. This usually takes 2 days after the property has been cleaned.

- **Step 10** – The inspector checks the property to make sure it has been cleaned and records the condition of the property (video camera or pictures). This usually happens within one day of the notification by the contractor. Following the verification the inspector closes out the case.

Nuisances - Lot Cleanup	Highlighted Steps		
	Step 3 - Service Certified Mail	Step 4 - Time to Comply after Letter Leaves Division	Step 5 - Conduct Full Title Search
Charlotte	No	10 days	No
Durham	No	10 days	No
Raleigh	No	10 days	No
Salisbury	No	10 days	No
Winston-Salem	No	9 days	No
Greensboro	Yes	15 days	Yes

Zoning Enforcement

The following are the procedures that the City of Greensboro’s Code Compliance Division follows to complete a noncompliant zoning enforcement case. Be aware that at anytime through the process a case in violation can come into compliance and once in compliance the case is closed.

In the subsequent comparisons with the benchmark cities on Zoning Enforcement, the City of Greensboro generally followed many of the same time frames as the benchmark cities. However, a few processes of the City of Greensboro differ from the other benchmark cities.

- **Step 1** – Complaint is received by administrative staff in the Code Compliance Division area, in the municipal building, or an inspector finds a site in noncompliance through their own initiative.
- **Step 2** –An inspector inspects the area within 2 days of the violation being reported. The inspector takes a picture of the possible violation.
- **Step 3** – A Notice of Violation (NOV) is written and mailed to the property owner by certified mail, and if there is no confirmation of the certified mail then the letter is hand delivered.

Finding: Three benchmark cities have different methods in which they notify individuals that have violated a zoning code.

The cities of Charlotte (send first class mail) and Salisbury (first class mail and only posts the property if necessary due to returned mail) do not send certified letters. The City of Winston-Salem sends certified and first class mail along with posting the property.

- **Step 4** – The property owner has the chance of appealing the Notice of Violation (NOV) within 15 days of the notification letter or the day the letter was hand delivered.

Finding: The cities of Charlotte, Durham and Salisbury have different appeals times.

The following are the days the cities allow for an appeal: Charlotte 10 days, Durham 30 days, and Salisbury 7 days.

- **Step 5** – An appeal hearing can be heard by the Board of Adjustment. This process can take up to 30 to 60 days to complete due to the date of the Board of Adjustment meetings. If the appeal

is turned down the property owner has the opportunity to appeal the case to the North Carolina Superior Court. This process can take an undetermined amount of time due to the different nature of each case. Lastly, the property owner can ask for a text amendment, rezoning of the property, etc. If the property owner obtains this change then the previous violation comes into compliance.

- **Step 6** – Within two days of the final appeal, the inspector reinspects the property.
- **Step 7** – A civil penalty is written and mailed to the property owner(s) by certified mail or if the certified mail cannot be confirmed then a hand delivered letter is sent. Civil penalties are issued until the property comes into compliance. The inspector closes the case as soon as the owner comes into compliance.
- **Step 8** – If within 5 years a person reoffends on the same violation then civil fines will be issued.

Finding: Cities of Charlotte, Durham, and Salisbury either give shorter periods or do not have a time period for subsequent offences.

Charlotte gives a period of 1 year and Durham gives a period of 2 years while Salisbury does not have a time period (e.g. an individual can reoffend within a month of their last violation and they do not receive a fine. The individual will go through the process again).

Zoning Enforcement	Highlighted Steps	
	Step 4 - Days to Appeal a Hearing	Step 8 - Time Period for Violation Due to Reoffending
Charlotte	10 days	1 year
Durham	30 days	2 years
Raleigh	15 days	5 years
Salisbury	7 days	No Time Period
Winston-Salem	15 days	5 years
Greensboro	15 days	5 years

Data Analysis Comparison

The following section of this document contains comparative data collected from North Carolina cities that have been identified as being comparable to the City of Greensboro and/or cities that are examples of providing excellent code enforcement service. The fiscal, personnel, and output information for this section was taken from Fiscal Year 2011-2012 data.

All of the data in the following section was collected by the Greensboro Budget and Evaluation Department over a three month period. The data was collected in two different methods. First, data was collected with the help of a survey that was sent to the benchmark cities. Second, data was collected with on site interviews, follow-up interviews (done by phone), and emails conducted by the Budget and Evaluation Department. Follow-up interviews and emails were sent to make every effort that the data received was accurate and matched the data that had been previously collected.

In addition, there are no universally held goals for the funding of code compliance operations. Each community must make decisions about the level of code compliance that is right for them. The following

comparative data is offered as a method for comparison on making decisions about the appropriate levels of code compliance.

The Code Compliance Division is a division of the Planning and Community Development Department. The division has thirteen fulltime employees. The division includes nine inspectors providing service for zoning enforcement, minimum housing and nuisance abatement. The division also includes two supervisors and two administrative staff

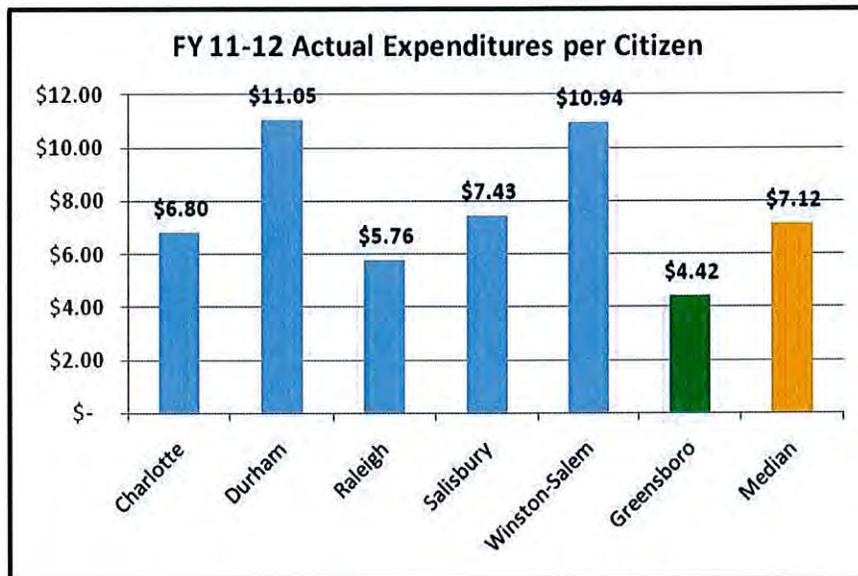
For the most part, inspectors work in their own areas of enforcement. However, during times of high demand in one area, mostly in Nuisance/Junk Motor Vehicle Compliance, inspectors will assist another area other than the one in which they work (Please see Appendix B for an organizational chart of the Code Compliance Division).

Cost Comparison

The first section will focus on cost statistics or statistics that look at the Greensboro Code Compliance Division program cost compared to the benchmark cities. The following statistics will be looked at in this section: FY 11-12 Actual Expenditures per Citizen and FY 11-12 Cost Recovery.

The first statistic used in the cost area comparison is FY 11-12 Actual Expenditures per Citizen. This statistic was used to determine how the Greensboro Code Compliance Division is funded compared to other benchmark cities. Please be aware that zoning enforcement expenditure data from the City of Durham was not sent to the Greensboro Budget and Evaluation Department. However, this information would not affect the median figure for this graph due to the fact that Durham has the highest expenditures per citizen.

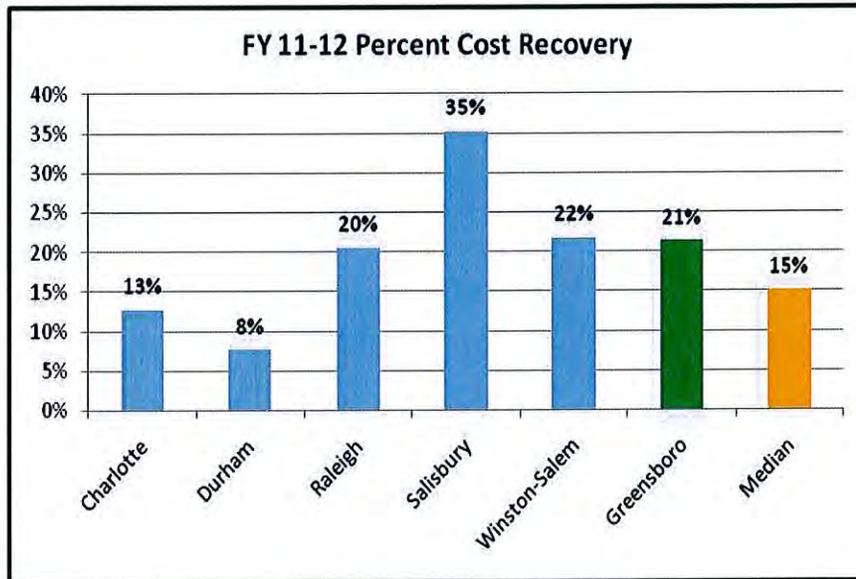
The City of Greensboro's Code Compliance Division spends less than all of the benchmark cities and the median for the group. While the median expenditures were \$7.12 per citizen, the City of Greensboro was \$4.42 per citizen.



Finding: The City of Greensboro has the lowest expenditure per citizen when compared to its benchmark cities and the median for the whole group.

The second statistic used in the cost area is the FY 11-12 Percent Cost Recovery. This statistic was used to determine how the Code Compliance Division does in recovering costs from individuals that use its service.

Greensboro's cost recovery is above the median of the cities sampled with the median being 15% and Greensboro's being 21%. Greensboro cost recovery seems to be comparable or slightly more than most of the cities in the benchmark group.



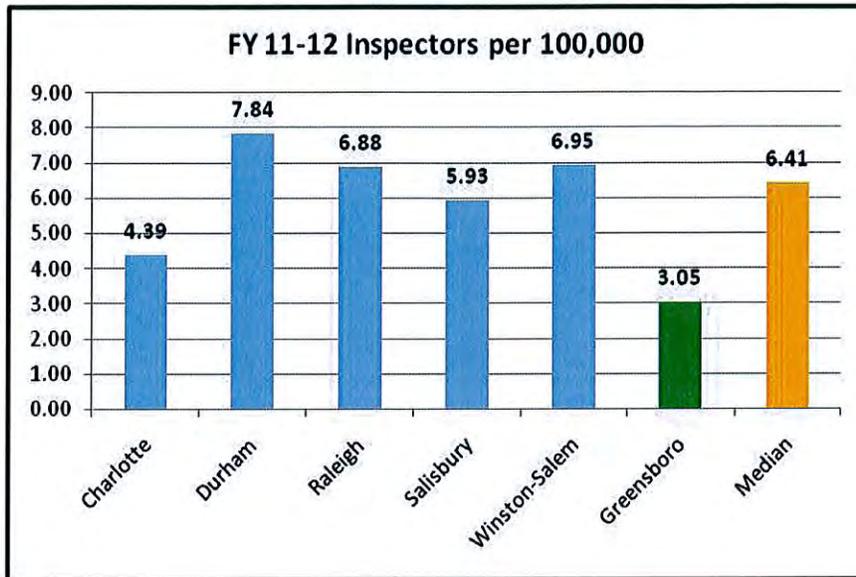
Finding: *The City of Greensboro does relatively well in recovering cost when compared to its benchmark cities and the median for the whole group.*

Personnel Comparison

The second section will focus on personnel statistics or statistics that look at how many personnel the Greensboro Code Compliance Division has compared to the benchmark cities. The following statistics will be looked at in this section: FY 11-12 Inspectors per 100,000, FY 11-12 Inspectors Plus Supervisors per 100,000, FY 11-12 Total Staff, and FY 11-12 Inspectors per Square Mile.

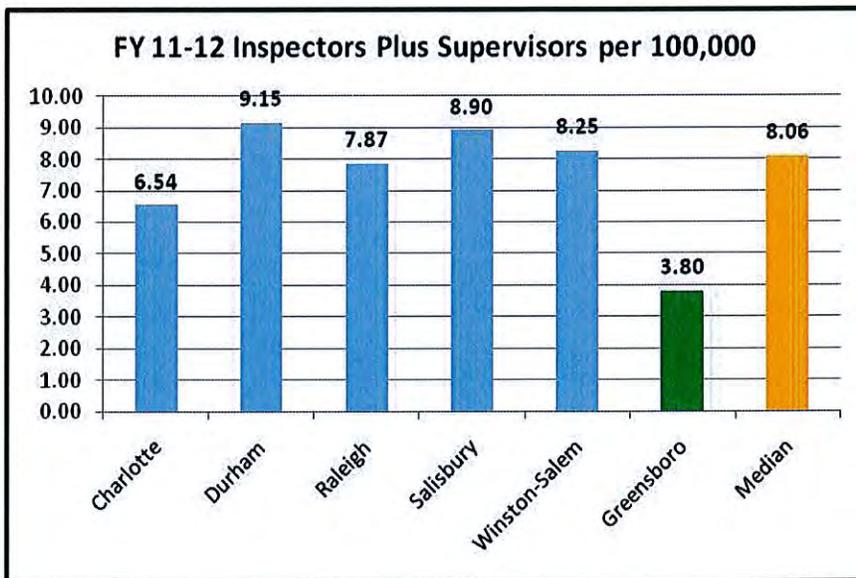
The first statistic used looks at the City of Greensboro's code compliance inspector staffing compared to its benchmark cities. The statistic per 100,000 refers to 100,000 people in a city's population, and was used to standardize the different population sizes for the benchmark cities.

The City of Greensboro's Code Compliance Division has less code compliance inspectors per 100,000 than its benchmark cities. In fact, Greensboro has less than half the amount of inspectors than the median of the benchmark group.



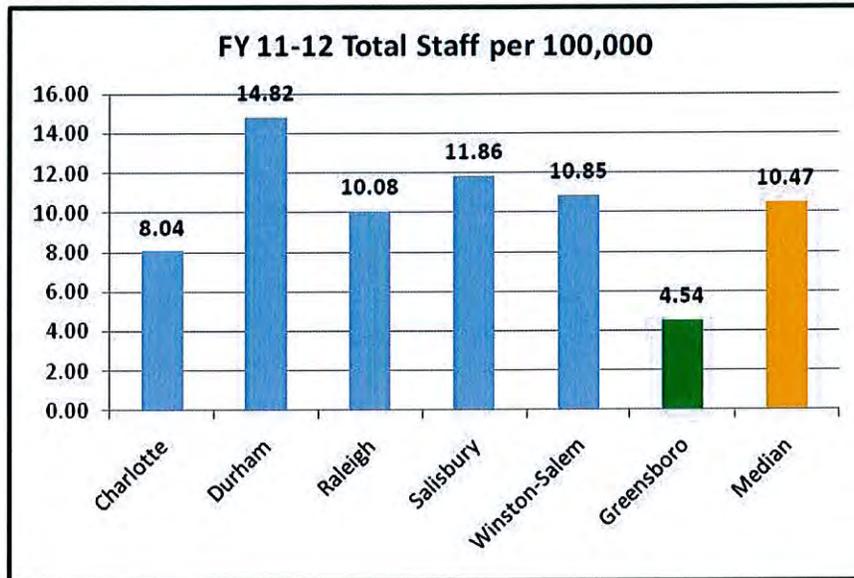
Finding: Compared to its benchmark cities and the median, the City of Greensboro has fewer inspectors per 100,000 in population.

When inspectors and supervisors are combined, the City of Greensboro remains last in employees per 100,000. Supervisors were added to inspectors on this graph to show what kind of supervision the inspectors have while also showing how many back up inspectors each city has. Usually, in each city, supervisors can also act as inspectors in times of high demand.



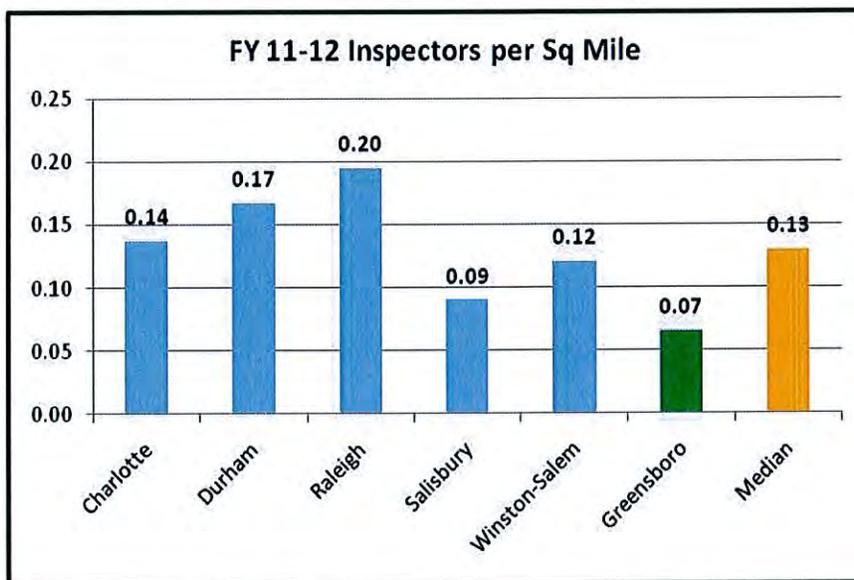
Finding: The City of Greensboro has less inspectors and supervisors per 100,000 in the population compared to its benchmark cities and the median.

When inspectors, supervisors, and administrative staff (e.g. clerical staff, data analysis staff, and cleanup crews that are not credentialed to be inspectors) are combined, the City of Greensboro remains last in employees per 100,000. Administrative staff was added to inspectors and supervisors on this graph to show what kind of support the inspectors and supervisors have in completing their work.



Finding: The Code Compliance Division has less total staff per 100,000 in the population compared to its benchmark cities and the median.

The performance measure inspectors per square mile was used to see the relative coverage that inspectors have in their communities (this measure was calculated by taking inspectors by total square miles in a city). As seen in the graph below, the City of Greensboro’s Code Compliance Division has fewer employees per square mile than its benchmark group and the median.



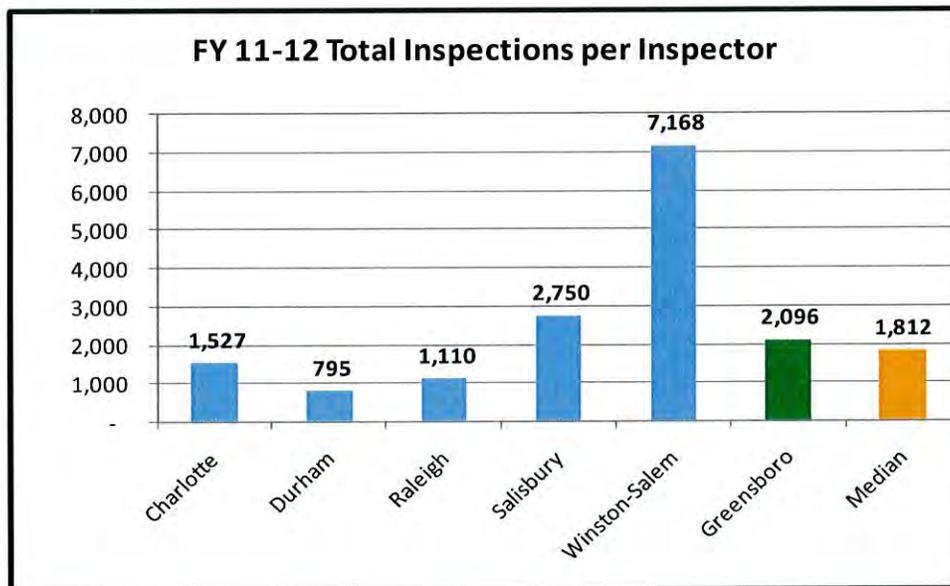
Finding: The city of Greensboro has fewer inspectors per square mile than its benchmark cities and the median of the group.

Demand and Service Delivery Comparison

The demand and service delivery area of the comparison section will focus on a demand statistic and service delivery statistic. The first graph in this section focuses on the level of demand on the inspectors. The second graph in this section looks at how Greensboro's code compliance inspectors identify code violations (e.g. was a case identified through a complaint or inspector initiative). The following will be looked at in this section: FY 11-12 Total Inspections per Inspector and FY 11-12 Percent Pro-Active Cases.

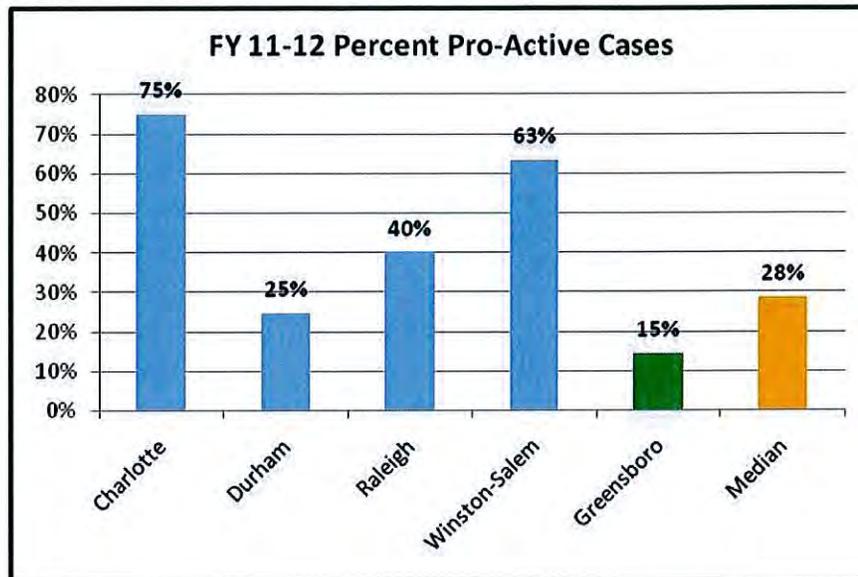
As is shown below, the City of Greensboro conducts more inspections per inspector than the benchmark median. The only two cities that complete more inspections are Salisbury and Winston-Salem. The Winston-Salem number is much larger than the rest of the benchmark group. Budget and Evaluation has made every effort to confirm this variation. Winston-Salem staff offers the following reasons for the wide variation:

- Assertive and aggressive inspector goals. Aggressive goals encourage staff to work efficiently.
- Multiple authority for inspectors. Inspectors should have authority to enforce multiple sections of the code (e.g. junked vehicles and motor vehicle storage yards). Each investigation could hypothetically lead to 9 or more violations being generated in Winston-Salem's Code Enforcement. This also results in a more efficient use of time, labor, and equipment.
- Focus on neighborhoods and communities rather than just code. Inspectors meet with neighborhood associations. Communications occur and the neighborhood and community citizens keep inspectors informed of conditions in their area.
- Continuous change and new programs that keep code enforcement fresh (e.g. focus on thoroughfares – minimum 2 days per week, priority inspection list – repeat locations and locations recommended by neighborhood associations, chronic violator list – locations meeting our chronic violator criteria).
- Field based computers that utilize applications to complete much of the previous tedious research work and that allow for much of the documentation function to be completed in the field with real time communications.
- Smaller work areas/zones.



Finding: The Greensboro Code Compliance Division inspectors make more inspections per inspector than the benchmark median.

A code compliance case can be started either of two ways. A reactive case results from a complaint from a citizen. A proactive case is started by an inspector identifying a problem prior to a complaint being lodged. The data below shows that the City of Greensboro had the lowest percent of cases in which its inspectors initiated the inspection during FY 11-12. In addition, the City of Durham (second to last in the graph below) reported that their level of proactive cases will increase significantly in FY 12-13 due to the fact that the division is becoming more accustomed to providing a proactive service. The City of Salisbury was not included in this graph because it does not track this statistic.



Finding: As a percent of total cases investigated, the City of Greensboro has the lowest rate of proactive cases compared to the other benchmark cities in this comparison.

Two Major Code Compliance Strategies

Within the code compliance field there are two major strategies or approaches that cities utilize to operate their division. The first strategy is called reactive code compliance. The reactive code compliance strategy almost entirely relies on complaints from the public. Once the complaint is made the code compliance division reacts to the complaint.

The second strategy is called proactive code compliance. In this strategy, the code compliance division identifies and abates code violations without a complaint directly being made about the case. The proactive strategy is a multi-prong approach in which code compliance divisions not only actively look for code compliance violations but also look to engage the community. Engagement with the community includes fostering partnerships with community groups, use of volunteers and civic groups, educating the public on the city's codes, use of data to identify areas needing assistance, operating on flexible shifts that allow inspectors to work when the public is at home, and etc. The goal of the proactive approach is to heighten awareness to the city's codes and work hand-in-hand with the community to better understand the issues that are affecting it. That all being said, no code compliance division runs a completely 100 percent proactive or reactive strategy. Code compliance divisions typically rely on a combination of the two strategies (e.g. proactive programs still take complaint calls from the public); however, usually emphasizing one strategy more than the other.

The benefits of a reactive code compliance strategy include cost and a demand driven process that is less confrontational. This strategy will allow for less staff due to the fact that the division is only reacting to complaints and not actively looking for violations and trying to engage the public. In the reactive approach, inspectors are taking calls from the public instead of initiating cases, which could bring a different type of reaction from the owner of a possible violating property. The negative aspect to the reactive strategy is that staff is continually reacting to conditions. Additionally, there is very little time for educating the community and preventing code violations that could affect the public when there is less staff. This strategy allows code compliance problems to become larger or more severe until they are reported by the public or by the media.

The proactive strategy emphasizes engaging the public about their community issues while also educating them about the adopted City codes. This strategy allows for the development of a relationship that can possibly help a code compliance division become more efficient and effective with the help of the community. Lastly, the relationship created with the public allows for a level of buy in to be created. By getting the public active in the code compliance process they could take more ownership of the process for their neighborhoods.

Proactive compliance could require a higher level of staffing and confrontational interactions at the initiation of the program. Departments may spend a significant amount of time working to coordinate efforts to make the strategy a success. For example, many cities have their code compliance divisions work closely with their public affairs, human relations, and police departments. To effectively deploy this strategy, city departments have spent time working together to help improve each other's operations.

Each community needs to decide what its code compliance division is working towards and whether each strategy will help it towards its goals.

In the next section, a list of different proactive code compliance programs is included for informational purposes. Hopefully this list will give the reader a better understanding of some proactive programs that are operated around the country.

Code Compliance Proactive Programs

The following section outlines 5 proactive code compliance programs that were cited from different reports from around the country, or were found while doing research in different North Carolina municipalities (Please see appendix B to see 20 more examples of proactive code compliance programs). The information was cited from the following reports: *An Incremental Approach to Improving Code Enforcement and Compliance in Clayton County, GA*, conducted by the University of Georgia's Carl Vinson Institute of Government; *Subject: A New Program: A Proactive Strategy to Neighborhood Preservation: Including, A Review of Code Enforcement for Chronic Violators and Complaint-Based Enforcement*, conducted by the City of Sunnyvale, CA; and *Performance Audit – Neighborhood Preservation Division*, conducted by the City of Kansas City, MO.

Proactive Programs

1) Administrative Citations – Baltimore, MD

"The city streamlined the enforcement process by implementing administrative citations, similar to parking tickets, for failure to comply with a violation notice. Property owners are now only taken to housing court if the violations have not been resolved after several months and two \$900 citations. The new process allows the city to aggressively enforce its housing codes without

spending as much time and money having lawyers bring every case to court. The new process is expected to cut the average enforcement time in half.”²

2) Assigning Inspectors to Geographic Areas - Charlotte, NC

The City of Charlotte assigns their inspectors to geographic areas and also locates their offices in the same geographic area. This assignment allows for enforcement officers to become active and knowledgeable about their areas and create lasting partnerships with neighborhood groups.

3) Community Action Teams (CATEams) – Salt Lake City, UT

“It is a multidisciplinary approach to solving community issues at the neighborhood level. The teams are assigned to areas that coincide with the City’s seven council districts. They meet weekly to discuss issues in their communities and to fashion comprehensive solutions to community problems. Issues are referred to the teams from the community through the police department, city council office, mayor’s office and various city and community agencies. The primary focus of CAT is crime prevention with code enforcement, health and social services supporting activities.”³

4) Community Life Court – Durham, NC

“Community Life Court addresses repetitive building, housing and zoning code violations. Cases get special and swift attention and sanctions include a fine and/or imprisonment, with the possibility of probation. The court is designed to address those offenses such as littering and housing code violations that have previously been given a low priority in criminal case processing. Cases are grouped in a special docket and presided over by the same judge.”⁴

5) Creating a New Department with Code Compliance, Community Engagement, and Human Relations that is called Neighborhood Improvement Services Department – Durham, NC

The City of Durham has created a new department that combines divisions that have a similar vision. “The Neighborhood Improvement Services Department works to preserve and improve quality of life conditions for Durham residents, and to encourage active participation in neighborhood redevelopments and public policy and decision making dialogue.”⁵

Recommendations

The recommendations section of the study is separated into three sections. The following are the sections:

- General Recommendations for the Code Compliance Division
- Recommendations for a Code Compliance Division that Operates with a Reactive Strategy
- Recommendations for a Code Compliance Division that Operates with a Proactive Strategy

² City Auditor’s Office. “Performance Audit Neighborhood Preservation Division.” City of Auditor’s Office of the City of Kansas City, MO. September 2012.

³ Boesch, David S Jr. Sunnyvale, California. RTC 00-232 Attachment: Best Practices Research. Sunnyvale, CA: Sunnyvale, CA, 2000. Web. 28 Dec 2009. <<http://sunnyvale.ca.gov/200006/rctcs/00-232e.htm>>.

⁴ ibid

⁵ <http://durhamnc.gov/ich/cb/nis/Pages/Home.aspx>

General Recommendations

The following recommendations are for the Greensboro Code Compliance Division no matter what strategy of enforcement it utilizes in the future. In other words, these recommendations could be used if the Code Compliance Division operates on either a reactive or proactive strategy.

If all the recommendations are taken in the minimum housing and nuisance (lot cleanup) processes there are opportunities for significant time savings with cases. A minimum housing compliance case has no maximum time limit. The Minimum Housing Standards Commission can give an indefinite amount of extensions. A typical case without any extensions from the Minimum Housing Standards Commission would take 454 days. The potential time savings for a minimum housing case could be up to 275 days if the recommendations were accepted (for a case that does not come into compliance).⁶ The maximum amount of time for a nuisance (lot cleanup) case is 44 days. The time savings for a nuisance (lot cleanup) case could be up to 15 days (for a case that does not come into compliance).

Minimum Housing	Unlimited	275	N/A
Minimum Housing case without extensions from the Minimum Housing Standards Commission	454	275	179
Nuisance (Lot Cleanup)	44	15	29

Recommendation – The Code Compliance Division should research obtaining a case management system.

Currently, the Code Compliance Division has an in-house computer program that allows for inspectors to input information on cases. The information that is put into the current system is limited and it does not report all of the significant aspects of a case.

A case management system would be a more robust version of the current program. The case management system would record all the important times when an inspector interacts with a possible violation. In addition, a case management system would allow for inspectors to upload electronic photos from cases to the system, so there would be evidence of the condition of a case over time.

A case management system should be compatible with all areas of code compliance, so that the zoning compliance area can input information into it as well. Currently, zoning enforcement officers have no electronic system to input their information that tracks all their activities, which means there is no quick method to evaluate their cases.

Any new system should allow for the Code Compliance Division to report its activities quickly and accurately as to inform the public and internal staff. Without accurate and pertinent information, the division will not be able to improve itself, and it will not be able to inform the public accurately or in a timely manner.

⁶ The potential time savings for a minimum housing case of 275 days includes 90 days of extensions given by inspectors.

Recommendation – Evaluate the need for additional staff after more reliable data has been put into the code compliance computer system and the impact of the Code Compliance Division reorganization can be assessed.

Evaluating the need for additional staff was difficult due to irregularities with some of the data in the code compliance computer system and the lack of information from the zoning compliance area. The code compliance computer system is where inspectors input information about cases. When evaluating response time performance measures in the system, staff found places where information was missing or appeared wrong when it came to inspector turnaround on complaints (e.g. the time from when a complaint is made to when an inspector inspects the possible violation). The main reason for the problems with the data was due to the faulty internet cards that the inspectors were using. It was reported that staff could not get connectivity while in the field using the old internet cards, so they could not input their information into the system after an inspection. The delay in inputting information into the system could have caused staff at times to forget to input information or to enter incorrect information. With the new internet cards, staff should be able to put accurate data into the code compliance system and management will be more able to assess if inspectors are getting to cases in the appropriate amount of time.

The creation of a place for the zoning compliance area to enter all their response and case data would also help in accessing the need for more zoning compliance staff. Currently, there is no effective automated method in which Planning and Community Development management can evaluate the workload and effectiveness of zoning compliance staff.

In addition, more time will be needed to see the impact of the Code Compliance Division reorganization. Starting in July 2012, the division reorganized by eliminating a manager position in order to move three part-time inspectors to fulltime and create one new part-time inspector position. With the new help, response time performance measures could improve enough to eliminate the need for new staff.

Recommendation – Continue to cross train staff in the different code compliance areas (junk and abandon vehicles, housing, lot cleanup, and zoning enforcement).

Before last spring, staff was not cross trained in the different code compliance areas. During last spring when lot cleanup became an issue, due to the high volume of cases, most inspectors started working lot cleanup cases (e.g. housing and zoning inspectors were helping with lot cleanup). In the future, it would make the Code Compliance Division more flexible and give it the ability to react to problems in all areas quickly if they were cross trained in almost all the disciplines.

It should be noted that the training to become a zoning enforcement official can take a considerable amount of time. However, the division could consider investing education funds in one or two inspectors that can act as back up zoning enforcement officials while completing their own primary duties. Currently, the City has only two zoning inspectors with one individual in management in the Planning and Development Department also having zoning enforcement credentials.

Recommendation – Increase the amount of the performance measures reported. In addition, consider participating in the ICMA Comparative Performance Measurement Program.

Currently, the Code Compliance Division reports two performance measures in the Planning and Community Development work plan. The following are the measures:

- 1) Average number of calendar days to resolve zoning and local violation cases from first inspection to compliance.
- 2) Average number of business days from initial Zoning/Local Ordinance Enforcement complaints to first inspection.

The above measures look at two important aspects of local code compliance. However, it only tells a limited story. The above performance measures are not reported on by separate area (junk and abandon vehicles, housing, lot cleanup, and zoning enforcement) and there are additional performance measures that would be helpful in reporting to city management, city council, and the public.

A good location for code compliance performance measures is found at the ICMA Comparative Performance Measurement Program. Unfortunately, the UNC School of Government does not include code compliance as one of its service area comparisons in the North Carolina Cities Benchmarking Project. The ICMA program does a benchmarking process with other cities and counties around the United States that have code compliance programs. The ICMA Comparative Performance Measurement Program breaks out performance measures by each code compliance area: junk and abandon vehicles, housing, lot cleanup, and zoning enforcement.⁷ By breaking out each performance measure by the different code compliance areas, a municipality is able to see which areas are performing well and which areas need attention. Even if the City of Greensboro does not decide to join the ICMA program, it would be a positive step to start breaking out each performance measure by code compliance area.

The following recommendations are related to findings from the Code Compliance Statutes and Local Ordinance Section:

Recommendation – Change all references in the code that designates the power to the director of Engineering and Inspections to the director of the Planning and Community Development Department, and make similar changes as necessary to reflect the move of code compliance to the Planning and Community Development Department.

The codes related to compliance should be updated to reflect the change to where code compliance is within the organization. This should include the designation of the public officer and any other reference to the inspections department and building inspectors. Given all areas of code compliance are now organizationally within the Planning and Community Development Department, all references should be updated to reflect that change.

Recommendation – Benchmark other cities to explore extensions allowed by their housing standards appeal boards to compare with the authority of the Minimum Housing Standards Commission.

Currently, Greensboro's Minimum Housing Standards Commission has an undefined amount of time in which it can give extensions to property owners. It is unknown at this time if the other benchmark cities' various boards and commissions that hear minimum housing appeals also have an undefined amount of extensions it can give a property owner. Staff should benchmark this section of the process, which is likely to yield important findings. If the benchmark results, from the cities, reveals that they have a limit in extensions it gives the equivalent of the Minimum Housing Standards Commission then the City of Greensboro should think about placing limits on the amount of extensions the Minimum Housing Standards Commission can give.

⁷ The ICMA program combines abandon vehicles and lot cleanup into one category called nuisance and creates two categories for housing called housing and dangerous buildings.

The following recommendations are related to findings from the Code Compliance Process Comparison Section:

Recommendation for the Junk and Abandon Vehicle Process – Code Compliance staff should think about having vehicle appeals be conducted with the same staff member for equity reasons.

The City of Greensboro could think about making all appeals for vehicle cases go to one individual. By having appeals go to one individual it makes sure that each person is given the same opportunity in the same environment. The City of Winston-Salem makes sure that each property owner meets with the code compliance supervisor for the initial housing appeal. The City of Winston-Salem does this for equity reasons. Allowing for each appeal to have the same environment allows for the city to avoid variables that might give two different conclusions to the same type of appeal.

Recommendation Number 1 for the Housing Process– Take a photo of the violation(s) the first time the inspector arrives on the property.

Currently, the inspectors take photos of a potential violation(s) later in the process. By taking a photo early on in the process, the staff can record a violation(s) and store it a case file. Each time the staff visits the site they could take a photo as evidence of progress by the owner. If any problems happen to arise from the case, the staff can reference the picture(s) in its case file.

Recommendation Number 2 for the Housing Process – Limit full title searches to demolition cases and cases with special circumstances.

The City of Durham does not conduct a full title search on cases until they have come to the point of a possible demolition. The City of Charlotte does full property searches for the following situations: demolitions, properties posted for sale, open or vacant properties, and cases going before the Environmental Court.

With the City of Greensboro taking 30 days to complete a full title search and with only a minority of cases getting to the demolition stage it could save the City of Greensboro a significant amount of time and administrative work, if full title searches were only conducted for demolition cases and cases with special circumstances. The City could save time if it delayed the full property searches until it became necessary. By following this procedure, the City could eliminate full property searches for cases that have a high likelihood that they will come into compliance.

Recommendation Number 3 for the Housing Process –Reduce the time necessary to complete title searches.

The City of Greensboro has its Legal Department conduct full title searches which on average take 30 days. A large majority of the benchmark cities do their own property searches in their department or with a department or division outside the Legal Department with a much shorter turnaround time. The main reason for this seems to be the Greensboro Legal Department is conducting more full title searches than the other benchmark cities. Another possible reason for the longer turnaround by the Legal Department compared to the other benchmark cities is that a majority of the other cities have staff outside of their legal departments conduct the searches. With legal departments having to work on important and time sensitive information, property searches could become a lower priority to complete than other work.

An alternative method to quickening the pace would be to accept Recommendation Number 2 for the Housing Process. This change would allow for less full title searches that could help the Legal Department to turnaround property searches quicker due to having to complete less searches.

A different department conducting the searches could quicken the pace. Currently, the Property Management Division in Engineering and Inspections completes property searches on lot cases. Since this division is already completing property searches in one area it could be explored if it could complete property searches for housing cases as well.

Recommendation Number 4 for the Housing Process –Move forward in a housing case without every owner of a property giving notice that they have received a certified letter.

The City of Charlotte moves forward after only one owner has given notice that he/she has been notified by a certified letter; however, it still attempts to contact owners through first class mail and posting the property while moving forward. The City of Salisbury notifies the public through a paper advertisement if all owners do not give notice of receiving the certified letter. The City of Winston-Salem sends the Notices of Hearing and repair orders by certified mail and by first class mail in conjunction with posting. If service is not achieved to all the owners through either method and an address cannot be determined by reasonable due diligence, the city publishes the information in a newspaper of general circulation in the county.

Each city moves forward in the process to bring a house into compliance. If it becomes apparent that the owner in communication with the city will not comply then before moving forward, with an order or official appeal, multiple forms of communication are used to notify all the owners of the property.

The City of Greensboro makes sure all owners of a house have given notice that they have received a certified letter before moving forward in the process. If the City of Greensboro followed the procedures of the above cities it could allow for the process to move along without stopping for periods of time while looking for every owner of a property. In addition, if this recommendation was implemented it could reduce the amount of full property searches that were conducted by the Greensboro Legal Department.

Recommendation Number 5 for the Housing Process – All initial housing appeals should be conducted with the same staff member for equity reasons.

The City of Greensboro should make all initial housing appeals go to one individual. By having initial appeals go to one individual it makes sure that each person is given the same opportunity in the same environment. The City of Winston-Salem makes sure that each property owner meets with the code compliance supervisor for the initial housing appeal. The City of Winston-Salem does this for equality reasons. With each property appeal having the same environment it allows for the city to avoid variables that might give two different conclusions to the same type of appeal.

Recommendation Number 6 for the Housing Process –Give inspectors less latitude in providing extensions.

Currently, the code compliance inspectors can give up to 270 days in extensions. This amount of time is longer than most of the benchmark cities. The City of Raleigh gives its inspectors the ability to give an extension of 20 days. The cities of Durham and Salisbury allow their inspectors to give an extension of 30

days. The City of Winston-Salem does not give inspectors the ability to give extensions and only gives this ability to its department director.

The City of Greensboro could explore reducing the amount of days in extensions that it allows its inspectors to give. However, reducing the amount of extensions that inspectors give does not mean individuals will receive fewer extensions. The City could allow for inspectors to give limited extensions while all other division extensions would be granted by the department director. Also, if a case arrives at the Minimum Housing Standards Commission it has the opportunity to give extensions.

Recommendation Number 7 for the Housing Process – Use lis pendens instead of doing multiple full title searches.

No other benchmark city completes multiple full title searches just to see if any new owners are found. Late in the housing process, the City of Greensboro does another full title search to see if there are any other owners. All the benchmark cities do a lis pendens early in the housing process. Use of lis pendens allows for any new or current owner to know any liens, levies, or procedures taken out on the property. All the benchmark cities do not complete another full title search late in the process because they have completed a lis pendens, which communicates to any owner the actions taken out on the property.

Recommendation Number 8 for the Housing Process – Give an individual within the Code Compliance Division the responsibility of quality control of the processes. This individual would be given the responsibility of making sure processes were followed correctly.

The City of Greensboro is the only benchmark city that proceeds with a last review from their Legal Department. A majority of the benchmark cities commented that once the process has gone this far either there was no need for a final review because a final decision had been made or that their legal department had already checked the information.

In fact, most benchmark cities had quality control procedures in place when it came to reviewing demolition cases. For example, the City of Charlotte has an employee inside the Code Compliance Division that makes sure that all legal and ordinance procedures are followed before a vote on a demolition occurs. The individual makes sure the process is followed correctly without having to continually burden the legal department. This alternative seems to allow for a cheaper and possibly faster alternative than having to go back to the City's Legal Department for assistance. In addition, this position does not have to be limited to the housing program area.

Recommendation Number 1 for the Lot Cleanup Process– Take a photo of the violation(s) the first time the inspector arrives on the property.

Currently, the inspectors take photos of a potential violation(s) before the contractor cleans a property. By taking a photo early in the process, the staff can record a violation(s) and store it in a case file. Each time the staff visits the site they could take a photo as evidence of progress by the owner. If any problems happen to arise from the case, the staff can reference the pictures in its case file.

Recommendation Number 2 for the Lot Cleanup Process– Stop sending certified mail to property owners with a lot cleanup violation, or only send certified mail when an estimated cleanup cost exceeds a given amount.

The City of Raleigh does a property search and sends out certified mail further down in the process than the City of Greensboro and this only happens if the estimated cleanup costs are \$500 or above. None of the other benchmark cities send certified mail. All the other cities send a first class letter to the person on the tax record and/or post the property.

Hopefully, by eliminating certified mail or reducing the amount of certified mail that goes out on lot cleanup cases, the City can expedite a case and lower its costs (benchmark cities said that sending certified mail was too expensive for the amount of lot cleanup cases they handle). Any move away from certified mail on most lot cleanup cases could be replaced by notifying with first class mail and/or posting a property.

Recommendation Number 3 for the Lot Cleanup Process—Eliminate full property searches on lot cleanup cases.

No other benchmark city does a second property search for lot cleanup cases. Many of the cities believe that sending a first class letter and posting the property are sufficient to contact all of the potential owners of one property. In other words, they feel there is no need to do an additional property search, which in the case of Greensboro is a full property search, to locate other owners because the due diligence has already been completed.

Currently, the full property search process takes the City of Greensboro 19 days to complete. If first class mail or posting the property was conducted it would help to shorten the 19 day wait.

If the City of Greensboro eliminated full property searches for lot cleanup cases this could leave more time for the Property Management Division to conduct full property searches for housing cases (if the responsibility for full title searches on housing cases were moved from the Legal Department to Engineering and Inspections' Property Management Division).

Recommendation Number 4 for the Lot Cleanup Process— Give property owners 10 days to comply with a lot cleanup order instead of 15 days.

The City of Greensboro gives property owners 15 days to come into compliance with a lot cleanup violation. The 15 days starts from the time the letter is sent to the property owner. Almost all the benchmark cities in this study give property owners 10 days to comply. The City of Winston-Salem gives its citizens 9 days to comply.

The following recommendations are in the process of being implemented or have been implemented:

Recommendation – Provide new internet cards to inspectors because the cards used in Fiscal Year 2011-2012 were not adequately working.

After Budget and Evaluation staff spent time with Greensboro code compliance staff in the field it became apparent that their internet cards were not working sufficiently, so they could complete their administrative tasks in a timely manner. Once Budget and Evaluation staff had travelled to the other benchmark cities it became obvious that the other cities had the same problems with the same internet cards. All of the benchmark cities had stopped using the deficient internet cards, which the City of Greensboro was using, and had started using different cards that seem to be working much better.

After reporting about the new internet cards that the other cities were using the City of Greensboro Code Compliance Division changed internet cards. At last report it seems the new cards are working well.

Recommendation – Start migrating to the use of tablet computers once laptop computer contracts have expired.

In the course of visiting the benchmark cities, Budget and Evaluation staff noticed that Durham was starting to use tablet computers (i-pads) instead of laptop computers out in the field. The following are the two reasons Durham reported that they have moved to using tablet computers:

- 1) The tablet computers were easier to carry in the field and could be carried into the evaluation sites. In addition, the tablet computers could also be used as a camera.
- 2) The tablet computers are much cheaper than a laptop computer and a digital camera together, which inspectors were carrying before the switch to tablet computers.

The City of Durham believes the tablet computers help their inspectors to become more efficient and they are cheaper to use. In addition to Durham, Salisbury and Raleigh are evaluating purchasing tablet computers. The cities of Charlotte and Winston-Salem became aware of Durham's use of the tablet computers during our trips to those cities.

Recommendations If Code Compliance Remains a Predominately Reactive Service

Recommendation – Study moving to a direct hierarchical command structure for quick response.

Currently, the code compliance division supervisor reports to two planning manager positions. Both managers are managing the Code Compliance Division along with many other duties. The two managers report code compliance information to the department director. In a reactive service, with compliance issues/problems appearing often, it would seem that a direct hierarchical command structure that has the head code compliance supervisor reporting straight to the department director would allow for quicker turnaround on difficult decisions. It seems that this organizational structure would be better for quick decisions because of the frequent issues that could come up and need for leadership from the director in a reactive strategy.

Recommendations If it Changes to a Predominately Proactive Service

Recommendation – Explore changing the Code Compliance Division to provide a proactive service that seems to highlight a focus on being more interactive with the community/neighborhoods.

The City of Durham has created a department, by the name of Neighborhood Improvement Services, which is made up of code enforcement, community engagement, and human relations. These three divisions were brought together because of their similar nature in actively working to listen to the citizens' needs while also educating the citizens on city policies. All three divisions work actively together which helps each to obtain its goals. The following is a passage from the City of Durham's Neighborhood Improvement Services Department's website:

"The Neighborhood Improvement Services Department works to preserve and improve quality of life conditions for Durham residents, and to encourage active participation in neighborhood redevelopment and public policy and decision making dialogue.

The department is responsible for enforcement of quality of life ordinances and state statutes including the City's Minimum Housing Code; Nonresidential Code; Weedy Lot, Abandoned and Junk Vehicle ordinances; and the State of North Carolina's Unsafe Building Statute.

The department's rapid responders, known as the Impact Team, remediate non-compliant housing properties; abate public nuisances, such as litter, graffiti, illegal dumping, and abandoned shopping carts; and conduct neighborhood service projects. The department's Community Engagement staff provides outreach and education to Durham residents and community organizations.

Guided by the City's Strategic Plan, the department helps ensure that Durham has thriving, livable neighborhoods by providing the highest quality of services to engage and educate the community, eradicate blight, ensure safer neighborhoods, and enhance neighborhood revitalization."

The City of Charlotte's Neighborhood and Business Services Department houses the Code Enforcement Division. In total, the Neighborhood and Business Services Department is responsible for the following services that "help to make Charlotte's neighborhoods and businesses healthy and vibrant":

- Minimum housing code enforcement
- Nuisance code enforcement
- Zoning ordinance enforcement
- Non-residence building code enforcement
- Affordable housing financing
- Rehabilitation services
- Business corridor revitalization
- Infrastructure investments
- Neighborhood leadership and organization development
- Business attraction and retention
- Youth engagement
- Small business opportunity and development
- Workforce development
- Public/private partnerships
- Transit corridor development

Similar to Durham, the City of Charlotte's Neighborhood and Business Services Department provides a proactive level of service to community/neighborhoods. In fact, the department has service area teams that are located in different district offices around the city. This allows for members of the department to be based in the community/neighborhood they work in. The department said the following about its decentralizing of services:

"Decentralizing these services provides a greater opportunity for utilization of education and awareness about the programs. In addition, we will continue to build upon our collaboration with the Charlotte Mecklenburg Police Department (CMPD), leveraging City resources to address issues most important to the community."

Members of the service area teams are placed in city buildings (e.g. old libraries, etc) in neighborhoods with the police department. By placing the two departments together it will hopefully help them work together to better solve a community/neighborhood's issues/problems.

Recommendation – Provide educational opportunities to the public on how to remain or come into compliance.

One approach to the proactive strategy is using education. Education of the public takes many different forms. The following are two examples of education that some communities use:

- Teaching code compliance classes in the community
- Using pamphlets that demonstrate methods to coming into compliance and where to get assistance to come into compliance

The above education methods could be beneficial. These methods could help the division to avoid further code compliance violations and help quicken the pace in which violations are brought into compliance.

Recommendation – Create performance measures that make sure that the Code Compliance Division is remaining proactive.

If a proactive approach is decided then performance measures will probably need to be put in place to track the division's performance. The following two performance measures could be used to monitor the division's commitment to a proactive approach.

- 1) Percent decrease in complaint calls
- 2) Percent proactive cases

Further Methods of Study

This study concentrated most of its efforts on quantifiable data or processes that were studied through site visits in the following cities: Charlotte, Durham, Greensboro, Salisbury, Raleigh, and Winston-Salem. Additional areas of study that could be explored in the future include looking at areas of the process that are qualitative like staff interaction with the public and with each other to see if stakeholder expectations are being met and all possible efficiencies are being obtained.

Appendix – A – Greensboro Code Compliance Process Steps

Junk/Abandoned Motor Vehicles

- **Step 1** – Complaint is received by administrative staff in the Code Compliance Division area, in the municipal building, or an inspector finds a vehicle in noncompliance through their own initiative.
- **Step 2** – The administrative staff taking the complaint call or the inspector in the field determine if the vehicle is on public or private property.

Vehicle Found on Private Property

- **Step 3** – Vehicle is tagged immediately for noncompliance and the right to an appeal hearing. The individual has 10 days to appeal the violation.
- **Step 4** – Appeal hearing is set up 7 days from the confirmation of the citizen making an appeal request. The citizen appeals their case to the inspector who ticketed their vehicle.
- **Step 5** – Following the appeal hearing where the vehicle owner has been determined to still be in violation, the inspector reinspects the vehicle within 24 hours of the appeal hearing. If the vehicle's owner has only been identified at this time they are given 7 days to come into compliance.
- **Step 6** – Within 2 days of the reinspection the vehicle is towed by a private contractor to a contracted lot. From this point, the contractor handles the process with the owner of the vehicle. The inspector then closes out the case.

Vehicle Found on Public Property

- **Step 3** – Vehicle is tagged immediately for compliance and the right to an appeal hearing. The individual has 7 days to appeal the violation.
- **Step 4** – Appeal hearing is set up 7 days from the confirmation of the citizen making an appeal request. The citizen appeals their case to the inspector who ticketed their vehicle.
- **Step 5** – Following the appeal hearing, where the vehicle owner has been determined to still be in violation, the inspector reinspects the vehicle within 1 day of the appeal hearing.
- **Step 6** – Within 1 day of the reinspection the vehicle is towed by a private contractor to a contracted lot. From this point, the contractor handles the process with the owner of the vehicle. The inspector then closes out the case.

Minimum Housing

- **Step 1** – Complaint is received by administrative staff in the Code Compliance Division area in the municipal building, inspection petition letter is received or an inspector finds a site in noncompliance through their own initiative.
- **Step 2** – An inspector makes an appointment to see the house within one day of the complaint being made.
- **Step 3** – The inspector inspects the dwelling within 5 days of the day of the complaint. A house is noncompliant if it has one major violation or 6 or more minor violations.

- **Step 4** – A notice of a hearing is sent by certified mail to the owner on the property tax records. On average it takes two to three weeks to accomplish this task, which includes notification that the owner received the letter.
- **Step 5** – In addition to sending a letter to the individual on the property tax records, the Legal Department does a full title search to see if there are any additional owners of the property. If any additional owners are found then a certified letter is sent to them. The full title search and wait for the notification that all the owners received the letter takes 30 days.
- **Step 6** – A meeting is set 15 to 30 days after the initial inspection or after all the owners have been notified to see if the repairs have been made.
- **Step 7** – If repairs have not been completed in 30 days a repair or demolish order is sent to the owners.
- **Step 8** – Within 30 days of the repair or demolish order, an inspection is conducted to see if repairs were made. If repairs were not made the inspector recommends this case to the Minimum Housing Standards Commission. However, the inspector has the prerogative to give the owners 30 day extensions, up to 270 days in total, if progress is being made.
- **Step 9** – The Code Compliance Division issues a Letter of Condemnation that gives the tenants in the property 30 days to vacate if the repairs from step 8 are not completed.
- **Step 10** – The Legal Department reviews the case for due diligence. If the process has taken a substantial period of time then a new full title search is made. If new owners are found then the process needs to start over at Step 5.
- **Step 11** – The case goes to the Minimum Housing Standards Commission. The commission has the ability to give extensions to the owner in 30 day periods up to 2 and half years. The commission has the ability to have a structure demolished.
- **Step 12** – If the commission decides to demolish a property, staff records a lien against the property for the cost of the demolition (in the Guilford County Courthouse). This process is completed three days after the Minimum Housing Standards Commission meeting.
- **Step 13** – An inspector reinspects the property within 90 days of the commission meeting to see if the property has been brought into compliance.
- **Step 14** – The Legal Department reviews the case and advises to proceed with the demolition. This happens after the reinspection in Step 13.
- **Step 15** – The property is inspected for asbestos. This task takes up to 30 days after the Legal Department has advised to proceed with the demolition.
- **Step 16** – The bids for the demolition are awarded to the lowest bidder within 30 days of the asbestos inspection.
- **Step 17** – The demolition is completed within 30 days.
- **Step 18** – An inspector verifies if the structure has been demolished one day after the contractor scheduled date. Following the verification, the inspector closes out the case.

Nuisances - Lot Cleanup

- **Step 1** – Complaint is received by administrative staff in the Code Compliance Division area in the municipal building or an inspector finds a site in noncompliance through their own initiative.
- **Step 2** – An inspector inspects the lot within 2 days of the violation being reported.
- **Step 3** – A Notice of Violation (NOV) is written and mailed to the homeowner on the tax record by certified mail, first class mail, and a notice is posted on the property. The posting on the property is completed immediately after the violation has been seen.

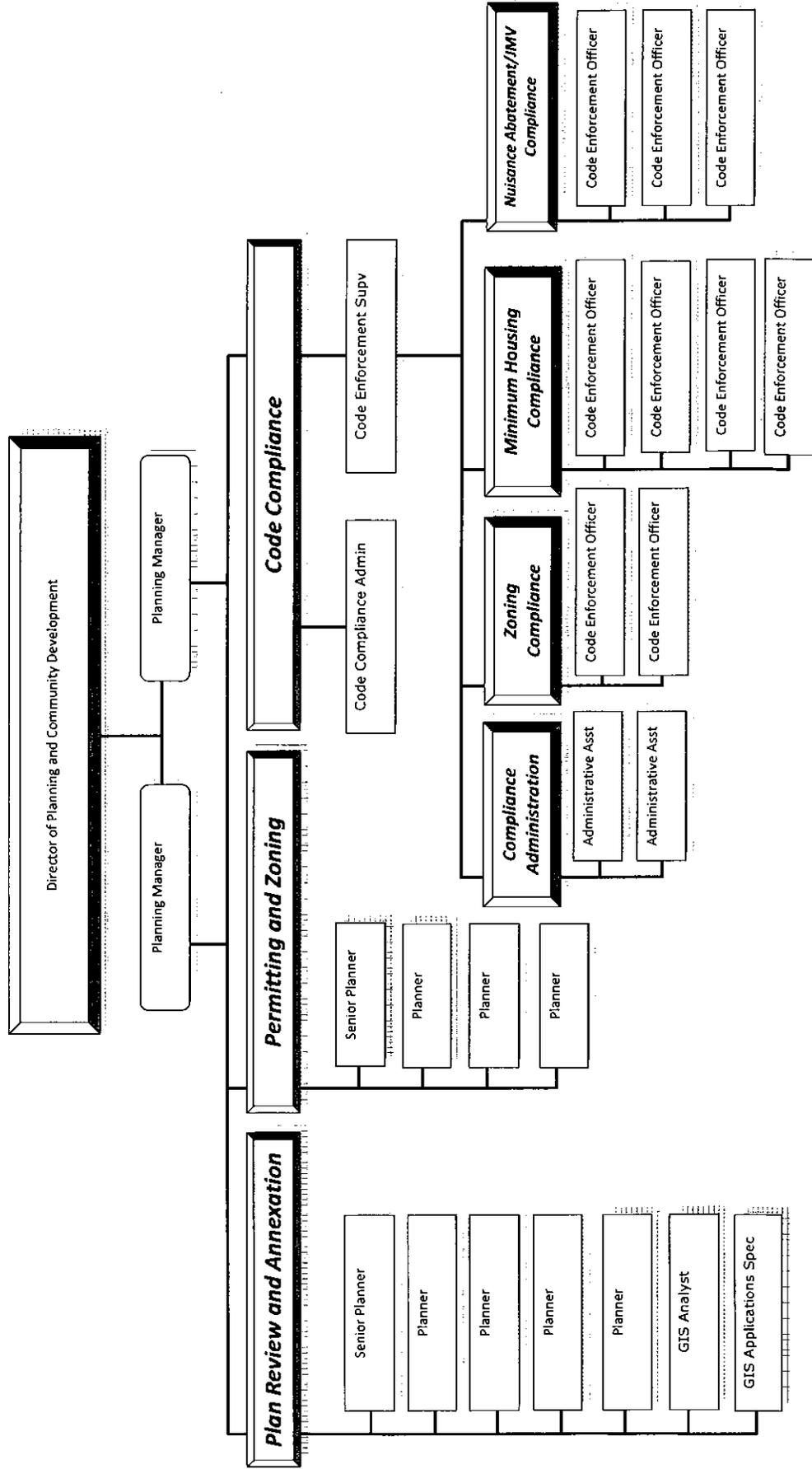
- **Step 4** – Inspector reinspects the property within 15 days to see if violations have been corrected.
- **Step 5** – The Property Management Division does a full title search to see if there are any additional owners of the property. If any additional owners are found then a certified letter is sent to them. The full title search and the wait for notification that all the owners of the property received the letter takes 19 days.
- **Step 6** – The inspector reinspects the property to see if the violation has been corrected. This happens 15 days after a notification letter has been sent indicating the owner received the notification.
- **Step 7** – Property violations are recorded (video camera or pictures) and a price is assigned for cleaning the lot. This usually happens one day after the reinspections.
- **Step 8** – The Code Compliance Division assigns the job to an independent contractor or a contractor that is assigned to the area. The contractor has 2 days to clean the property.
- **Step 9** – Once completed the contractor notifies the inspector of completion and then sends the bill to the City. This usually takes 2 days after the property has been cleaned.
- **Step 10** – The inspector checks the property to make sure it has been cleaned and records the condition of the property (video camera or pictures). This usually happens within one day of the notification by the contractor. Following the verification the inspector closes out the case.

Zoning Enforcement

- **Step 1** – Complaint is received by administrative staff in the Code Compliance Division area, in the municipal building, or an inspector finds a site in noncompliance through their own initiative.
- **Step 2** – An inspector inspects the area within 2 days of the violation being reported. The inspector takes a picture of the possible violation.
- **Step 3** – A Notice of Violation (NOV) is written and mailed to the property owner by certified mail, and if there is no confirmation of the certified mail then the letter is hand delivered.
- **Step 4** – The property owner has the chance of appealing the Notice of Violation (NOV) within 15 days of the notification letter or the day the letter was hand delivered.
- **Step 5** – An appeal hearing can be heard by the Board of Adjustment. This process can take up to 30 to 60 days to complete due to the date of the Board of Adjustment meetings. If the appeal is turned down the property owner has the opportunity to appeal the case to the North Carolina Superior Court. This process can take an undetermined amount of time due to the different nature of each case. Lastly, the property owner can ask for a text amendment, rezoning of the property, etc. If the property owner obtains this change then the previous violation comes into compliance.
- **Step 6** – Within two days of the final appeal, the inspector reinspects the property.
- **Step 7** – A civil penalty is written and mailed to the property owner(s) by certified mail or if the certified mail cannot be confirmed then a hand delivered letter is sent. Civil penalties are issued until the property comes into compliance. The inspector closes the case as soon as the owner comes into compliance.
- **Step 8** – If within 5 years a person reoffends on the same violation then civil fines will be issued.

Appendix – B – Organization Chart of the Planning and Compliance Division which houses the Code Compliance Division

Current Planning and Compliance



Appendix – C – Proactive Code Compliance Programs

- 1) **Citizens Granted Injunction Power to Enforce Code Provisions – Baltimore, MD**
“The city empowered their citizens by granting citizen groups the right to seek injunctions to enforce code provisions when the city does not act.”¹

- 2) **Handyman Program – Clayton County, GA and Sunnyvale, CA** - (only cited in the reports, no city cited as operating)
“The handyman could be on call to immediately (or in a relatively quick manner) help citizens that have been cited for graffiti, overgrown weeds, a broken window, small yard junk items, fence repair, and so forth. The handyman could even help reduce the paperwork by having code enforcement officers refer minor problems to the handyman rather than citing the individual. Disabled and senior citizens could especially benefit from such a program.”²

- 3) **Impact Teams – Durham, NC**
The City of Durham has its own house cleanup crew for properties and graffiti. This crew is used to turnaround requests for clean ups quickly. City of Durham’s website says the following about the Impact Team, “The department’s rapid responders, known as the Impact Team, remediate non-compliant housing properties; abate public nuisances, such as litter, graffiti, illegal dumping, and abandon shopping carts; and conduct neighborhood service projects.”³

- 4) **Increase the Cost of Owning Properties with Code Violations – Louisville, KY**
“The metro government charges a higher property tax rate for vacant properties with unresolved code violations. The tax rate for properties considered “abandoned” is around three times as much as the taxes would be otherwise.”⁴

- 5) **Make Serious Nuisances a Felony – Phoenix, AZ**
“Property nuisance code violations are a felony under municipal code. The city’s code enforcement officers will first cite individuals for code violations and give them an appropriate amount of time to correct the problem. If the nuisance is not corrected, the city can charge the property owner with a felony crime for failing to abate a serious nuisance.”⁵

- 6) **Multi-Departmental Response Teams/Targeting Efforts/Windshield Survey – Baltimore, MD; Sunnyvale, CA; and San Antonio, TX**
“San Antonio does multi-departmental sweeps of certain neighborhoods. Once the neighborhood is identified community meetings are done to figure what proprieties need to be the focus (e.g. street repair, vacant lot clean up, brush collection, and code inspections).”⁶

¹ City Auditor’s Office. “Performance Audit Neighborhood Preservation Division.” City of Auditor’s Office of the City of Kansas City, MO. September 2012.

² Bracco, Frank. “An Incremental Approach to Improving Code Enforcement and Compliance in Clayton County, GA.” Carl Vinson Institute of Government. 2010.

³ ibid

⁴ City Auditor’s Office. “Performance Audit Neighborhood Preservation Division.” City of Auditor’s Office of the City of Kansas City, MO. September 2012.

⁵ ibid

⁶ ibid

In order to spur redevelopment Baltimore targets “its enforcement efforts not on the areas with the worst problems, but rather on transitional or relatively healthy neighborhoods with scattered vacant properties.”⁷

“A windshield survey works by having one or two individuals assigned to a car; the car will drive around the community, road by road, and look for violations. When violations are found they are noted and can even be cited at the time. Multiple teams can be used to break down the community by geographic areas. The survey can also be done on an annual basis, or can be broken up on a rolling basis where certain geographic areas are done each year.”⁸

7) Neighborhood Plans and Citizen Inspectors – Arvada, CO

“The City of Arvada, Colorado has 2 proactive elements. *Code Officers* help neighborhoods develop community plans, they meet with neighbors to ascertain needs/problems and adopt plans. *Citizen Inspector* program, where citizens are trained to understand the muni code and compliance process. They are allowed to “patrol” their neighborhood for code violations and begin the compliance process.”⁹

8) Police Assistance – Memphis, TN

“In Memphis, the police have the authority to write up property owners with nuisance charges, making them effectively part of the code enforcement team.”¹⁰

9) Programs that Help Tenants in Substandard Housing – Los Angeles, CA

“The city established an escrow account program, a utility management program, an urgent repair program, and contracts with community-based organizations to provide outreach to tenants living in substandard housing. The program uses a financial “stick” approach, allowing renters to pay into the city’s rent escrow account while property owners have outstanding housing code violations, and allowing tenants rent reduction for each month. When housing conditions are so dire as to be life-threatening and the property owners refuse to make repairs, the city steps in and fixes the problem.”¹¹

10) Public Shaming and Aggressive Enforcement – Toledo, OH

“The city provides the location, a picture of the property, and the name of the owner of properties contributing to neighborhood blight to the news media and publishes it on the city’s website. A team of inspectors from several city departments converges on the properties, performs a thorough inspection, and issues citations and orders.”¹²

⁷ *ibid*

⁸ Bracco, Frank. “An Incremental Approach to Improving Code Enforcement and Compliance in Clayton County, GA.” Carl Vinson Institute of Government. 2010.

⁹ *ibid*

¹⁰ City Auditor’s Office. “Performance Audit Neighborhood Preservation Division.” City of Auditor’s Office of the City of Kansas City, MO. September 2012.

¹¹ *ibid*

¹² *ibid*

11) Receivership Program – Cleveland, OH

“The city appoints a community development corporation (CDC) as a receiver of distressed properties. As receiver, the CDC is charged with turning the properties back to productive use.”¹³

12) Rental Inspection and Registration Program – Virginia Beach, VA

“The city created a Certificate of Compliance program, which requires certain rental properties throughout the city to be certified by the city through registration and inspection.”¹⁴

13) Resource Guide – Clayton County, GA - (only cited in the report, no city cited as operating)

“Provide a ‘resource guide’ to violators that provides them with quick solutions to violations and names of companies that can help.”¹⁵

14) Search and Track Violations Online – Clayton County, GA - (only cited in the report, no city cited as operating)

“Allow the community to search current violations online and track a violation’s status. Community members are able to search if a problem property in a neighborhood has been reported. Community members are able to follow the progress of a reported property through the code enforcement process.”¹⁶

15) Short Term Loan for Minor and Moderate Repairs – Malden, MA and Sunnyvale, CA

“The cities offer short-term, low interest financing to low-income individuals who need to perform property improvements in order to come into compliance.”¹⁷

16) Vacant Property Demolition – Minneapolis, MN

“The city can fine and demolish a vacant property after it has been boarded up for 60 days or more.”¹⁸

17) Vacant Property Fees – Cincinnati, OH

“The city increases fees charged for vacant properties based on the number of years a property has been vacant. The city can collect unpaid fees by putting a lien on the property. These fees can strengthen the incentive for owners to return properties to productive use rather than holding them for speculation.”¹⁹

18) Vacant Structures Back into Productive Use – San Diego, CA

“Owners of vacant properties in San Diego are required to submit for approval a ‘Statement of Intent’ to bring vacant structures into productive use. The Statement of Intent must include the following: 1) expected period of vacancy; 2) maintenance plan during the period of vacancy; and 3) a plan and time line for the lawful occupancy, rehabilitation, or demolition of the structure.”²⁰

¹³ ibid

¹⁴ ibid

¹⁵ Bracco, Frank. “An Incremental Approach to Improving Code Enforcement and Compliance in Clayton County, GA.” Carl Vinson Institute of Government. 2010.

¹⁶ ibid

¹⁷ ibid

¹⁸ ibid

¹⁹ ibid

²⁰ ibid

19) Volunteer Inspectors – Atlanta, GA

“In Atlanta, the city trains volunteer ‘neighborhood deputies’ who patrol the neighborhood and send notices of potential code violations to property owners and occupants. If the conditions are not corrected, the deputies refer the case to the city enforcement department.”²¹

20) Youth Engagement Program to Fight Graffiti – South Bend, IN

The South Bend Weed & Seed Alliance is cited as having great success with their engagement program. South Bend Weed and & Seed Alliance selected middle schools, a high school, and local church groups to paint community murals over sites that were repeat victims of graffiti. The youth involved would take pledges to stand against graffiti, be able to paint the community murals, and winners would be selected to receive savings bonds; winning murals would also be displayed on billboards. The efforts of the alliance have resulted in a 60% decrease in graffiti and 80 sites remain graffiti free.”²²

²¹ Way, Heather K., Michelle McCarthy, and John Scott. The University of Texas School of Law. Building Hope: Tools for Transforming Abandoned and Blighted Properties into Community Assets. Austin: The University of Texas School of Law, 2007. Web. 28 Nov 2009. <<http://www.utexas.edu/law/academics/clinics/community/buildersofhope.pdf>>.

²² *ibid*



October 17, 2012

TO: Sue Schwartz, FAICP, Director
FROM: Russ Clegg, AICP, Planner
SUBJECT: Central Gateway Corridor Update

Code Compliance

Signs continue to be a concern for members of the Central Gateway Corridor Partnership. Besides a large number of legal non-conforming signs, there are a large number of illegal signs in the corridor, some of which are small and stapled or attached to existing poles and some of which are larger, such as pole-mounted "sail" banner signs. In the spring City conducted a sweep of the corridor as part of a larger effort to rotate enforcement sweeps on major corridors in Greensboro. Staff will continue to conduct sweeps in this corridor as part of the rotation throughout the year.

Streetscape

GDOT is continuing to move forward on schedule, and currently is beginning to negotiate right of way easements. They are coordinating closely with the Real Estate division in E&I and with PCD staff to address issues with zoning regulations, including signage, on the front end rather than as construction is occurring. The current schedule has construction starting in the spring of 2014 and ending in the early fall of 2015.

Proposed Zoning Categories

The Central Gateway Corridor Partnership is continuing to work on three new base zoning districts designed to provide the best environment for redevelopment that meets the goals of the adopted plan. The goal is to have the districts adopted by the time that the streetscape improvements are occurring. The proposed districts

- emphasize the pedestrian environment envisioned in the plan and
- have flexible dimensional standards to accommodate the development of the oddly shaped parcels in the corridor and to create a less suburban style of development.

The districts are

- Auto-oriented near the interstate and near the Coliseum;
- University Mixed-Use roughly between Tate and Aycock;
- Neighborhood Support, for other areas.

The Partnership is working very deliberately through the details of these proposed zoning standards, and has formed a sub-committee to concentrate on signage issues which have been taking several months to work through. Other elements include:

- Permitted Use Tables (Completed)
- Dimensional Standards (Completed)
- Parking (Completed)
- Landscaping (Completed)
- Sustainable Design Credits (Completed)
- On-Premises Signage (In progress—currently there is a subcommittee being formed to work on this element)

In the coming months the Partnership will work on:

- Fencing
- Window and door patterns for buildings that are built at the back of the sidewalk
- Shielding Mechanical Equipment
- Minimum Maintenance Requirements
- Lighting and other elements of “Crime Prevention Through Environmental Design” features for public safety

City Staff has also provided updates of progress to the High Point Road/Lee Street Business Alliance, though no detailed review of the proposed districts have occurred.

Greensboro Television Network

Currently The Greensboro Television Network is producing a show about the Corridor, which will showcase the variety of public and private improvements already occurring along the corridor as well as the work of the Partnership and streetscape improvements.

WRC



November 2, 2012

TO: Denise Turner Roth, City Manager
FROM: Sue Schwartz, FAICP Director
SUBJECT: Regional Population and Housing Study

Background

Since 2010, Greensboro has been involved in the **Piedmont Triad Sustainable Communities Planning Project**. One of the main focuses of this project is to help create and sustain jobs and investment throughout the region, as well as, promoting housing affordability and a sustainable environment. The 12-county regional plan will promote sustainable communities, highlighting the great things already happening in the region and helping communities develop or implement plans to grow or revitalize. The Piedmont Authority for Regional Transportation (PART) and the Piedmont Triad Regional Council are the lead agencies. The project is made possible through a grant from the US Department of Housing and Urban Development.

As part of this effort, the city of Greensboro was able to participate in a regional study of population growth. Dr. Arthur C. Nelson, FAICP, Director, Metropolitan Research Center, City & Metropolitan Planning, University of Utah and Co-Director, Master of Real Estate Development Program, David Eccles School of Business conducted this study. Dr. Nelson's work is nationally recognized and has done studies for state and local governments and the Urban Land Institute, the US Department of Housing and Urban Development, Fannie Mae among others.

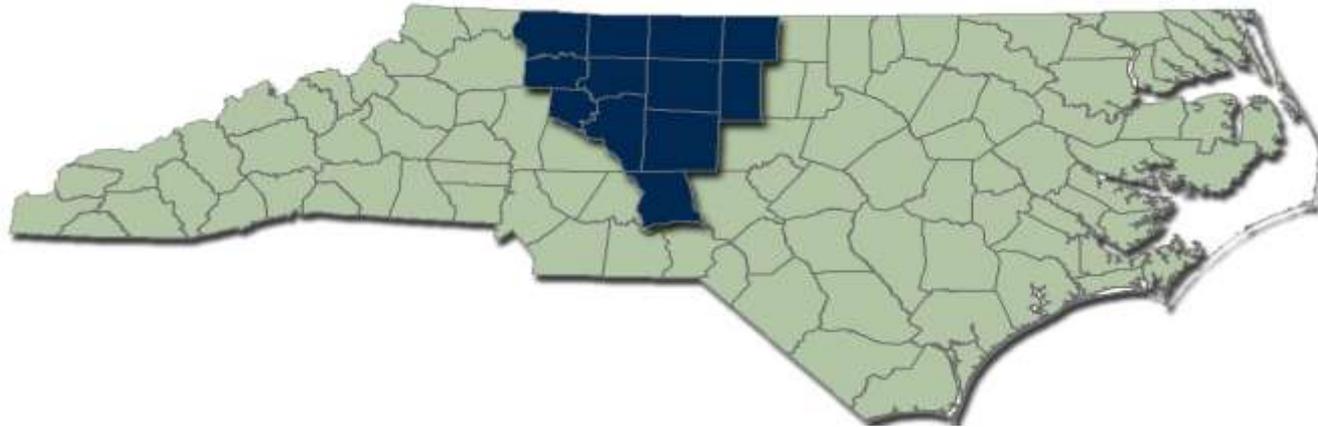
At the Triad Sustainability Summit on October 25, 2012, Dr. Nelson presented a summary of his research concerning the growth trends for the Piedmont Triad, including distinctions among the cities. The study is intended to be starting points of conversation about growth. Attached is a copy of his presentation and final report. It should be noted that Dr. Nelson stated several times during his presentation that his report notes statistical trends but did not attempt to determine causality associated with these trends.

There has been interest expressed in bringing Dr. Nelson back to this area for a series of more in depth discussions in various communities. We will keep you informed of these discussions.

SS
Attachment

cc: Andy Scott

Piedmont Triad Market Trends, Preferences and Opportunities to 2040



**PRESENTATION TO
PIEDMONT TRIAD LIVABLE COMMUNITIES SUMMIT
Arthur C. Nelson
October 25, 2012**

PARTNERS



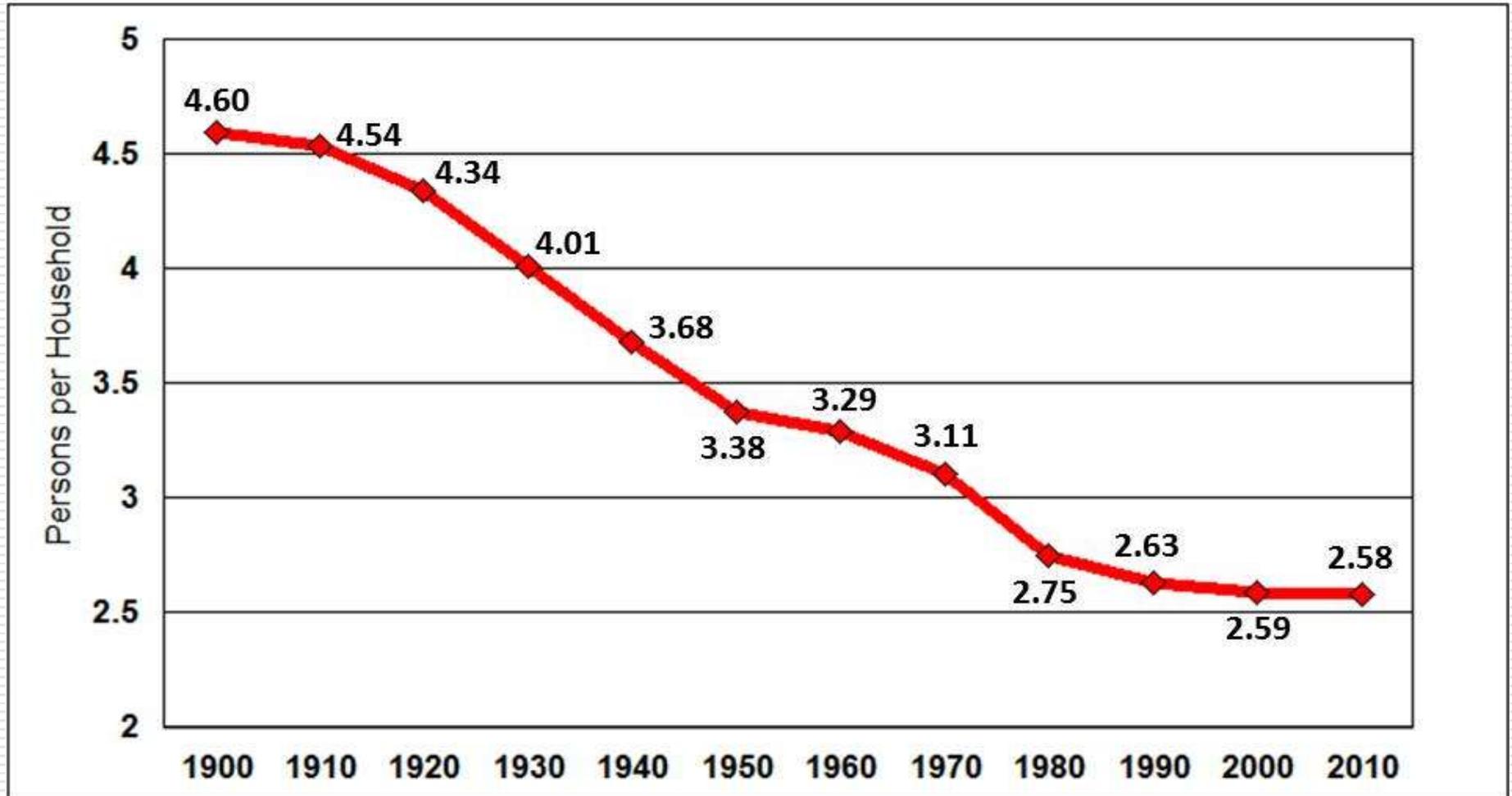
Outline

- Broad National Trends
 - Piedmont Triad Trends
 - Population, Minority and Senior
 - Demand by Household Type and Age
 - Ownership Rates
 - Development Estimates
 - Piedmont Triad Preferences
 - Piedmont Triad Opportunities
-

Drivers of Change

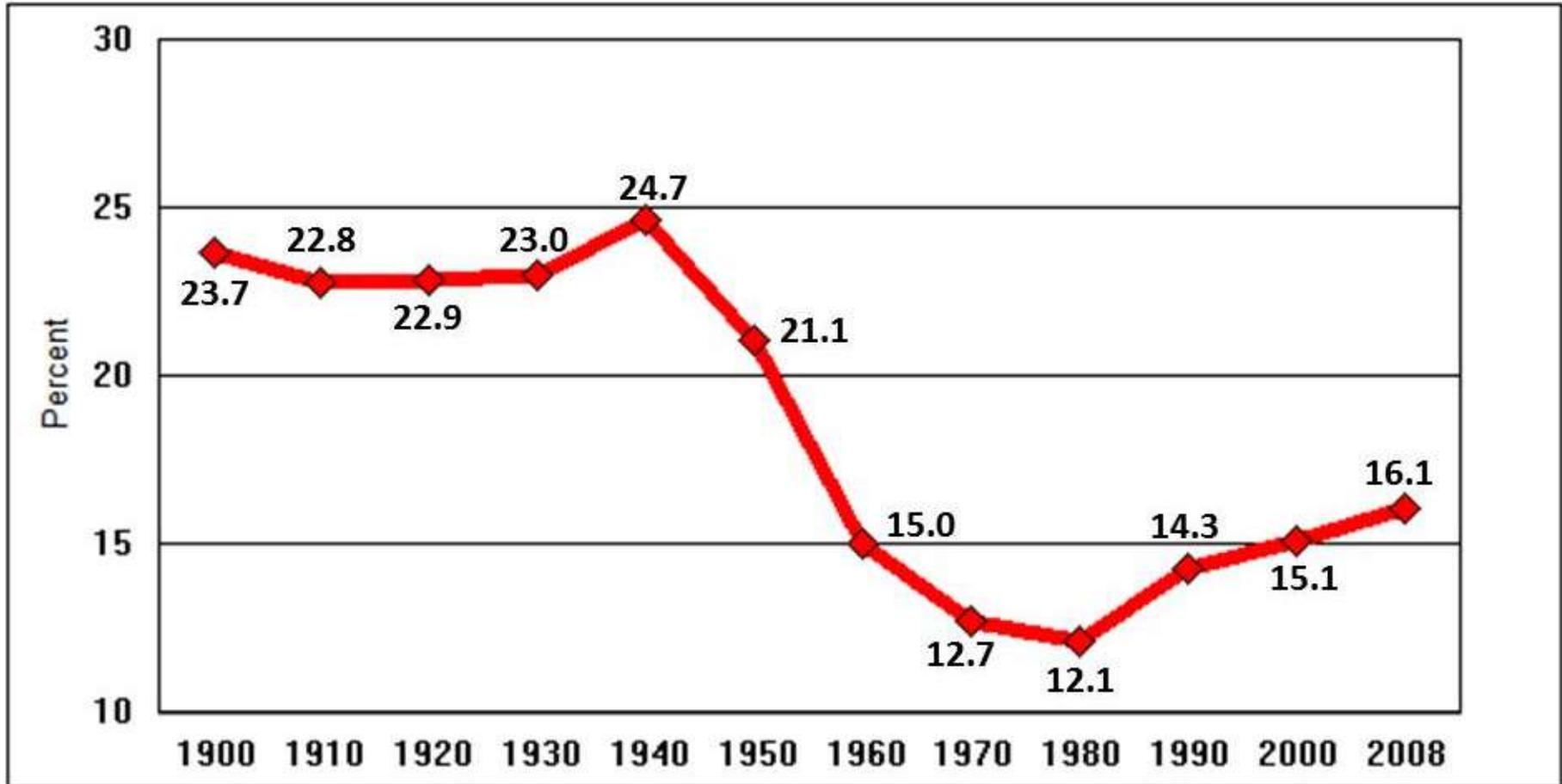
- Demographic
 - Aging + Minority Growth
 - Economic
 - Stagnating incomes & employment
 - Financial
 - Tighter money for home loans
 - Preference
 - More amenities, more options, better accessibility
-

Household Size Has Stabilized



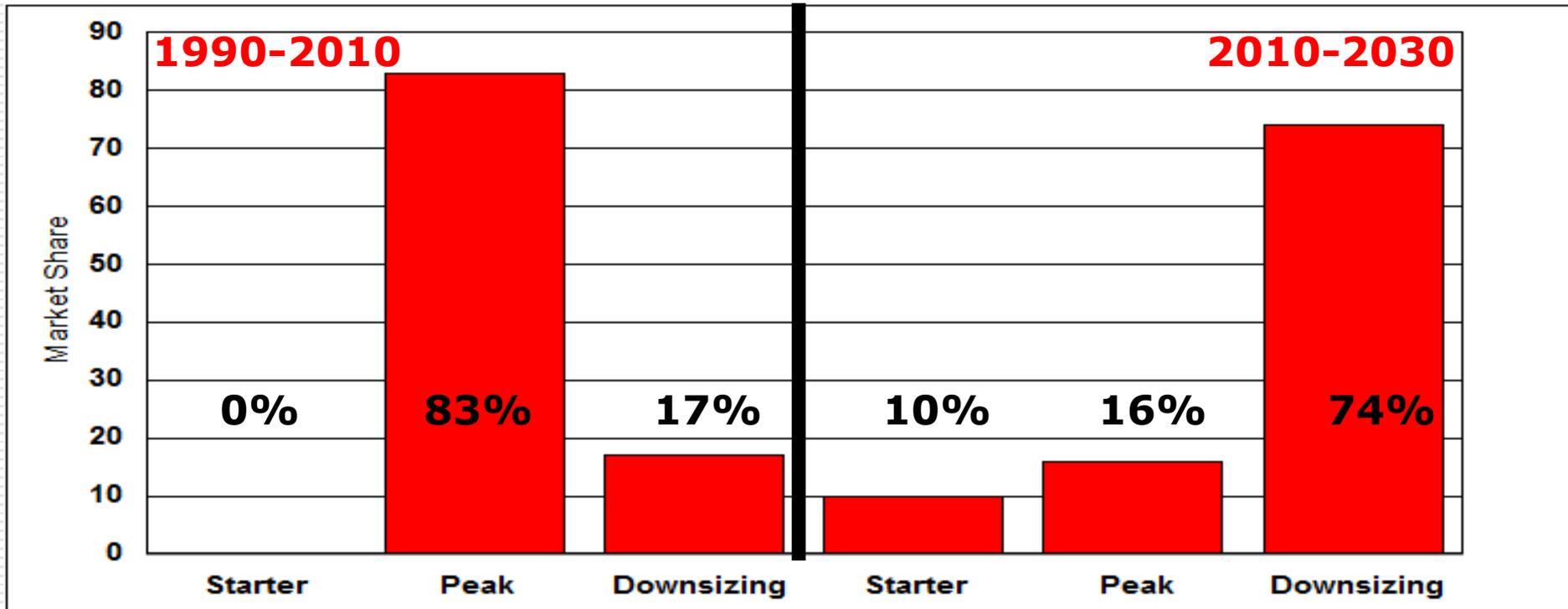
Source: Census.

Multi-Generational Households May Keep HH Sizes from Falling Further



Source: Census Current Population Reports; Pew.

What a Difference a Generation Makes



Distribution of Units Built, 1989-1999

Type	Volume	Total Share	Detached Share
New Units	24.5		
Detached	20.7	85%	
2500 sf+	6.6	27%	32%
0.5-10 ac	8.7	35%	42%

Source: American Housing Survey

U.S. Starter, Mature, Downsizing Household Trends, 1990-2010

Householder Age	1990	2010	Change	Rate	Share of Change
Total	92,315	116,945	24,629	26%	
Under 35 (Starter)	25,163	23,406	(1,757)	-7%	0%
35-64 (Peak)	47,231	67,670	20,439	40%	77%
65+ (Downsizing)	19,921	25,868	5,947	26%	23%

Note: Figures in thousands.

Source: Arthur C. Nelson, Metropolitan Research Center, University of Utah.

U.S. Starter, Mature, Downsizing Household Trends, 2010-2030

Householder Age	2010	2030	Change	Rate	Share of Change
Total	116,945	143,232	26,287	22%	
Under 35 (Starter)	23,406	26,074	2,668	11%	10%
35-64 (Peak)	67,670	71,772	4,102	6%	16%
65+ (Downsizing)	25,868	45,385	19,517	75%	74%

Note: Figures in thousands.

Source: Arthur C. Nelson, Metropolitan Research Center, University of Utah.

U.S. Share of HH Change by Race & Ethnicity, 2010-2030

Race/Ethnicity	2010	2030	Change	Rate	Share of Change
White, Non-Hispanic	201,912	210,837	8,925	4%	14%
Minority	107,438	163,087	55,650	52%	86%
Total	309,350	373,924	64,575	21%	

Note: Figures in thousands. NH means non-Hispanic.

Source: Arthur C. Nelson, Metropolitan Research Center, University of Utah, using data from Woods & Poole Economics (2012).

Home Ownership Rates 2010 & 2030

Geography	Owner Rate 2010	Owner Rate 2030 @ Constant 2010 Rates	Owner Rate 2030 @ 95% of 2010 Rates
United States	66%	63%	60%

Notes: Owner rates in 2030 by ethnicity in 2010 held constant to 2030 accounting for change in ethnic profile. Owner rates in 2030 @ 95% assumes underwriting comparable to 1980s and reduced role of GSEs.

Source: Arthur C. Nelson, Metropolitan Research Center, University of Utah.

Rental Share of Housing Growth 2010-2030

US Ownership as % of 2010

Rate by Race/Ethnicity in 2010 @ 100%

Rate by Race/Ethnicity in 2010 @ 95%

Rate by Race/Ethnicity in 2010 @ 90%

Rental Share 2010-30

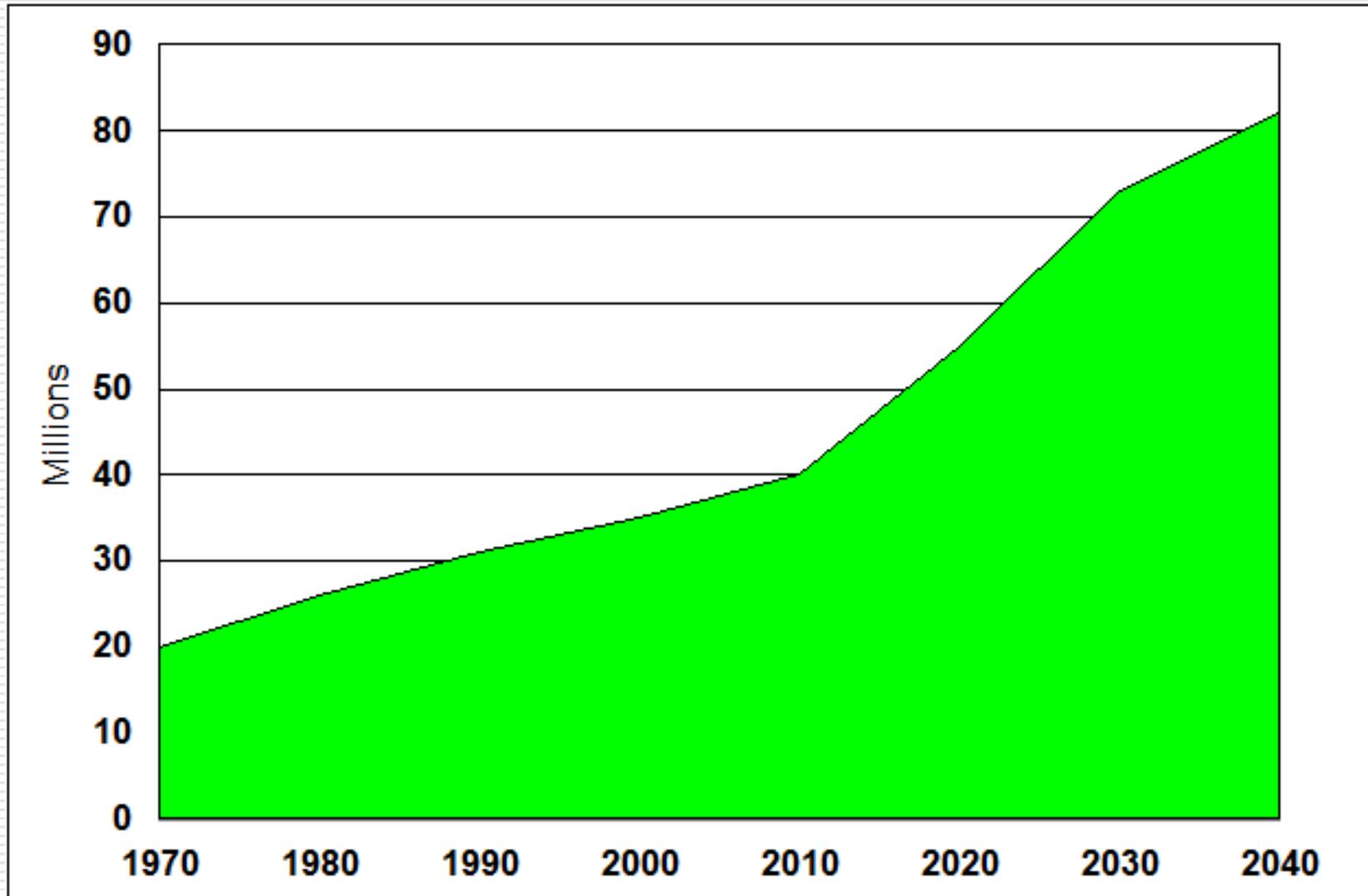
Renter Share of Growth = 50%

Renter Share of Growth = 65%

Renter Share of Growth = 80%

Source: Arthur C. Nelson, Presidential Professor & Director, Metropolitan Research Center, University of Utah.

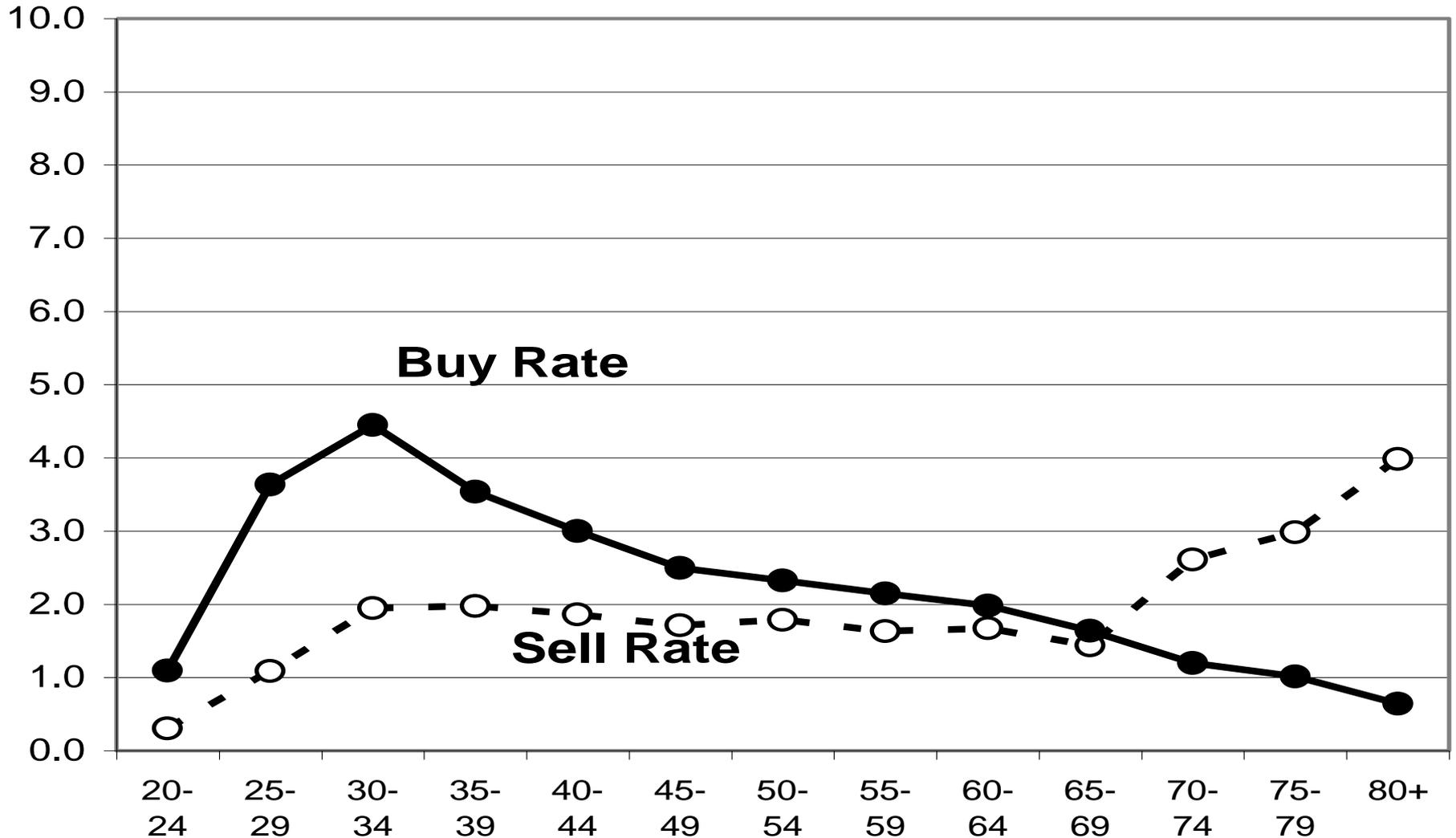
Number of Seniors 1970-2040



Source: Arthur C. Nelson, Metropolitan Research Center, University of Utah

Buy-Sell Rates by 5-Year Age Cohort

AHS



Source: Dowell Myers & Sung Ho Ryu, "Aging Baby Boomers and the Generational Housing Bubble: Foresight and Mitigation of an Epic Transition", *Journal of the American Planning Association* 74(1): 1-17 (2007).

Relocation Choices of Seniors

<u>Housing Type</u>	<u>Before Move</u>	<u>After Move</u>
Apartment	20%	59%

Source: Arthur C. Nelson based on analysis of *American Housing Survey 2005, 2007, 2009*.
New movers means moved in past five years. Annual senior movers are about 3% of all senior households; 60%+ of all seniors will change housing type between ages 65 and 85.

New Housing Market Realities

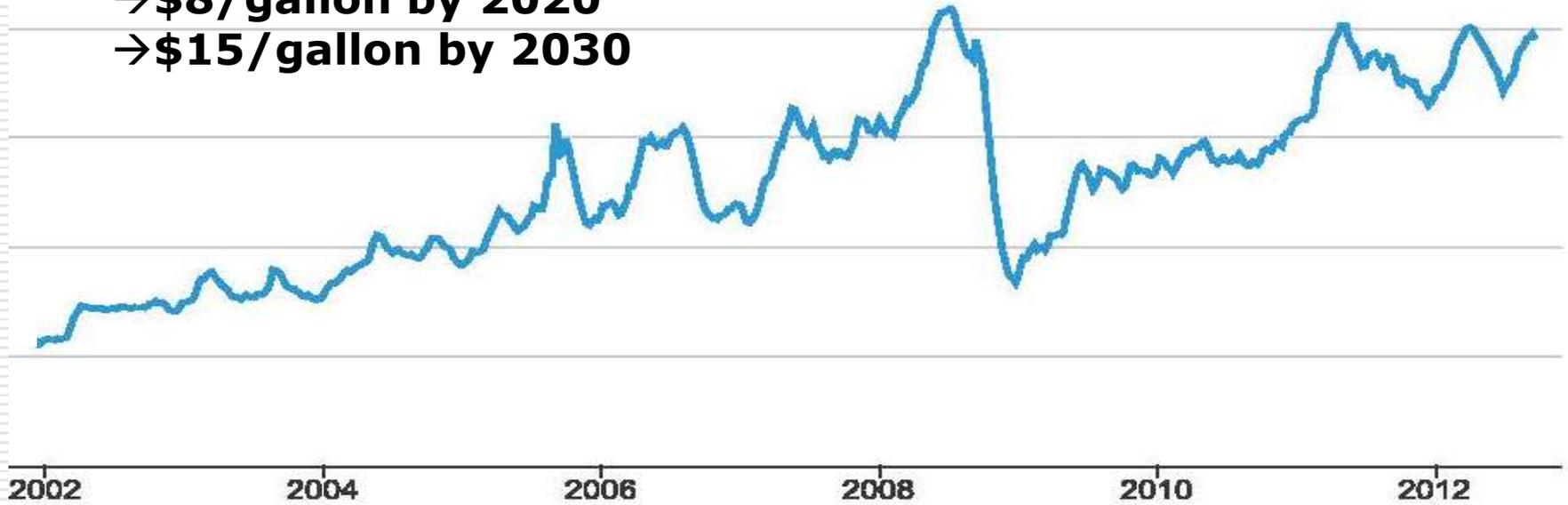
- ❑ **Sub-prime mortgages are history.**
 - ❑ **20% down-payments are the new normal.**
 - ❑ **Fannie Mae & Freddie Mac on chopping block.**
 - ❑ **Meaning**
 - ***Smaller homes → maybe more people per unit***
 - ***Smaller lots → more attached units***
 - ***More renters → including doubled-up renters***
-

Gasoline Price Trends 2002-2012

2002-2012 gasoline prices rose at 10%+ per year, compounded. At this rate gasoline prices will be

→\$8/gallon by 2020

→\$15/gallon by 2030



$R^2 = 0.70$; t-ratio = 35.86; $p > 0.01$.

Source: Adapted from Energy Information Administration (2012).

http://www.eia.gov/dnav/pet/hist/LeafHandler.ashx?n=PET&s=EMM_EPM0_PTE_NUS_DPG&f=W

Population 2010-2040

Measure (000s)	United States	North Carolina	Burlington MSA	Greensboro MSA	Winston-Salem MSA	Mount Airy Micro	Thomasville Micro	TRIAD
Population 2010	309,350	9,562	152	725	478	74	163	1,592
Population 2040	406,417	13,811	193	795	644	85	232	1,950
Population Change, 2010-40	97,067	4,250	42	70	165	11	69	358
Percent Change, 2010-40	31%	44%	28%	10%	35%	16%	43%	22%
White NH Change, 2010-40	9,020	1,037	(11)	(120)	(14)	(12)	18	(139)
Minority Change, 2010-40	88,047	3,212	52	190	179	24	51	497
White NH Growth Share, 2010-40	9%	24%	0%	0%	0%	0%	26%	0%
Minority Growth Share, 2010-2040	91%	76%	100%	100%	100%	100%	74%	100%

Source: Arthur C. Nelson

Population 65+ 2010-2040

Measure (000s)	United States	North Carolina	Burlington MSA	Greensboro MSA	Winston-Salem MSA	Mount Airy Micro	Thomasville Micro	TRIAD
Population 65+ 2010	40,331	1,237	22	95	66	12	23	219
Population 65+ 2040	81,250	2,604	37	141	117	18	49	363
Population 65+ Change 2010-40	40,919	1,367	15	46	51	5	26	143
65+ Percent Change 2010-40	101%	111%	68%	48%	77%	44%	111%	65%
65+ Growth Share 2010-40	42%	32%	36%	66%	31%	47%	37%	40%

Source: Arthur C. Nelson

Households by Type 2010-2040

Measure (000s)	United States	North Carolina	Burlington MSA	Greensboro MSA	Winston-Salem MSA	Mount Airy Micro	Thomasville Micro	TRIAD
Household Change 2010-40	35,226	1,647	15	24	66	5	28	138
Households w/ Children 2010-40	6,672	354	3	2	13	0	5	22
Households w/o Children 2010-40	28,554	1,293	13	22	54	5	23	116
Single Households 2010-40	17,554	739	9	23	36	4	14	85
Households w/ Children Share	19%	22%	17%	7%	19%	7%	19%	16%
Households w/o Children Share	81%	78%	83%	93%	81%	93%	81%	84%
Single Households Share	50%	45%	58%	95%	54%	81%	50%	62%

Source: Arthur C. Nelson

Householders by Age 2010-2040

Measure	United States	North Carolina	Burlington MSA	Greensboro MSA	Winston-Salem MSA	Mount Airy Micro	Thomasville Micro	TRIAD
Starter HHs <35 1990	24,691	699	10	58	40	5	13	126
Peak Demand HHs 35-64 1990	47,213	1,294	22	110	76	13	26	247
Downsizing HHs 65+ 1990	20,089	524	10	44	29	6	10	99
Starter HHs <35 2010	23,406	784	11	61	36	5	10	123
Peak Demand HHs 35-64 2010	67,670	2,163	34	168	112	17	39	370
Downsizing HHs 65+ 2010	25,868	809	15	63	44	8	15	145
Household Change 1990-2010	24,951	1,238	17	79	48	6	16	166
Starter HHs <35 2040	27,980	1,101	15	66	54	7	16	158
Peak Demand HHs 35-64 2040	74,650	2,642	36	158	126	16	44	379
Downsizing HHs 65+ 2040	49,540	1,659	25	91	79	12	32	239
Household Change 2010-40	35,226	1,647	15	24	66	5	28	138
Starter HH Change Share 1990-2010	0%	7%	4%	3%	0%	0%	0%	0%
Peak Demand HH Change Share 1990-2010	77%	70%	71%	73%	69%	64%	65%	72%
Downsizing HH Change Share 1990-2010	23%	23%	25%	24%	31%	36%	35%	28%
Starter HH Change Share 2010-40	13%	19%	25%	17%	26%	33%	22%	26%
Peak Demand HH Change Share 2010-40	20%	29%	11%	0%	21%	0%	17%	6%
Downsizing HH Change Share 2010-40	67%	52%	65%	83%	53%	67%	61%	68%

Source: Arthur C. Nelson

Tenure Change 2010-2040

Measure (000s)	United States	North Carolina	Burlington MSA	Greensboro MSA	Winston-Salem MSA	Mount Airy Micro	Thomasville Micro	TRIAD
Homeowners, 2010	76,133	2,505	40	187	131	22	47	427
Renters, 2010	40,812	1,251	20	104	62	8	18	212
Ownership Rate, 2010	65.1%	66.7%	66.9%	64.3%	67.8%	72.7%	72.6%	66.8%
Homeowners, 2040	94,013	3,418	47	182	158	23	62	472
Renters, 2040	58,158	1,984	29	133	101	12	30	305
Ownership Rate, 2040*	61.6%	63.3%	62.1%	57.7%	61.1%	66.4%	67.0%	60.8%
Change in Homeowners, 2010-40*	17,880	913	7	(6)	28	1	15	45
Change in Renters, 2010-40	17,346	733	9	29	39	4	13	93
Owner Change Share 2010-40*	51%	55%	44%	0%	42%	27%	54%	33%
Renter Change Share 2010-40	49%	45%	56%	100%	58%	73%	46%	67%

*Assumes underwriting prevalent in 2000s excluding sub-prime & alt-A mortgages.

Source: Metropolitan Research Center, University of Utah

Housing Development 2010-2040

Measure (000s)	United States	North Carolina	Burlington MSA	Greensboro MSA	Winston-Salem MSA	Mount Airy Micro	Thomasville Micro	TRIAD
Housing Units Existing 2010	131,705	4,328	67	323	214	34	73	710
Housing Units Needed 2040	167,895	6,047	82	342	278	38	99	838
New Net Housing Units 2010-40	36,190	1,719	15	19	64	4	26	128
Housing Units Replaced 2010-40	17,271	628	8	35	29	4	10	87
Housing Units Built 2010-40	53,462	2,347	24	54	93	8	36	215
Housing Built as Share of 2010	41%	54%	36%	17%	43%	23%	50%	30%
Annualized Units Built 2010-40	1,782	78	1	2	3	0	1	7

Source: Arthur C. Nelson

Selected Southeastern States: Support for and Willingness to Live in Mixed use, Walkable Communities

Group	Would Support Mixed-Use, Walkable Community	Want to Live in Mixed-Use, Walkable Community
All	51%	45%
Age		
18-34	57%	51%
35-54	52%	44%
55-69	45%	38%
70+	43%	37%
Income		
Low	49%	45%
Mid	50%	42%
High	57%	46%
HH Type		
Single	55%	44%
With Children	45%	41%
No Children	55%	49%

Note: States include North Carolina, South Carolina, Georgia, Kentucky and Tennessee.

Source: Porter-Novelli (2003; 2005)

Selected Southeastern States: How Personally Important Is It to Be Able To Walk or Bike to Work and for Shopping?

*Group	Important/Very Important Walk or Bike -- Work	Important/Very Important Walk or Bike – Errands
All	21%	20%
Age		
18-34	23%	20%
35-54	19%	19%
55-69	22%	22%
70+	16%	15%
Income		
Low	26%	25%
Mid	18%	16%
High	13%	11%
HH Type		
Single	25%	28%
No Children	24%	21%
Children	16%	14%

Note: States include North Carolina, South Carolina, Georgia, Kentucky and Tennessee.

Source: Porter-Novelli (2003; 2005)

U.S. Percent Walking or Biking to Work, Shopping or Other Errands, 1995-2009

Year	Walk/Bike to Work Less than 1 Mile	Walk/Bike for Shopping/Errands Less than 1 Mile
1995	25%	26%
2001	34%	35%
2009	37%	42%
1995-2009	45%	59%

Source: National Household Transportation Survey 2009 (2011)

Community Preference Tradeoff

Community Type	U.S.	Selected Southeastern States
<i>Community A:</i> Houses are built far apart on larger lots and you have to drive to get to schools, stores, restaurants, park/playgrounds, recreation areas	43%	45%
<i>Community B:</i> Houses are built close together on smaller lots and it is easy to walk to schools, stores, restaurants, parks/playgrounds, recreation areas	56%	55%

Note: States include North Carolina, South Carolina, Georgia, Kentucky and Tennessee.

Source: Adapted from NAR (2011).

Trading Off Housing Attributes

Preference Tradeoff Question	U.S.	Selected South-eastern States
<i>Please select the community where you would prefer to live:</i>		
Smaller house/lot, shorter commute	59%	60%
Larger house/lot, longer commute	39%	38%
<i>Please select the community where you would prefer to live:</i>		
Mix of houses/businesses easy to walk	58%	55%
Houses only, drive to businesses	40%	43%
<i>Please select the community where you would prefer to live:</i>		
Apartment/townhouse, easy walk	38%	39%
Single family house, drive	59%	60%

Note: States include North Carolina, South Carolina, Georgia, Kentucky and Tennessee.

Source: National Association of Realtors.

Opportunities



Tear Up a Parking Lot, Rebuild Paradise

Large, flat and well drained
Single, profit-motivated ownership
Major infrastructure in place
4+ lane highway frontage → “transit-ready”
Committed to commercial/mixed use
Can turn NIMBYs into YIMBYs

Slide title phrase adapted from Joni Mitchell, *Big Yellow Taxi*, refrain: “Pave over paradise, put up a parking lot.”

Life-Span of Building Function

Years

200
150
100
50
0

Source: Arthur C. Nelson, Presidential Professor & Director of Metropolitan Research, University of Utah, based on DoE Commercial Buildings Energy Consumption Survey.

Retail

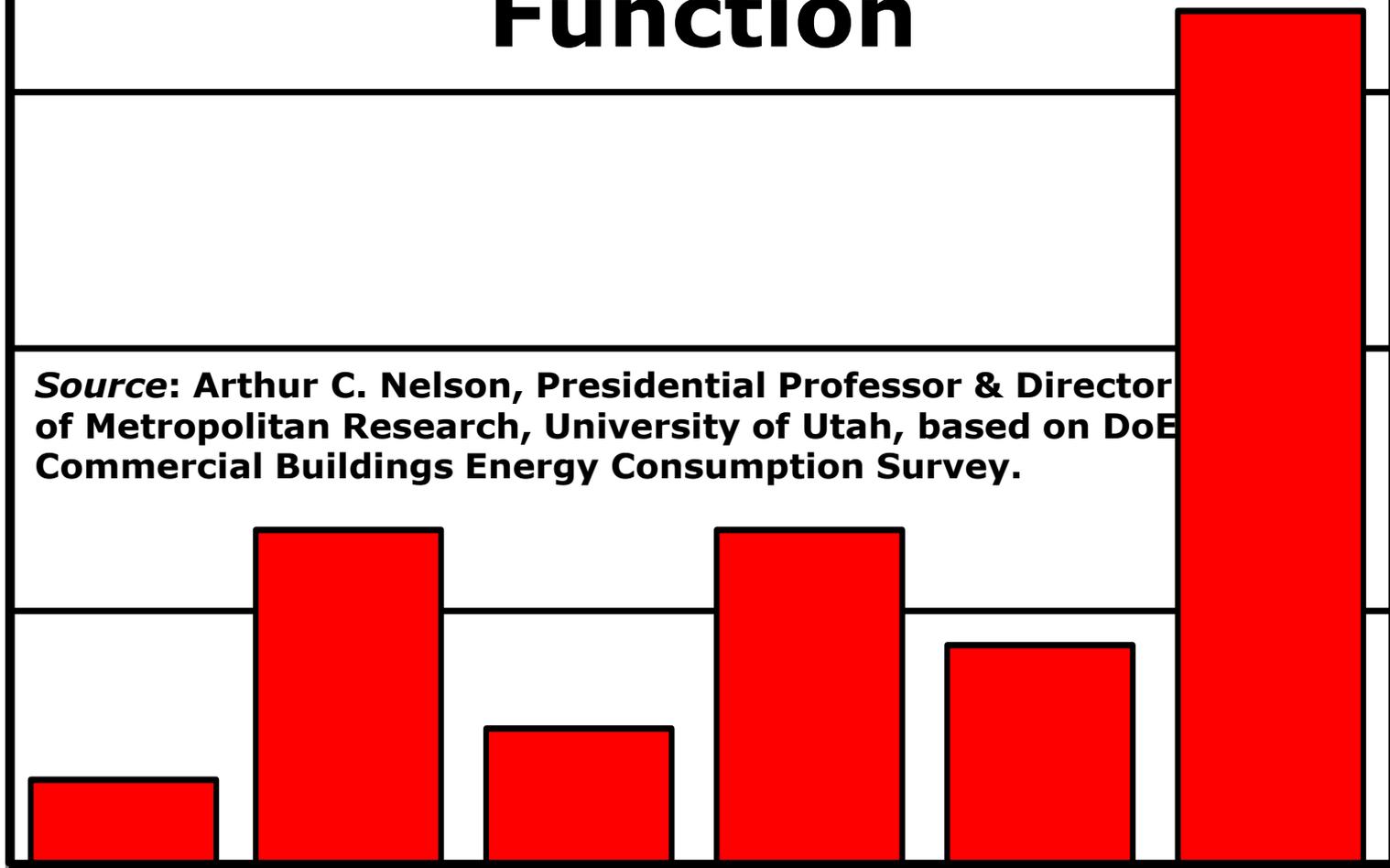
Office

Warehouse

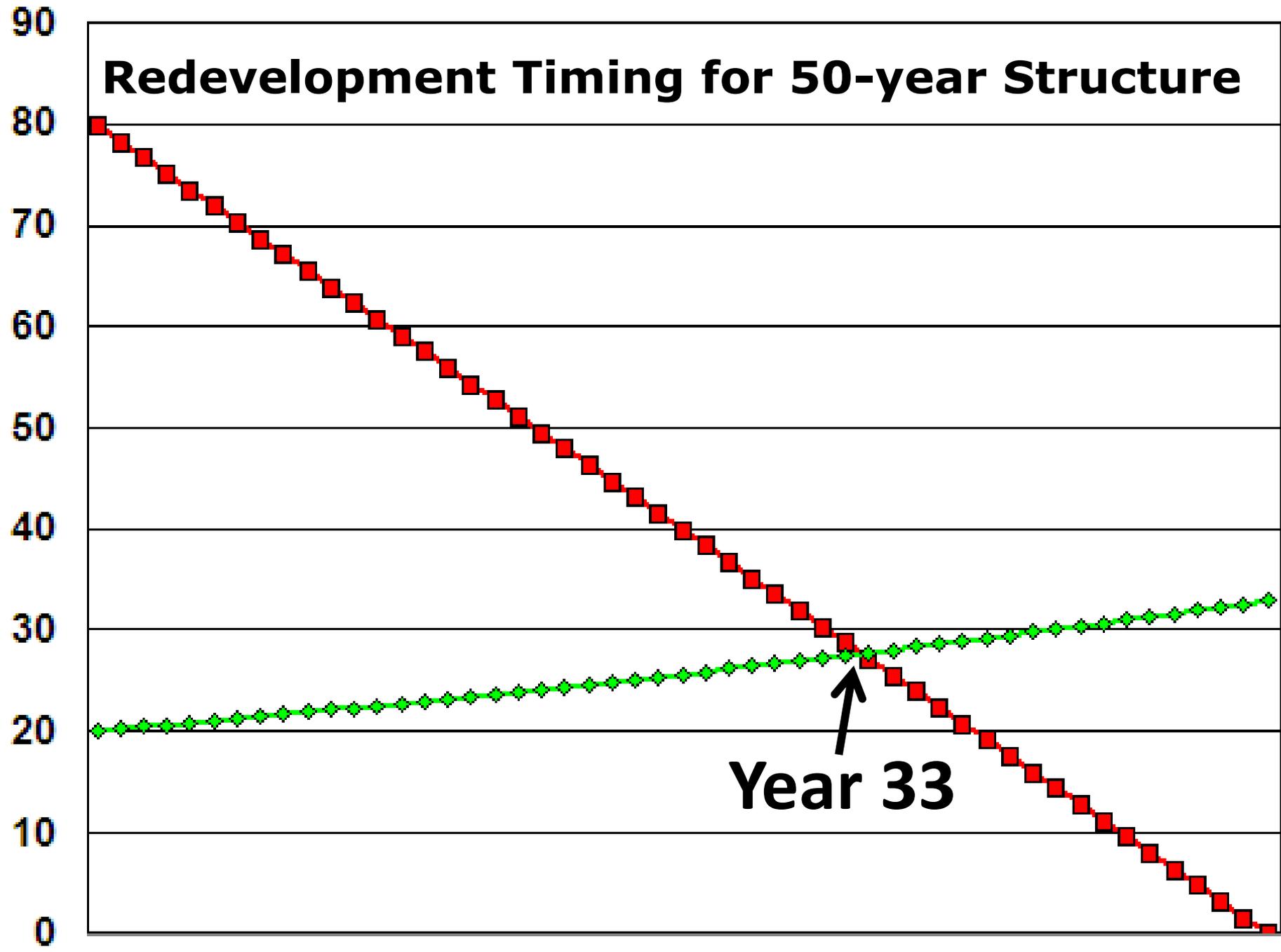
Education

Nonres.

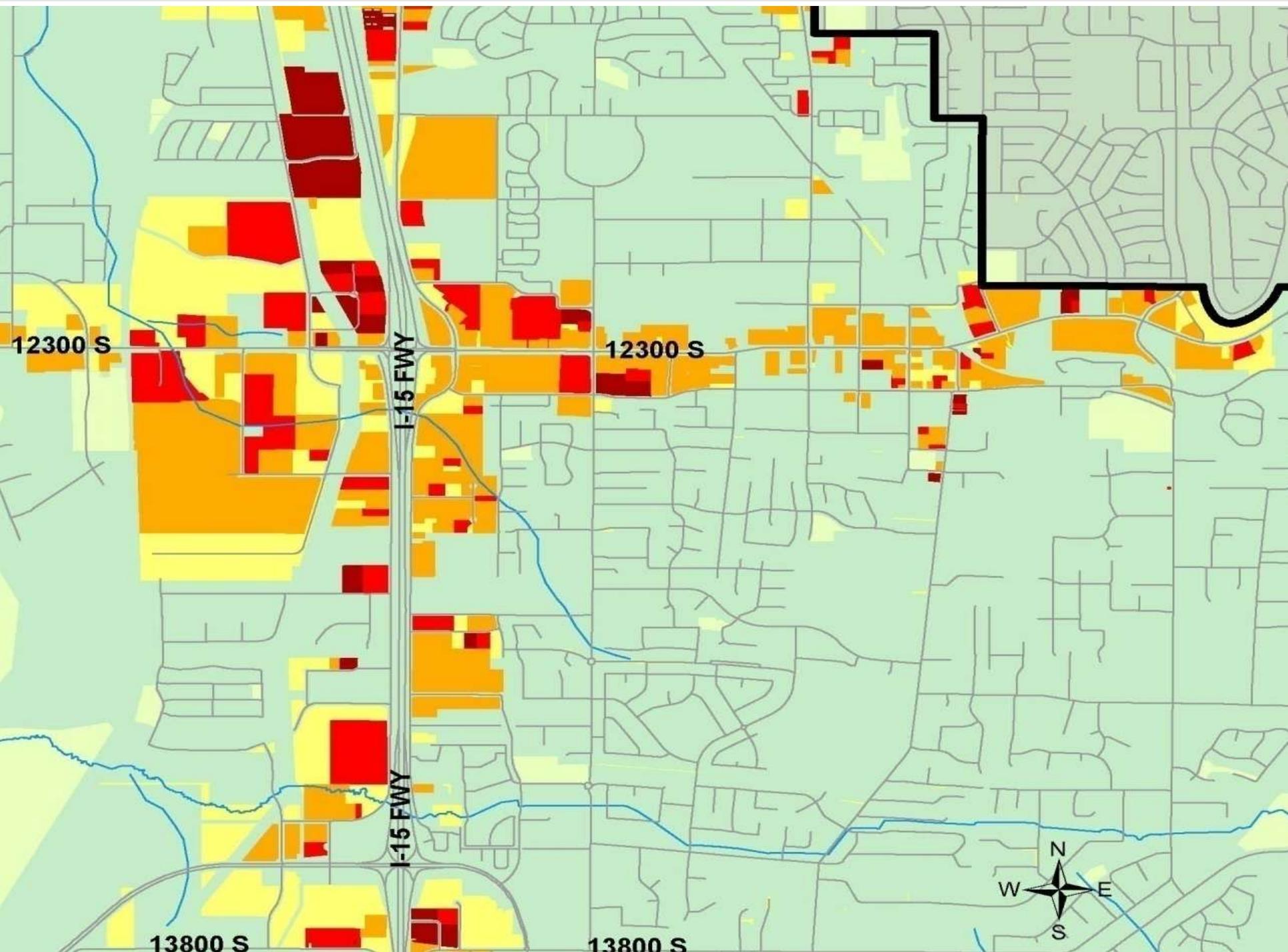
Homes



Redevelopment Timing for 50-year Structure







Nonresidential Development 2010-2040

Measure	United States	North Carolina	Burlington MSA	Greensboro MSA	Winston-Salem MSA	Mount Airy Micro	Thomasville Micro	TRIAD
Jobs 2010 (000s)	157,249	4,627	71	397	245	32	62	807
Jobs 2040 (000s)	235,799	7,377	104	528	379	44	94	1,149
Change 2010-2040 (000s)	78,549	2,750	33	130	134	12	32	342
Percent 2010-2040 (000s)	50%	59%	46%	33%	55%	38%	52%	42%
Space Supported 2010 (millions)	83,349	2,407	39	232	137	19	34	461
Space Supported 2040 (millions)	121,610	3,751	58	296	199	24	51	628
Net Change in Space 2010-40 (millions)	38,261	1,344	19	64	62	5	17	168
Space Replaced 2010-40 (millions)	91,742	2,975	44	207	149	19	45	464
Total Space Built 2010-40 (millions)	130,003	4,319	63	271	212	24	62	632
Space Built 2010-40 as Share in 2010	156%	179%	162%	117%	155%	126%	180%	137%

Source: Arthur C. Nelson

Review

- ❑ The market is changing faster than we may manage.
 - ❑ Demand for rental homes and probably smaller homes on smaller lots may dominate the market to 2040.
 - ❑ 25%-33% want walkable, mixed-use communities with transit options but <10% have those options now.
 - ❑ Even if all new housing provided these options to 2040 by then demand may still not be met.
-

Thank You

MEMORANDUM

TO: DENISE TURNER ROTH
FROM: SARAH HEALY
SUBJECT: GREENSBORO PERFORMING ARTS CENTER TASK FORCE
DATE: 10/30/2012
CC: ROSS HARRIS

UPDATE ON GPAC TASK FORCE

Building Committee: The Building Committee met with the Design Team during the charrette on Tuesday, October 16th from 12-1pm in the lobby of the Elm Street Center. Members gave their input on a variety of issues regarding the PAC, including the pros and cons of each possible site, what kind of programming they would like to see in the PAC, and design features.

-The next Building committee is scheduled for Wednesday, November 7th from 12-2pm in the Development Services Office, MMOB.

Operating Model Committee:

-The next meeting of the Operating Model Committee will take place on Thursday, November 8th from 12-2pm, CFGG

Financing Options Committee:

-The next meeting of the Financing Options Committee will held on Tuesday, November 7th from 4-6PM, CFGG

Development Committee: Potential donors remain excited about the project, and plans are in process to contact additional potential new donors.

Outreach, Communications and Marketing Committee: The marketing sub-committee is scheduled to meet on Thursday, November 8th at 5:30PM, MMOB. A statement of support section has been added to the GPAC.com website: <http://gpac2012.com/show-your-support-for-gpac/> and the Committee has been encouraging residents to sign onto the letter.

Advisory Committee: The next in-person Advisory Committee will be held on Monday, November 5, 2012, 8am, CFGG.

Task Force: The Task Force members were invited for an input session during the charrette process from 1:15-2:15pm on Tuesday, October 16th. Members gave their input on the charrette design, programming, site location, as well as volunteering to help staff the event during the public interactive sessions. Residents

who were interested in sharing their ideas and opinions about the design and location of a proposed PAC were invited to a series of public input sessions which took place October 16-18, 2012 in the lobby of the Elm Street Center, 203 S. Elm Street. Over 300 residents attended the charrette and gave their feedback on where they would like the Performing Arts center to be located, what kind of programming they would like to have, and what kind of design they would prefer. The final presentation from the design team as well as all of the public feedback gathered from the charrette can be found on the GPAC.com website here: <http://gpac2012.com/charrette-process/>

-The next Task Force meeting will be held on Tuesday, November 13th, 2-4pm, Holy Trinity Episcopal Church



November 2, 2012

TO: Denise Turner Roth, City Manager
FROM: Reggie Delahanty, Small Business Coordinator
SUBJECT: Commerce Place Food Truck Pilot Program Update

Attendance during the 5th week of the Food Truck Pilot program decreased. The cooler weather and significant wind on Monday and Tuesday likely played some factor in the reduced turnout. Three of the scheduled trucks for the lunch session on Monday, October 29th and one truck for the lunch session on Tuesday, October 30th did not fill their slots due specifically to wind concerns.

There continue to be questions and concerns communicated regarding the regulations for food safety in regard to Mobile Food Units. Requirements are determined by the State Department of Health and are enforced at the county level. I have attached to this memo those portions of the rules that specifically reference mobile food units. Full environmental health rules can be found at: <http://www.deh.enr.state.nc.us/food/docs/15A-NCAC-18A-2600-FINAL.pdf>

I will continue to accept applications from interested operators and if spots become open will work to include them on the schedule. Any changes to the schedule will be posted as we are made aware on the City website at www.greensboro-nc.gov/foodtrucks and on twitter.com using the #GSOFoodTruck hashtag. Additionally, feedback already sent through the city website has now been posted for the public to view on the City's food truck webpage.

Data on the pilot program and food trucks in general continues to be collected both by Downtown Greensboro Inc. in the form of a survey and by UNC Greensboro's Communications Department in the form of both an online survey and in person interviews. All public input is welcomed. The online versions of these surveys can be accessed at:

- <http://downtowngreensboro.net/blog/food-truck-evaluation-survey/>
- www.gsofoodtrucks.com

Downtown Greensboro Inc. also plans to conduct a follow-up survey with Downtown restaurants over the next few days to collect data on the impact of the pilot program on sales during October and hope to have that information available for review before the public hearing on amendments to the ordinances that regulate the operation of mobile food units in Greensboro scheduled during the Wednesday, November 7th City Council meeting.

RD

CAC 18A .2670 GENERAL REQUIREMENTS FOR PUSHCARTS AND MOBILE FOOD UNITS

- (a) A permit shall be issued by the regulatory authority that inspects the commissary from which a pushcart or mobile food unit is to operate, if the regulatory authority determines that the pushcart or mobile food unit complies with the rules of this Section. The permit shall be maintained on the pushcart or mobile food unit and made available to the regulatory authority upon request.
- (b) The regulatory authority that issues the permit shall be provided by the permit holder a list of counties and locations where each pushcart or mobile food unit will operate.
- (c) Prior to initiating food service operations in a particular county, the pushcart or mobile food unit permit holder shall provide the regulatory authority in each county in which food service operations are proposed a list of locations where they will operate. Such lists must be kept current.
- (d) Pushcarts or mobile food units shall operate in conjunction with a permitted commissary and shall report at least daily to the commissary for supplies, cleaning, and servicing. Facilities, in compliance with this Section, shall be provided at the commissary for storage of all supplies. The pushcart shall also be stored in an area that protects it from dirt, debris, vermin, and other contamination. Water faucets used to supply water for pushcarts or mobile food units shall be protected to prevent contact with chemicals, splash, and other sources of contamination. Solid waste storage and liquid waste disposal facilities must also be provided on the commissary premises.
- (e) All food shall be obtained from sources that comply with Chapter 3 of the Food Code as amended by Rule .2653 of this Section.
- (f) All potentially hazardous food (time/temperature control for safety food) shall be maintained at temperatures as required in Chapter 3 of the Food Code as amended by Rule .2653. A metal stem-type thermometer accurate to 1°C (2°F) shall be available to check food temperatures.
- (g) Single service articles shall be used for serving customers. Single-service articles shall be purchased in sanitary containers, shall be stored therein in a clean, dry place until used, and shall be handled in a manner to prevent contamination.
- (h) All garbage and other solid waste shall be stored and disposed in an approved manner.
- (i) Employees shall wear effective hair restraints, clean outer clothing, and maintain good hygienic practices as specified in Part 2-4 of the Food Code as amended by Rule .2652 of this Section.
- (j) Employees shall comply with the requirements in Subpart 2-201 of the Food Code as amended by Rule 2652 of this Section.
- (k) Equipment and utensils shall meet the requirements in Parts 4-1 and 4-2 of the Food Code as amended by Rule .2654 of this Section.
- (l) The pushcart or mobile food unit shall be kept clean and free of flies, roaches, rodents, and other vermin

CAC 18A .2672 SPECIFIC REQUIREMENTS FOR MOBILE FOOD UNITS

(a) A mobile food unit shall be constructed and arranged so that food, drink, utensils, and equipment will not be exposed to insects, dust, and other contamination. Protection against flies and other insects shall be provided by screening or by effective use of fans. Where food or griddles are exposed to the public or to dust or insects, they shall be protected by glass, or otherwise, on the front, top, and ends, and exposed only as much as may be necessary to permit the handling and serving of food.

(b) A mobile food unit shall have a potable water system under pressure. The system shall furnish hot and cold water for all food preparation, utensil cleaning, and handwashing. The water inlet shall be located so that it will not be contaminated by waste discharge, road dust, oil, or grease and it shall be kept capped unless being filled.

(c) Water heating facilities shall be provided.

(d) A handwashing sink with hot and cold water, combination supply faucet, soap, and single-service towels shall be provided.

(e) At least a one-compartment sink shall be provided. The sink shall be of sufficient size to submerge, wash, rinse, and sanitize utensils and shall have splashback protection. Drainboards shall be provided as specified in Section 4-301.13 of the Food Code as amended by Rule .2654 to accommodate the drying of washed utensils. However, in cases where no food is prepared on the mobile food unit and all utensils are effectively cleaned at the commissary, the equipment sink is not required.

(f) Sewage disposal must be provided either by means of an approved sewage disposal system or approved sewage storage tanks. Sewage storage tanks must be maintained in a manner so as not to create a health hazard or nuisance and to prevent contamination of food or water supply. Toilets are not required on the unit. Liquid waste that results from the operation of a mobile food unit shall be disposed in an approved sewage disposal system or stored in a permanently installed sewage storage tank that is of at least 15 percent larger capacity than the water supply tank. Liquid waste shall not be discharged from the sewage storage tank when the mobile food unit is in motion. All connections on the vehicle for servicing mobile food unit waste disposal facilities shall be of a different size or type than those used for supplying potable water to the mobile food unit. The waste connection shall be located lower than the water inlet connection to preclude contamination of the potable water system.

(g) A servicing area shall be established at a commissary for the mobile food unit. Potable water servicing equipment shall be installed, stored, and handled to protect the water and equipment from contamination. The mobile food unit's sewage storage tank shall be flushed and drained during servicing operation. All sewage shall be discharged to an approved sewage disposal system in accordance with 15A NCAC 18A .1900 or 15A NCAC 02H .0200.

**Public Affairs
Contact Center Weekly Report
Week of 10/22/12 – 10/28/12**

Contact Center

4355 calls answered this week

Top 5 calls by area

Water Resources

Balance Inquiry – 781

New Sign up – 151

IVR/Pay by Phone – 116

Bill Adjustments – 103

Cutoff Requests – 101

Field Operations

Bulk Guidelines – 108

Loose Leaf Collection – 85

E-Waste Pick up – 74

Dead Animal Pick up – 68

HHW/Transfer – 67

All others

Police/Watch Operations – 318

Courts/Sheriff – 65

Privilege License – 51

HR/Employment – 45

Guilford Metro – 30

Comments

We received a total of 2 comments this week:

Field Operations – 2 comments:

- Compliment to yard waste crew that services her home. This crew is very helpful and courteous. They have helped her many times when she has had yard waste that was difficult for her to handle.
- Compliment to yard waste crew. They took really good care of 12 cans he sat out at the curb filled with yard waste. He knows that people are quick to call and complain. He wanted to make sure the supervisor knows the crew did a good job.

Overall

Calls about employment decreased while calls about the loose leaf collection schedule increased last week. Call volume was busy through the end of the week.