



PROPERTY CODE ENFORCEMENT POLICIES & PROCEDURES MANUAL

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CITY OF YOUNGSTOWN

Policy & Procedures Manual

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Acknowledgments

The Policy and Procedures Manual was designed and developed as part of a three-year capacity building project (2015-2017) undertaken by Youngstown Mayor John McNally and his code enforcement staff with support from the Wean and Youngstown Foundations. The primary author was code enforcement expert Doug Leeper, with contributions from Mark Frater and Joe Schilling, editorial, design and publication assistance from Jimena Pinzón, and legal and policy research by Youngstown State University student Matt Stevens. All members of this technical assistance team were engaged through the Metropolitan Institute at Virginia Tech in Alexandria, Virginia. The team relied upon models from other cities and the extensive code enforcement experience of Frater, Leeper and Schilling. Although this P&P Manual represent standard operating procedures within the general field of code enforcement management, the authors took special care to tailor its content to the City of Youngstown while also setting standards for raising the city's performance and effectiveness.

The team could not have accomplished this feat without the constant contributions and guidance from Youngstown Code Enforcement Superintendent Abigail Beniston and her staff along with assistance from Law Office Director Marty Hume and City Prosecutor Dana Lantz. After all, code enforcement remains primarily a legal enterprise that seeks to gain compliance consistent with principles of due process and fairness to protect the health and safety of all Youngstown residents and facilitate the revitalization of the city's neighborhoods.



Overview of the Policies and Procedures Manual

The following Policies and Procedures (P&P) Manual provides managers and staff with general guidelines for how to administer existing code enforcement programs and take appropriate compliance and enforcement actions as outlined in the provisions of the Youngstown Code of Ordinances and consistent with applicable state and federal laws. The P&P Manual also aligns code enforcement program's overall mission and organizational culture with broader policy and program goals. Most of the P&P Manual's sections offer specific, step by step procedures that inspectors and staff should follow when performing their day-to-day duties, functions, and services. Code enforcement programs always involve a certain level of discretion as managers, inspectors, and staff confront changing conditions and new circumstances. The P&P Manual will help them adapt to new situations, make better individual case decisions—choosing the right course of action, for the right property conditions, at the right time—while also maintaining the overall integrity of the organization and its code enforcement mission—to gain effective and timely compliance that can further the community's quality of life.

The P&P Manual contains four chapters: 1) Complaint Initiation and Intake; 2) Inspection, Investigations, and Case Management; 3) Enforcement Actions and Procedures; and 4) Internal Operations. Each chapter contains individual sections that correspond to different tasks, actions, roles and responsibilities that inspectors, staff, and managers undertake as part of the City of Youngstown's property and housing code enforcement program. Think of these sections as step-by-step recipes that govern and guide the large majority of code enforcement actions and activities. These sections explain the purpose and philosophy underlying each action or task, the official policy along with practical guidance of how to use and apply that section within the daily context of most code enforcement cases.

The P&P Manual covers the most common or typical code enforcement activities with the goal of making those roles and responsibilities clear and ensuring a high degree of consistency and fairness in their application. If inspectors and staff, under the guidance of the Property CE superintendent and coordinator, can follow these policies and procedures, it should help improve the effectiveness and efficiency of the overall program, increase morale within the program, and improve credibility and transparency with the community. Note, however, these policies and procedures do not cover all actions and responsibilities nor do they anticipate every case or situation. Code enforcement, by its very nature, is a dynamic and complex operation that requires inspectors, staff, and managers to exercise a certain degree of discretion. Good judgment becomes critical at all times in using this P&P Manual. Therefore, the P&P Manual should guide their decisions and actions even if the precise policies and procedures do not cover the special circumstances they confront. Moreover, failure to take the same enforcement action against similarly situated properties does not amount to discriminatory enforcement if the Property CE



Overview of the Youngstown Code Enforcement (CE) Process

All code enforcement programs follow a generic three phase process: 1) complaint intake and assignment; 2) inspection/investigation, issuance of violation notices, re-inspection; and 3) selection and taking of enforcement actions. CE's overarching goal is to gain compliance with relevant codes and address all nuisance conditions on the property by taking the most appropriate compliance and/or enforcement action in a timely and effective way. Each action depends on the unique circumstances of each case—the property itself, the types of violations, the ability of the owner to voluntarily comply, the department's caseload and resources, the prosecutor and court docket, etc. The following diagram situates Youngstown's current code enforcement processes within the general context of these three interrelated phases. Later diagrams illustrate the more specific steps and actions for each phase with relevant references to important provisions of the P&P Manual.

