WJPC
WEXFORD JOINT
PLANNING COMMISSION

Wexford Joint Planning Commission
Ordinance Enforcement and Compliance Policy

1. **Mission**
   The mission of this Ordinance Enforcement and Compliance Policy is to assure equitable administration of the applicable ordinances in order to further enhance the livability of our citizens by protecting the health, safety, and general welfare.

2. **Purpose**
   The purpose of this Ordinance Enforcement and Compliance Policy (hereafter "Compliance Policy") is to provide written guidelines for:
   - Determining jurisdiction based upon the type of complaint
   - The prioritization of Enforcement and Compliance cases
   - The investigation process of Enforcement and Compliance complaints
   - The 'enforcement' process of Enforcement and Compliance complaints

   These written guidelines are intended to assure consistency within the Wexford Joint Planning Commission's Ordinance Enforcement and Compliance Policy and to further educate citizens and property owners about the Compliance Policy.

3. **Compliance Policy – Philosophy**
   The Wexford Joint Planning Commission's (on behalf of all of the participating municipalities) policy is to achieve compliance in cases of reported and discovered complaints. Not all violations have the same degree of severity. Therefore, the Wexford Joint Planning Commission, while recognizing the limited personnel and financial resources available, through this Compliance Policy, will utilize a priority ranking procedure. This will allow a level of enforcement and compliance efforts that is best suited to the individual matter, and to again assure consistency.

4. **Priority Ranking for Enforcement and Compliance**
   It is the policy of the Wexford Joint Planning Commission to attempt to investigate and to resolve all reported and discovered violations. There may be times when ordinance violations cannot be given the same level of attention, when some violations may receive no attention at all, when the Wexford Joint Planning Commission may be unable to carry out the ordinance enforcement activities outlined in this Compliance Policy. In this case, the most serious violations, as determined through the application of the priority ranking criteria in this section, shall be addressed before the less serious violations.

Priority Ranking (most to least serious)

1. Violations that present an imminent threat to public health, safety, and / or welfare;
2. Violations effecting the natural course of water flow, storm drainage, wetlands, or other environmentally sensitive concerns;
3. Construction of non-permitted structures;
4. Multiple complaints received on the same property;
5. Zoning and Junk (post 2016) violations;
6. All other violations.

5. Criteria for Establishing Priority Ranking

The following aggravating circumstances may be used to move a violation to a higher or lower ranking as deemed appropriate by the Wexford Joint Planning Commission:

1. The actions leading to the violation(s) are deliberate;
2. The violation causes economic harm to individuals or the community as a whole;
3. The alleged violator is receiving significant economic benefit from the continuing violation;
4. The physical size or extent of the violation is significant;
5. There is a previous history of complaints and / or code enforcement activity on the same property
6. After reasonable efforts, there is little likelihood of obtaining voluntary compliance;
7. The violation(s) is flagrant and highly visible.

This section of the policy is not intended to prohibit the Enforcement and Compliance Policy enforcing official from using other criteria on a case-by-case basis to establish priority ranking.

6. Applicability

This Compliance Policy is not applicable to private deeds, restrictions, covenants or other conditions that may be imposed by private parties.

7. Initiation of Ordinance Enforcement

Ordinance Enforcement will be initiated by the following methods:

1. Citizen Complaints. Any person may make a complaint to the Wexford Joint Planning Commission alleging a violation. The complaint shall be filed on a form prepared from time to time by the Wexford Joint Planning Commission. Supplemental information may be attached to the complaint form.
2. Anonymous Complaints. Anonymous complaints will be accepted but may not be investigated at the discretion of the enforcement official, depending on the following factors:
    - The reliability of the complaint;
    - Whether the complaint alleges an imminent threat to public health, safety or welfare;
    - The ease or difficulty with which the complaint can be verified.
3. Report of Complaints by Wexford Joint Planning Commission members or by elected officials of a participating municipality shall be made in the same manner and will be evaluated using the same policy.

8. Recordkeeping and Files

To the extent possible, all complaints received shall be recorded and filed by Parcel Identification (property) Number and logged in a manner that allows for easy referencing. Received complaints (on a form prepared from time to time) by the Wexford Joint Planning Commission shall include:

- An assigned Case # [Parcel Identification Number];
- Complainants name and preferred method of contact (if not anonymous);
- The subject property address (if assigned);
- Nature of Complaint
- Supporting documentation such as field notes, photographs, or written statements of a complainant

This section is designed to permit other persons to identify the source of a complaint and to evaluate the Enforcement and Compliance Process.

9. Investigation Processes

The investigation processes are designed to critically manage the limited financial and personnel resources in order to maximize efficiency of the Enforcement and Compliance program and to assure overall consistency. The process should also chronologically detail all enforcement activity to support future enforcement if required:

1. Establish that a violation of an applicable Ordinance actually exists by means of a personal site inspection. If a violation does not exist, close the case.
2. If a violation is deemed to exist-
   a. Attempt personal contact if deemed safe and appropriate
   b. Describe the nature of the violation
   c. Advise of expected timelines for compliance
   d. Follow up with written documentation to the occupant and / or property owner

Documentation such as written notes, times, dates, photographs should be created and be made a part of the record.

10. Enforcement Processes

The enforcement process is designed to ensure concise and equitable administration of this policy in the fairest manner possible. If, after attempts at personal contact and written communication has failed to resolve the issue to the satisfaction of the enforcement official, legal action may become necessary.

11. Resolution of Violations

It is the policy of the Wexford Joint Planning Commission to attempt to reach a final, satisfactory resolution of all violation concerns prior to engaging additional legal resources that require the expenditure of the limited financial resources allocated to compliance and enforcement. Where it is determined that a violation may not be successfully resolved in a reasonable timeline, the file will either be closed or alternative methods of compliance and enforcement pursued.