

**Agenda Item:** 2.c

**Meeting Date:** October 1, 2020

## MEMORANDUM

**To:** City Commission

**Date:** 2020-09-18

**From:** Joseph DiPasqua

**Subject:** First reading of Ordinance 20-35 - Capping of Code Enforcement Fines

**Presenter(s):** Joseph A. DiPasqua, Interim Director of Community Development

**Recommend:** Staff recommends approval of first reading of Ordinance 20-35.

**Epic Goal(s):** Epic Goal 2. Create a visual sense of place throughout Dunedin.

**Boards & Committees:** Code Enforcement Board

**Budget Impact:** N/A

**Past Action:** February 4, 2020 - City Commission Workshop  
May 20, 2020 - Code Enforcement Board

**Next Action:** October 15, 2020 - Second reading of Ordinance 20-35

**Attachments:** [A. Ordinance 20-35 - Sec. 22-79\\_Capping of Fines.pdf](#), [B. Assessment of Dunedin's Code Enforcement Process by CGA\\_Jan 2020.pdf](#),

**Background:** Last year, the City of Dunedin hired Calvin, Giordano & Associates, Inc. (CGA) to prepare an assessment of the City's code enforcement process. In January 2020, CGA provided a comprehensive analysis of their findings and recommendations in their report entitled ASSESSMENT OF DUNEDIN'S CODE ENFORCEMENT PROCESS. CGA presented their report to the City Commission on February 4, 2020. A copy of the CGA report is attached (Exhibit B).

As mentioned above, CGA made a number of recommendations in their report for the city to consider. After discussing the report at their February 4th Work Session the City Commission directed staff to begin making the changes necessary to institute a number of CGA's recommendations.

On May 20, 2020, city staff made a number of recommendations to the DCEB and received unanimous direction to move forward with the necessary changes.

Recommendation #5 by CGA was for the City of Dunedin to consider capping of fines. Ordinance 20-35 revises Article III, Sec. 22-79(d) of the Code of Ordinances to cap fines for any one continuing violation at twenty (20) times the original daily fine amount.

## ACCOMPLISHMENTS

Below is a list of items that have been accomplished thus far to the overall code enforcement process.

### 1. Code Enforcement Processes

We reclassified the vacant Code Enforcement Inspector position to a Code Enforcement Supervisor position. This new position oversees the day-to-day operations and supervises the two code enforcement inspectors. The position was advertised and we selected Chris Elbon to fill this role. Chris started last month and is settling in nicely.

Staff developed a Code Enforcement Certification Pay Policy to encourage code enforcement staff to increase job knowledge, professional status and job competence.

Staff developed and implemented a standard operating procedure for cross-referencing addresses to ensure that all Code Enforcement correspondence is mailed to the property owner(s) address or addresses.

### 2. Relief/Release Process

The city is discontinuing the use of partial release settlements. Moving forward, the city will be doing full release settlements once compliance is achieved and liens are paid.

### 3. Stipulated Settlement Agreements

Staff is prepared to handle stipulated settlement agreements as they arise.

### 4. Tiered Violations

Staff has drafted recommended changes to Article IV of Chapter 22 of the Code of Ordinances for review and approval of the City Commission in the near future.

### 5. Capping of Fines

Staff has drafted recommended changes to Article III, Sec. 22-79 of the Code of Ordinances for review and approval by the City Commission in October

(Ordinance 20-35).

6. Code Enforcement Board Procedures

The Dunedin Code Enforcement Board's Rules of Procedure were amended by the City Attorney then adopted by the DCEB in August.

7. Amnesty Program

Staff is continuing to review fine/lien amnesty. A recommendation will be forthcoming.

8. Fine Mitigation

Staff is continuing to review fine mitigation. A recommendation will be forthcoming.