



CODE ENFORCEMENT OFFICE

645A Pine St, PO Box 849

Burlington, VT 05402-0849

VOICE (802) 863-0442

FAX: (802) 652-4221

TO: CDNR Committee

From: William Ward/Director of Code Enforcement

Date: November 6, 2014

Subject: Enforcement of the "More than 4 unrelated" zoning ordinance.

Summary

At the September 3, 2014 CDNR meeting I provided an overview and recommendation of more than 4 unrelated enforcement efforts in Burlington. This report will answer the specific questions from that meeting about statistical information on the number of complaints investigated over the last 2 to 3 years and provide preliminary data about our efforts to reduce disorderly property incidents.

Statistics – More than 4 unrelated investigations

Year	2012	2013	2014
Annual complaint total	1,251*	783	466
Over occupancy reports	9	20	3

*Higher number indicates last year before SeeClickFix.com was fully implemented

Breakdown of 9 complaints in 2012

- 4 Were related to 5 names on the mailbox – Lease/Site inspection confirmed 4
- 2 Were related to 5 + names on mailbox but were grandfathered properties
- 1 Advertised rental for 5 people, site inspection confirmed 4 tenants.
- 1 Had no substantiated information to follow and no evidence on site visits.
- 1 Investigation started in 2012– NOV issued in 2013 (2013) statistics.

1 Stipulation agreement signed in September 2012 which closed a prior NOV. \$2,500 settlement agreement with the property reduced from 5 and returned to no more than 4 unrelated. Follow-up inspection conducted in February 2013 at time of sale confirmed no more than 4 unrelated tenants.

Information available in alternative media forms for people with disabilities.

For disability access information call (802) 863-0450 TTY.

An Equal Opportunity Employer

Breakdown of 20 complaints in 2013

2 Complaints reached Notice of Violation (NOV) Status:

- 1) Ward 1 Property owner was issued an NOV in April – Lease was for 4 tenants- Tenants moved out in May.
- 2) Ward 1 Property owner issued an NOV in December. Lease did have 5 people. Tenants have vacated. This property was confirmed vacant as of the end of December 2013.

18 other properties received an abbreviated investigation based on inquiries about suspected more than 4 unrelated. Each was determined to not require further investigation

Breakdown of 18 inquiries

- 13 were found to have only 4 tenants via lease information and/or site inspection
- 2 were permitted to have more than 4 as existing uses in High Density Zoning
- 1 had a permit for a functional family
- 1 had no substantiated information to follow- no evidence on site visits.
- 1 was “14 occupants” in a building but we found 4 units and only 13 occupants and none had more than 4.

Breakdown of 3 complaints in 2014

- 1) Report of Occupying by more than 4 (5 names on the mailbox)

They left one prior roommate’s name on the mailbox because utility bills were in her name and they want to make sure they are delivered to the house so that they can pay them.

- 2) Report of “More than 4 unrelated”–
Extra tenant was a student outside Burlington, staying temporarily with friends.
Verified that they moved out.

- 3) Report of “More than 4 unrelated”

Two extra occupants were waiting for the dorms at UVM to open. They were staying with friends temporarily.

Purpose of Over Occupancy Enforcement

The purpose of enforcement of the more than four unrelated provision is to ensure compliance with the ordinances. These violations can be dangerous for the tenants and a source of trash complaints, yard parking, increased noise complaints and disorder in neighborhoods. Because it is difficult to simply identify which properties may be over occupied, we have tried to identify problem properties in the past two years and target our enforcement efforts at reducing repeat offenses. Our goal is to reduce the disorder as we seek to identify properties that may be in violation of the more than 4 unrelated ordinance.

Trash and yard parking enforcement

In 2012 we implemented SeeClickFix. com as the best method of documenting reports of trash and yard parking. Since 2012 we have closed 1,255 reports of trash or dumping with an average of less than 7 days for closure. We have closed 152 lawn parking complaints in an average of 5 days for closure. Approximately 50 Percent of these reports are staff initiated.

Noise enforcement

Noise incidents at rental properties were identified in June of 2014 in an effort to reduce problems at the properties with the most incidents. 12 properties were identified as being responsible for 154 noise incidents in 2 years. Those 12 property owners/managers were required to join me in a property inspection over the course of a 30 day period. The goal was to identify any sources of safety or maintenance problems at the properties which may be contributing to the disorderly behavior of the occupants. Each property owner was informed that the tenants should be notified of the reason for the inspection and the expectation that the noise ordinance would be strictly enforced.

Following those inspections we began tracking those specific properties. The results are as follows:

<u>Address</u>	<u>Previous 2 year Incident count</u>	<u>Aug-Oct 2014 Incident count</u>
388 College St #4	25	0
40/42 Colchester Ave	16	0
24 Bradley St	14	0
388 College St #2	12	0
62 S Union St	12	0
86 Buell St	12	0
138 S Willard St	11	1
108 Buell St	11	2
223 Pearl St	10	0
83 Hungerford Terr	9	0
32 University Terr	9	2
86 Loomis St	8	0

Information available in alternative media forms for people with disabilities.
For disability access information call (802) 865-7121 or (802) 863-0450 TTY.
An Equal Opportunity Employer

Quality of Life – Neighborhood Improvement Efforts

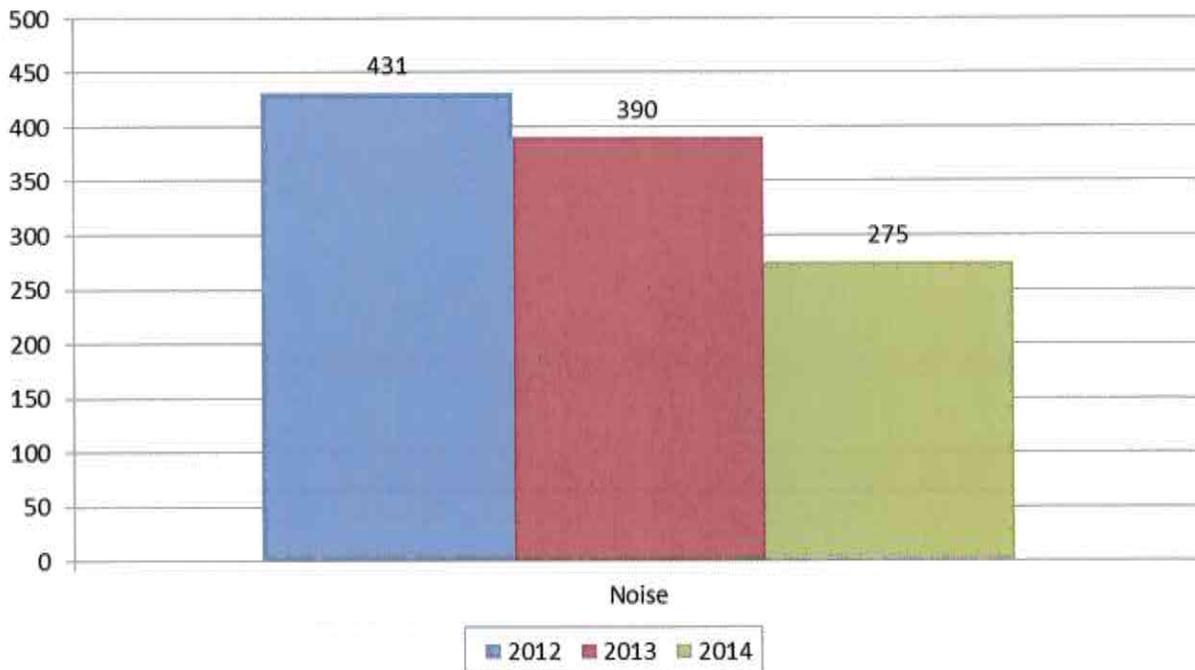
2014 has been a successful year of collaboration among a variety of community partners working on quality of life efforts. These are a few examples of current efforts.

- A City of Burlington Leadership team began the season with calls to the owners of properties with noise complaints on the first weekend of the season. The effort was led by Mayor Weinberger and including City Council President Shannon, Councilors Paul, Knodell, Colburn, Chief Schirling, with Code Enforcement and UVM representatives.
- Police Department “Knock and Talk” initiatives.
- Extra patrols in residential neighborhoods focused on quality of life issues funded by the University of Vermont.
- Roving quality-of-life foot patrols targeting noise, underage and public drinking, and parking issues.
- Extra cruiser patrols.
- Joint patrols between UVM and Burlington Police.
- UVM-BPD-Code Enforcement joint response to houses that are identified by Police reports as having caused repeat disturbances in neighborhoods this year.

The results of these efforts are noted in the graphic below. Weekend noise complaints are down by about 30% this year compared to last year for the same 11 week period.

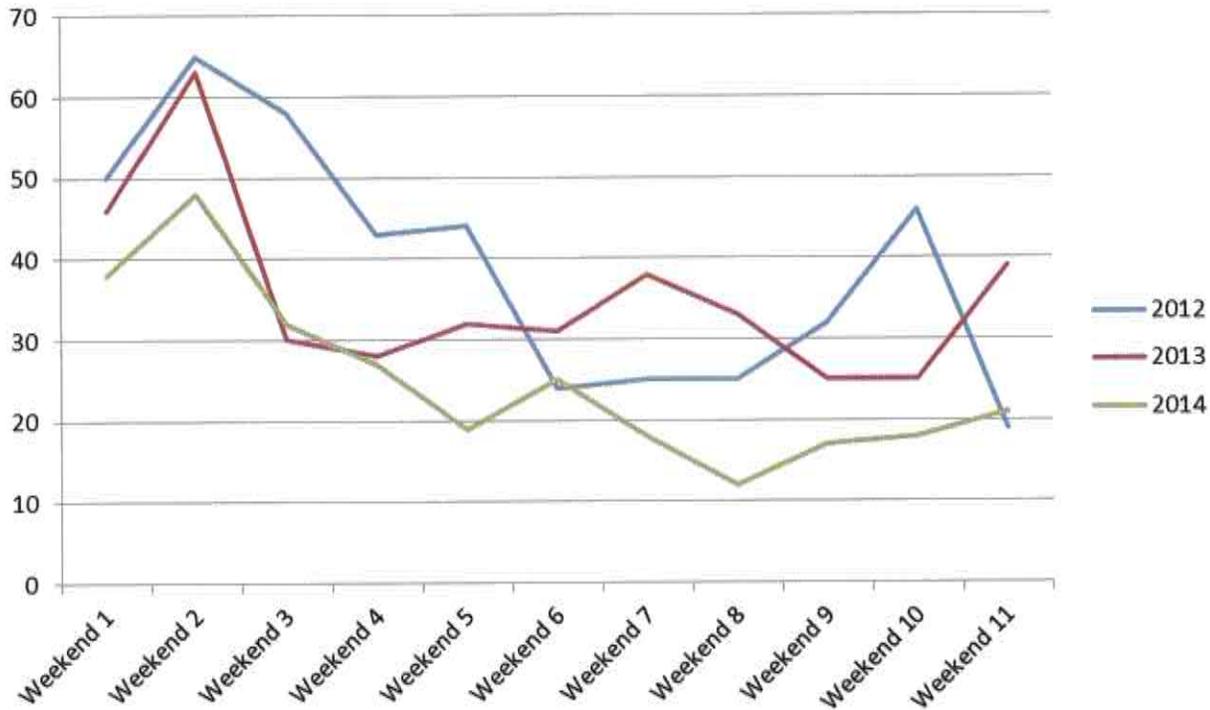
Weekend Noise Incidents

Weekend Noise Incidents Year to Date Comparison



Information available in alternative media forms for people with disabilities.
For disability access information call (802) 865-7121 or (802) 863-0450 TTY.
An Equal Opportunity Employer

Weekend Noise Trend Year to Year Comparison



Conclusion

The current strategies have proven to be effective tools in reducing disorder. We are actively researching additional strategies and reviewing models in other communities. The City of Burlington should continue on a course of encouraging cooperation among departments to coordinate responses to neighborhood disorder. At the conclusion of this school year, city leaders should reconvene to examine the final results of this year's efforts. If the trends continue to show improvement, the strategies should be reinforced and improved wherever weaknesses are found.

If more effective tactics are developed from community recommendations for improving the more than four unrelated enforcement, the Code Enforcement Department will explore implementing those strategies.