

Staff Summary Report



Council Meeting Date: January 24, 2008

Agenda Item Number: _____

SUBJECT: Resolution amending City Code Appendix A—Schedule of Fees and Charges, Chapter 21, Nuisances and Property Enhancement.

DOCUMENT NAME: 20080124cdjk01 **MISCELLANEOUS FEES (0210-05)** Resolution No. 2007.92

SUPPORTING DOCS: No

COMMENTS: This is a resolution amending the City Code Appendix A, Schedule of Fees and Charges. The amendment will increase fines for violations of Chapter 21, Nuisances and Property Enhancement by \$50 per violation, the first increase in the overall fine schedule in five years. A separate fine is also included for persons deemed to be Habitual Offenders to deter future violations and to aid populations in need of services.

PREPARED BY: Jan Koehn, Neighborhood Enhancement Administrator (480-350-8076)

REVIEWED BY: Chris Salomone, Community Development Manager (480-350-8294)

LEGAL REVIEW BY: David Park, Assistant City Attorney (480-350-8907)

FISCAL NOTE: The City's portion of fines collected for persons deemed to be Habitual Offenders are to be diverted to a fund that will provide funding for persons unable to voluntarily correct code violations on their property, such as elderly or disabled persons.

RECOMMENDATION: Staff recommends adoption of Resolution No. 2007.92

ADDITIONAL INFO: None.

RESOLUTION NO. 2007.92

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AMENDING THE SCHEDULE OF FEES AND CHARGES FOR NUISANCES AND PROPERTY ENHANCEMENT AND ZONING.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, that the Schedule of Fees and Charges, Chapter 21, Nuisances and Property Enhancement, are hereby amended as follows:

NUISANCES AND PROPERTY ENHANCEMENT

Residential

	1 st Violation	2 nd Violation	3 rd Violation
Violations—Aesthetic			
Section 21-3, Enumerated Violations <i>subsections (b)1-8, 15 and 17-19</i>			
Section 21-4, Other enumerated violations	\$100	\$200	\$300
Section 21-13, Unenumerated violations	\$150	\$250	\$350
Section 21-38, Maintenance <i>subsections (a – k) and (m – q)</i>			
Violations—Essential Services			
Section 21-31, Sanitary Facilities			
Section 21-32, Food Preparation Facilities	\$200	\$400	\$600
Section 21-33, Electrical and Lighting	\$250	\$450	\$650
Section 21-35, Doors; Windows; Ventilation			
Section 21-36, Space and Occupancy			
Violations—Health, Safety & Welfare			
Section 21-3, Enumerated Violations <i>subsections (b) 9-14, 16, and 20 ,</i>	\$300 \$350	\$600 \$650	\$900 \$950
Section 21-34, Thermal Environment			
Section 21-37, Safety and Security			
Section 21-38, Maintenance <i>subsection (l), Swimming Pool Maintenance</i>			
HABITUAL OFFENDER 21-4(B)	\$500 + SUM OF OTHER FINES	\$1000 + SUM OF OTHER FINES	\$1,500 + SUM OF OTHER FINES
ZONING & DEVELOPMENT CODE VIOLATIONS	\$120	\$370	\$770
SECTION 1-201A, VIOLATIONS AND PENALTIES			

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE,
ARIZONA, this ____ day of _____, 2008.

/_____
MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney