



2007

Analysis

of

Code Enforcement

S.N.A.P.

and

Code Enforcement Citations

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Springdale City Attorney's Office
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FOREWORD

Code enforcement has received increased attention in recent years in Springdale. While all attorneys within the City Attorney's Office work on code enforcement matters, most of the responsibility for filing charges and dealing with the Code Enforcement Division of the City has been assigned to Ernest Cate. Ernest also has primary responsibility for handling planning, zoning, condemnation, SNAP, and real estate matters.

A few years ago, because there have been so many comments about code enforcement, I had Ernest put together a study of code enforcement related violations that were handled through court. Studies have been conducted for 2003, 2004, 2005, and 2006. This year's report details the enforcement and prosecution of code enforcement violations in the Springdale District Court for those offenses occurring during 2007.

As with all legal matters, our office strives to provide the best service possible in regard to prosecution of code enforcement violations, with the goal of bringing the property into compliance with City codes. In the end, that is why we have a Code Enforcement Division, to ensure persons keep their property in compliance with City ordinances. This enhances not only the neighborhood of the property involved, but also the City as a whole.

Jeff Harper, City Attorney

A. Overview

1. Code Enforcement Division

The City of Springdale, Arkansas, has a Code Enforcement Division which exists to ensure compliance with city ordinances such as unsightly/unsanitary conditions, inoperative/unlicensed vehicles, parking in the grass violations, property maintenance code issues, and other ordinances relating to the appearance and safety of private property. The City Council has recognized the importance that code enforcement has in our City, and approved the funding for additional personnel in the Code Enforcement Division for 2007. This commitment to code enforcement resulted in the Code Enforcement Division having a Coordinator and four (4) Code Enforcement Officers during 2007. In previous years, the Code Enforcement Division consisted of a Coordinator and only two (2) Code Enforcement Officers.

Code Enforcement responds to complaints called in by citizens, and also monitors compliance with city ordinances by patrolling City streets and neighborhoods. Once a violation of a city ordinance is confirmed by Code Enforcement, the occupant and/or property owner is given notice that an ordinance violation exists on the property, and the owner/occupant is given the opportunity to correct the problem. In addition, the occupant and/or

property owner may be cited into court for the violation as well. If the problem is not corrected, the City may: 1) correct the problem and recover its costs as restitution from the owner or occupant in the prosecution of the ordinance violation; or 2) place a lien on the property to recover its costs to correct the problem. The latter method is more commonly used in connection with abandoned/unoccupied properties, or properties with out-of-state owners.

In 2007, the Code Enforcement Division issued a total of 6,521 violation notices, or an average of 125 violation notices per week. Code Enforcement subsequently rechecks the property to determine if the property owner or occupant has corrected the ordinance violation. In 2007, the Code Enforcement Division performed a total of 7,852 rechecks, or an average of 151 rechecks per week. If, after the recheck, it is determined that the ordinance violation has still not been corrected, the Code Enforcement Officer may write the property owner or occupant a summons to appear in court on the city ordinance violation.

When considered together, the Code Enforcement Division performed a total of 14,373 violation notices and rechecks in 2007. This is an average of 276 violation notices and rechecks per week. In addition, in

2007, Code Enforcement officers also performed 113 home office inspections, and handled 213 complaints which proved to be unfounded.

These 2007 statistics clearly illustrate why additional Code Enforcement officers were needed. This need was recognized by the Springdale City Council, who approved funding for two additional Code Enforcement Officers for 2007. The 2007 statistics demonstrate how two new Code Enforcement Officers enabled the Code Enforcement Division to dramatically increase its productivity during 2007. For example, the number of violation notices increased from 3,174 in 2006, to 6,521 in 2007, and increase of 105.45%. Similarly, the number of rechecks increased from 3,050 in 2006, to 7,852 in 2007, an increase of 157.44%.

When looking at these increases, it is interesting to examine the type of violations which caused these activities. For example, of the 6,521 violation notices issued by Code Enforcement in 2007, 3,253 were for "unsightly/unsanitary conditions", which includes tall grass, weeds, junk, trash, stagnant water, dead trees, etc. This was a 111.37% increase over 2006, when 1,539 violation notices were issued for unsightly/unsanitary conditions.

Of the 6,521 violation notices issued by Code Enforcement in 2007, 1,521 were for issues pertaining to inoperative/unlicensed vehicles, and for

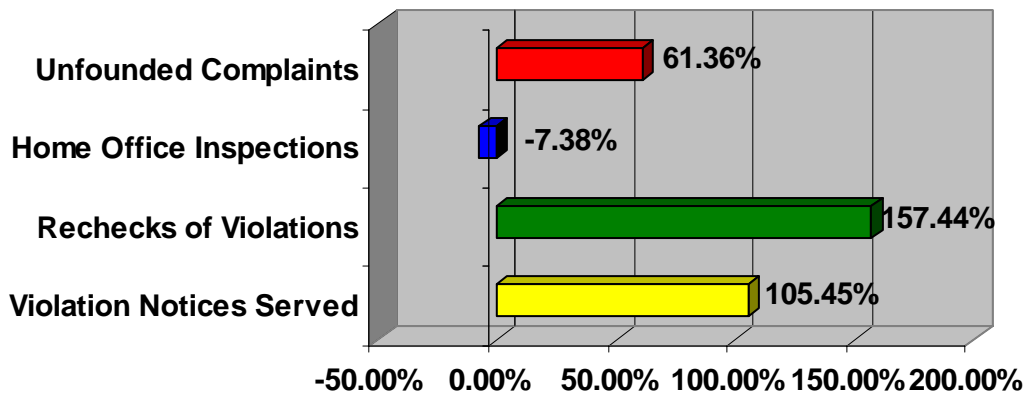
issues pertaining to parking in unpaved areas in residential zones. Also known as the "parking in the grass" ordinance, this ordinance places restrictions on the parking of vehicles in unpaved areas on residentially zoned property, and places restrictions on the parking of boats, trailers, and RVs. This ordinance was passed in January of 2007. These 1,521 violation notices represented a 189.16% increase over 2006, when only 526 notices were issued for vehicle issues. This increase is largely due to the implementation and enforcement of the "parking in the grass" ordinance.

Of the 6,521 violation notices issued by Code Enforcement in 2007, 1,747 were for other miscellaneous violations, such as no house numbers, property maintenance code issues, no business license, zoning ordinance violations, no building permit, over occupancy, and sign ordinance violations. This represented a 57.53% increase over 2006, when 1,109 notices were issued for similar type miscellaneous ordinance violations. This increase is due almost entirely to the amendments made to the City's sign ordinance during 2007, particularly relating to temporary signs and banners. For example, in 2007, 951 violation notices were written by Code Enforcement pertaining to the sign ordinance, while only 53 were written during the entire year of 2006.

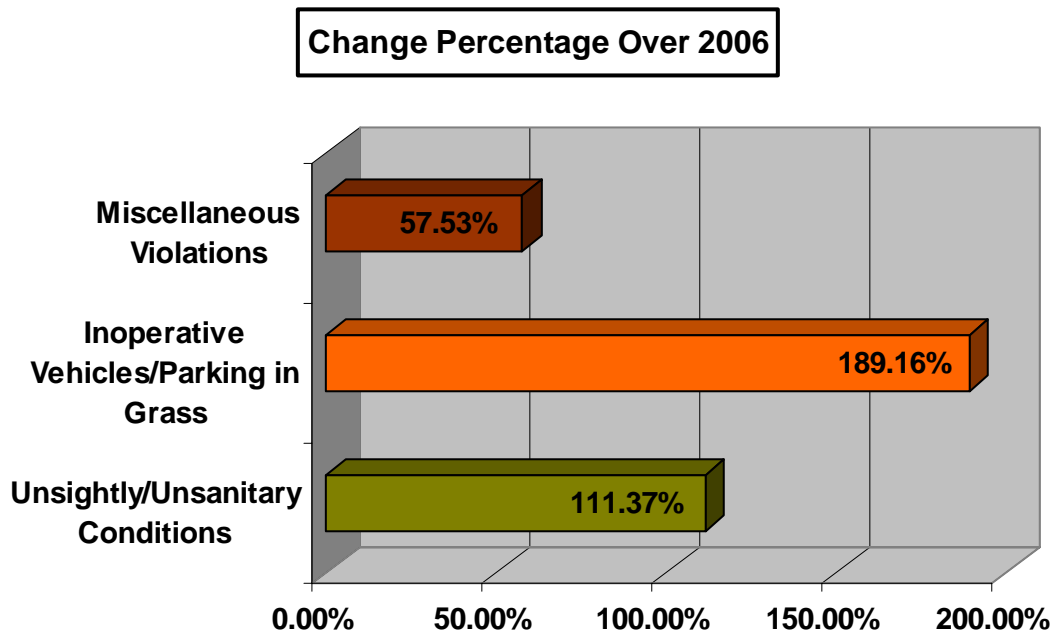
2007 CODE ENFORCEMENT ACTIVITY AND COMPARISON TO 2006 ACTIVITY

<u>Activity</u>	<u>2007</u>	<u>2006</u>	<u>% Change</u>
Violation Notices Served	6,521	3,174	105.45%
Rechecks of Violations	7,852	3,050	157.44%
Home Office Inspections	113	122	-7.38%
Unfounded Complaints	<u>213</u>	<u>132</u>	<u>61.36%</u>
TOTAL ACTIVITY	14,699	6,478	126.91%

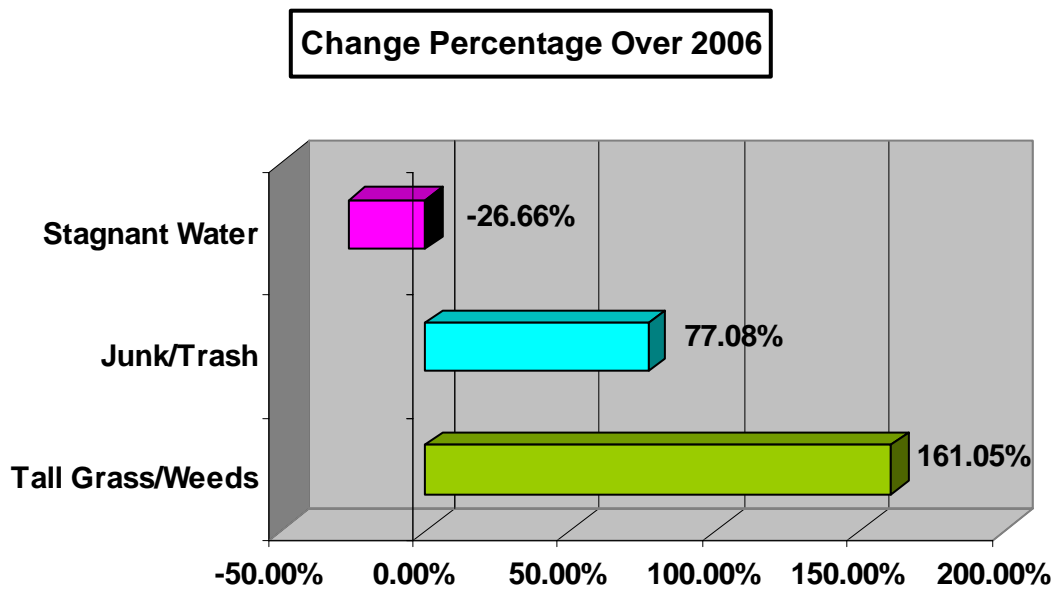
Change Percentage Over 2006



<u>Type of Violations Encountered</u>	<u>2007</u>	<u>2006</u>	<u>% Change</u>
Unsightly/Unsanitary Conditions	3,253	1,539	111.37%
Inoperative Vehicles/Parking in Grass	1,521	526	189.16%
Miscellaneous Violations	<u>1,747</u>	<u>1,109</u>	<u>57.43%</u>
TOTAL VIOLATIONS	6,521	3,174	105.45%



Unsightly/Unsanitary Conditions	2007	2006	% Change
Tall Grass/Weeds	1,689	647	161.05%
Junk/Trash	1,553	877	77.08%
Stagnant Water	<u>11</u>	<u>15</u>	<u>-26.66%</u>
TOTAL UNSIGHTLY	3,253	1,539	111.37%



<u>Inoperative Vehicles/Parking in Grass</u>	<u>2007</u>	<u>2006</u>	<u>% Change</u>
Inoperative Vehicles	300	437	
Parking in Grass Ordinance Violations	1024	0	(new in 2007)
Boat/Trailer/RV Parking	161	89	
Parking on Sidewalk	<u>36</u>	<u>0</u>	
TOTAL INOP VEH/PARK IN GRASS	1,521	526	189.16%

<u>Miscellaneous Violations</u>	<u>2007</u>	<u>2006</u>	<u>%Change</u>
No House Numbers	169	231	
Building/Property Maintenance Issues	130	451	
No Business License	63	81	
Over Occupancy	42	7	
No Trash Service	88	111	
Refrigerator Violations	89	56	
Zoning Ordinance Violations	37	47	
No Pool Fence	16	15	
No Building Permit	30	16	
Other Misc. Violations	132	41	
Sign Ordinance Violations	951	53	
Temporary (566)			
Off-Premises (281)			
Garage Sale (104)			
TOTAL MISCELLANEOUS	1,747	1,109	57.53%

2. SNAP (Springdale Nuisance Abatement Partnership)

In March of 2006, the Springdale Police Department created SNAP (Springdale Nuisance Abatement Partnership). SNAP is made up of representatives from several City departments, including the police department, fire department, code enforcement, building inspection, and city attorney's office. The goal of SNAP is to enhance the exchange of information between City departments, in order to make these departments more efficient. The members of the SNAP team hold monthly meetings to discuss and exchange information on specific properties and problems within the City. The SNAP team has met on a monthly basis since March of 2006.

SNAP became a full-time position in the Springdale Police Department in October 2006. Led by Sgt. Billy Turnbough of the Springdale Police Department, and assisted by Officer Travis Monson, SNAP made its presence clearly known in the City of Springdale during 2007. In addition, over a dozen other officers worked over time in 2007 to assist the SNAP program *in addition to* their other duties with the Police Department. In 2007, these officers managed to address problems and issues related to numerous properties in the City, and worked a total of 493 cases during 2007.

In addition, SNAP strives to educate City departments, private and civic organizations, property owners, and the general public regarding ordinance violations, nuisance properties, quality of life issues, and crime prevention in the City of Springdale. Specifically, during 2007, SNAP provided numerous training sessions on these vital issues.

Sgt. Turnbough and Officer Monson have also initiated several facilitation meetings with the owners and operators of bars and apartment complexes. These meetings allow the City to communicate its concerns regarding activities taking place at these businesses, such as fights, possible gang activity, noise, etc. The meetings have resulted in better communication between business owners and the City. Better yet, these meetings have, more often than not, resulted in improved conditions at these businesses.

For example, the calls for police service at Springdale bars decreased dramatically during 2007. Specifically, in 2006, there were 248 calls for service at Springdale bars. However, due in large part to the efforts of the SNAP program, and the training and services they provide, the number of calls for service at Springdale bars fell to 163 in 2007, a decrease of 34.27%.

Another huge benefit is the fact that 3 Springdale police officers (Sgt. Billy Turnbough, Travis Monson, and Jason Renfrow) have completed training in Crime Prevention Through Environmental Design (CPTED). CPTED is "the proper design and effective use of the built environment that can lead to a reduction in the fear and incidence of crime and an improvement in the quality of life." The goal of CPTED is to reduce opportunities for crime that may be inherent in the design of structures or in the design of neighborhoods. This CPTED training is being put to use by these officers in the planning process, and SNAP is in attendance at all technical plat and Planning Commission meetings to review all new subdivision plats and large scale developments proposed in the City. During 2007, these officers and SNAP conducted 12 CPTED evaluations. This number will increase in 2008.

The primary challenge faced by SNAP during 2007 was the increase in the incidents of graffiti in the City of Springdale. Specifically, the number of reported graffiti incidents in 2007 rose to 454, compared to 220 in 2006. This is an increase of 106%. As a result, the City incurred additional costs in removing graffiti from City property. In 2007, the City incurred the following costs to remove, cover up, or replace graffiti damage to City property:

- A. Cover up with paint under bridges, and drainage ditches.
 - 1. 288 man hours at \$31.50 each = \$9,072.00
 - 2. 50 gallons of paint at \$17.60 each = \$ 880.00

- B. Sign replacement due to graffiti.
 - 1. 31 various traffic signs = \$1,410.00
 - 2. 39 man hours at \$65.00 each = \$2,535.00

- C. Miscellaneous (traffic boxes, asphalt grinding, sidewalks etc.)
 - 1. Paint remover and graffiti wipes = \$220.00
 - 2. 25 man hours at \$65.00 ea = \$1,625.00

Total Costs for 2007 = \$ 15,742.00

Given the dramatic increase of the incidents of graffiti, and its cost to the City, the Springdale Police Department and SNAP placed an added emphasis on the arrest and conviction of those responsible for these acts of vandalism. In 2007, over 25 different individuals were arrested for graffiti. It is the standard practice of the Springdale City Attorney's Office to request the maximum fine and maximum jail time for graffiti offenders, and several individuals have been convicted and sentenced to one (1) year in jail and a \$1,000 fine. In addition, these offenders are required to pay victim restitution for the damage they caused. Many of the offenders arrested are juveniles, and the Washington County Juvenile Court has also been issuing the maximum sentence for these arrests.

In addition to prosecuting offenders through the criminal process, SNAP also took non-violent prisoners and community service workers out

to clean and remove graffiti all over the city. During 2007, these prisoners and community service workers provided a total of 287 man hours of removing graffiti, all free of charge to the City.

Also, SNAP paired up with public assistance from the Spectrum Paint Store. During 2007, the Spectrum Paint Store donated over 400 gallons of paint to help with the graffiti clean-up process. In some cases, they actually mixed the paint to match as needed, which greatly assisted the elderly and disabled. In addition, SNAP paired with the Northwest Arkansas Hispanic Council, who donated up to 50 people at a time to do the physical work of painting and removing graffiti. They also donated equipment which was essential to the graffiti removal process. Also, during 2007, SNAP paired with area businesses in the fight against graffiti. Specifically, National Home Center, Lowe's, and Meeks Lumber all donated materials to aide in the removal of graffiti.

SNAP has also used the CPTED process to help make areas safer, and to help reduce the likelihood that graffiti would be repeated at particular locations. Some businesses have already installed cameras and others have installed dummy cameras to prevent or discourage graffiti. SNAP has also used the various media outlets in Northwest Arkansas to get the word out on graffiti arrests and convictions.

2007 was a turning point year for the City of Springdale with regards to graffiti. The incidents of graffiti forced the City to adapt its manpower and policies from not only prosecuting graffiti, but to instituting measures which would deter future graffiti incidents. SNAP remains committed to making sure that these measures are further implemented and utilized in 2008. Graffiti is a problem that affects the appearance of the city, affects business growth and tax revenue, and leads to additional crime.

In addition, SNAP assists with ABC compliance checks, and conducts a complete background check on any applicant for a liquor license. During 2007, SNAP participated in and conducted 11 ABC investigations and background checks. SNAP also participates in checks to ensure that businesses are not selling alcohol or tobacco to minors.

In addition, SNAP has enlisted the assistance of other organizations in its efforts to improve the quality of life in the City of Springdale. SNAP has made an effort to include all those within our diverse community to participate in, and benefit from, their involvement with SNAP.

Other cities have taken note of SNAP's successes. The City of Pine Bluff sent some of their officers to the City of Springdale to learn the SNAP program so that it could be implemented in their city. Other jurisdictions, such as Gentry and Siloam Springs, are scheduled to do the same.

3. Issues Addressed in 2007

In 2007, Code Enforcement and SNAP played a key role in addressing several issues of importance to the citizens of the City of Springdale. For example, during 2007, the Springdale City Council adopted new ordinances prohibiting the parking of vehicles on unpaved areas of residential property, passed a "landlord registration ordinance", added new use units further defining flea markets, added regulations for outdoor flea markets, and adopted a business license revocation/suspension procedure. In addition, the City Council adopted revisions to the City's sign ordinance, further defining temporary signs and banners.

Code Enforcement and SNAP were instrumental in identifying the need for such regulations and were of valuable assistance in getting these ordinances approved by the City Council. The adoption of these new regulations and ordinances have had a positive impact in the City.

Code Enforcement and SNAP played an important role in the development, discussion, and passage of the regulations pertaining to the prohibition of parking on unpaved areas in residential zones. Commonly known as the "parking in the grass ordinances", these regulations were written, discussed, and debated in 2006, before being approved by the City

Council in January 2007. Not only have these ordinances improved the quality of life in the City of Springdale, but other cities in Northwest Arkansas have adopted or discussed similar ordinances as well.

In addition, Code Enforcement and SNAP were instrumental in the creation and adoption of an ordinance requiring that all residential properties that were not owner occupied be registered with the City. Known as the "landlord registration" ordinance, this ordinance will increase the efficiency of all City departments by increasing the amount of information immediately available regarding a particular parcel of property, and will make it easier for the City to contact property owners in the event of fires, other emergencies, and will provide Code Enforcement and SNAP with solid, reliable contact information when problems arise on the property.

Also during 2007, the City Council amended the City's zoning ordinance to further define and regulate flea markets. Specifically, these amendments included much needed supplementary district regulations on outdoor flea markets, which will undoubtedly improve the quality of those locations throughout the City. Code Enforcement and SNAP assisted with the creation and passage of these regulations.

Another milestone event in 2007 was the passage of an ordinance which created a mechanism whereby a nuisance business could have its

business license revoked or suspended by the City Council. Since the inception of SNAP, it was discovered that the City had no effective mechanism of dealing with nuisance businesses, other than taking them to Court. Thanks to the Springdale City Council, a mechanism is now in place which provides Code Enforcement and SNAP with another tool in addressing nuisance businesses.

During the latter months of 2007, the City Council engaged in a debate regarding temporary signs and banners. Code Enforcement and SNAP were allowed a voice during these discussions. In the end, the City Council adopted long-needed amendments to the City's sign ordinance, whereby temporary signs and banners were further defined and regulated. The benefits of these changes are abundantly evident in the City.

It should also be mentioned that in 2007, Code Enforcement and SNAP were instrumental in the razing and removal of seven (7) unsafe structures in our city (Theodore, Wheatland, Locust, Shiloh, Blair, Young, and Ewalt). On four of those properties, the owners complied and razed/removed the structure on their own. On the other three, the City razed the structure and then placed a lien on the property to recover its costs of razing and removing the structure. Two of these structures had been badly damaged by fire, and one other structure was a common haven

for criminal activity. These structures were unsafe and posed a hazard to the people living nearby. As a result, at the request of Code Enforcement and SNAP, the City Council authorized the razing and removal of these structures. After these structures were demolished, the City Council approved placing a lien on these properties to secure the City's costs of removing these structures. These liens totaled \$18,394.00.

These examples clearly illustrate the impact and leadership demonstrated by Code Enforcement and SNAP in 2007. This trend has continued into 2008.

B. Types of Ordinance Violations

This survey examines city ordinance violations encountered by Code Enforcement and SNAP that pertain to the appearance, cleanliness, and safety of property within the City of Springdale. The most common examples of these violations are unsightly/unsanitary conditions, inoperative vehicle/parking in the grass violations, and what will be referred to as "miscellaneous ordinance violations", which includes Property Maintenance Code violations. This survey will examine the number and type of these ordinance violations that were actually referred to court, and will examine the results of the prosecution of these ordinance violations.

1. Unsightly/Unsanitary Conditions

The most common type of ordinance violation encountered by Code Enforcement and SNAP in the City of Springdale is the “unsightly/unsanitary condition” violation. This type of violation encompasses tall grass, junk, trash, etc. “Unsanitary” means that a place, condition or thing is unsanitary when it might become a breeding place for flies, mosquitoes and germs harmful to the health of the community. “Unsightly” means that a place, condition or thing is unsightly when it is in public view and offends the then-prevailing standard of the community as a whole. The specific ordinance can be found in Sec. 42-76 and 42-77 of the Code of Ordinances of the City of Springdale.

2. Inoperative Vehicle/Parking in the Grass

Another common ordinance violation encountered by Code Enforcement and SNAP is the “inoperative vehicle/parking in the grass” violation. This type of violation generally pertains to junk cars being parked or stored on property, and pertains to the parking of vehicles on unpaved areas of residential property. “Inoperative” means an item which, by mechanical or physical defect, can no longer be used for its intended purpose and which is not serving a functional purpose. “Inoperative vehicle” refers to any motor vehicle which is inoperable, dismantled,

damaged or is unable to start or move under its own power. A vehicle shall be presumed to be inoperative when certain conditions exist, such as when the vehicle is missing a tire, a door, if weeds have grown up around the vehicle, or if the vehicle does not have current tags or registration. The specific ordinance can be found in Sec. 42-76 and 42-77 of the Code of Ordinances of the City of Springdale. The "parking in the grass" ordinance can be found at Sec. 114-57 and 114-58, and not only includes the parking of vehicles on unpaved areas, but also governs the parking of recreational vehicles, trailers, ATVs, and commercial vehicles on residential property.

3. Miscellaneous Ordinance Violations

Code Enforcement and SNAP often encounter other types of violations which likewise affect the appearance and safety of property in the City of Springdale. In 2007, these "miscellaneous ordinance violations" ranged from violations of the City's Property Maintenance Code, zoning ordinance violations, no house numbers, no trash service, over occupancy violations, and violations of the City's sign ordinance.

C. Number of Citations Issued

In 2007 there were a total of 255 citations issued for ordinance violations, a 40.88% increase from the 181 citations written in 2006. These citations can be broken down into the following categories:

**Breakdown of Ordinance Violations
2007**

Type of Violation	No. of Violations	Percentage
Unsightly/Unsanitary Conditions	126	49.41%
Inoperative Vehicles/Park in Grass	57	22.35%
Misc. Ordinance Violations	<u>72</u>	<u>28.24%</u>
Total	255	100%

D. Multiple Offender Citations

Of the 255 total charges filed in 2007, 99 of those charges were filed against individuals who had committed more than one type of violation. This means that 38.82% of the ordinance violations were committed by individuals who had more than one type of ordinance violation. For example, of the 126 individuals issued citations for unsightly/unsanitary conditions in 2007, 43 of those were also cited either for inoperative vehicle/parking in the grass or for a miscellaneous ordinance violation, or both (21 of those were cited for inoperative vehicle/parking in the grass, 20 were cited for a miscellaneous ordinance violation, and 2 were cited for both). In other words, 34.13% of those cited for unsightly/unsanitary

conditions also had some other type of ordinance violation existing on the property as well. This is down slightly from 35.29% in 2006.

Similarly, of the 72 individuals issued citations for miscellaneous violations in 2007, 34 of those were also cited for either unsightly/unsanitary conditions, inoperative vehicle/parking in the grass, or some other miscellaneous violation. In other words, 47.22% of those cited for miscellaneous violations were also cited for some other type of violation. This is down from 55.55% in 2006.

Likewise, of the 57 individuals issued citations for inoperative vehicle/parking in the grass in 2007, 22 of those were also cited for either unsightly/unsanitary conditions or some other miscellaneous violation. In other words, 38.60% of those cited for inoperative vehicle/parking in the grass in 2007 were also cited for some other type of violation. This is down from 58.00% in 2006. This sizeable decrease can probably be attributed to the fact that most parking in the grass violations do not involve another type of ordinance violation.

Of the 255 total charges filed in 2007, 38.82% were committed by individuals who had more than one type of ordinance violation. This is down from 48.61% in 2006. These statistics indicate that in 2007 it was

less likely that a property charged with an ordinance violation would also have some other type of ordinance violation.

E. Criminal Prosecution of Ordinance Violations

Once the Code Enforcement Division issues a summons to the property owner, the ordinance violation is then prosecuted through the Springdale District Court. The Code of Ordinances for the City of Springdale provides that a violation of these types of city ordinances is punishable by up to a \$500 fine and up to a \$250 fine for each additional day the violation continues. Thus, a violation of one of these ordinances could result in substantial fines to the owner or occupant of the property.

However, the Code Enforcement Division has accomplished little if the property owner is fined, but the property is not cleaned up or brought into compliance with city ordinances. As such, the primary goal of prosecuting these ordinance violations is compliance, not just collecting fines. Therefore, gauging the success of Code Enforcement should not be based solely upon conviction rates and the amount of fines assessed or collected. Rather, the success of Code Enforcement is reflected in the number of properties that are cleaned up or are otherwise brought into compliance with city ordinances.

With this goal in mind, it is informative to examine not just the conviction rate for these ordinance violations, but it is important to also examine the “compliance rate” for these types of ordinance violations. The compliance rate is determined by adding the number of cases resulting in a guilty disposition with the number of cases that were otherwise disposed of due to compliance with city ordinances.

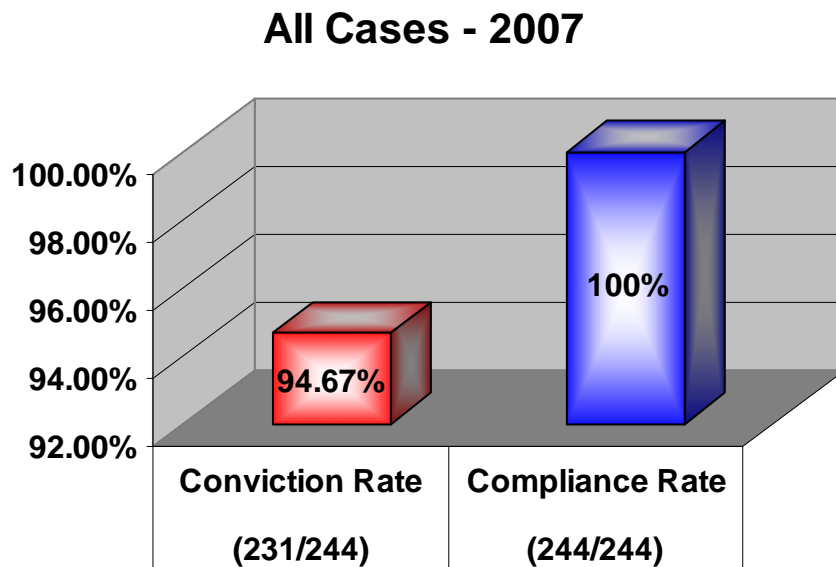
F. Disposition of Ordinance Violation Cases for 2007 (all cases)

Of the 255 total citations issued in 2007, 231 of those resulted in a conviction, 13 cases were dismissed, and 11 persons failed to appear. As such, of the 255 total citations written in 2007, 244 of those have been disposed of as of the date of this publication.

1. Conviction Rate. Of the 244 disposed of cases in 2007, 231 of them resulted in a conviction, for a conviction rate of 94.67%. The conviction rate for 2007 is higher than either 2003 (87.67%), 2004 (87.20%), 2005 (90.58%), or 2006 (92.45%). Out of the 255 total citations issued in 2007, none of them resulted in a finding of not guilty. Of the 13 dismissals, 1 was dismissed at the request of Code Enforcement (due to compliance), 6 were dismissed by the City Attorney's office (5 due to compliance, 1 due to the wrong person being cited), 5 were dismissed by

the Judge (due to compliance), and 1 was dismissed due to the defendant selling the property to someone who then complied.

2. Compliance Rate. Of the 244 disposed of cases in 2007, all of those cases resulted in the property ultimately complying with city ordinances. In each of the 13 instances where a case was dismissed in 2007, the property was nonetheless brought into compliance. As such, the compliance rate for 2007 was 100%. In some instances, however, individuals did have to be cited on more than one occasion before the property was finally brought into compliance.



G. Disposition by Type of Ordinance Violation

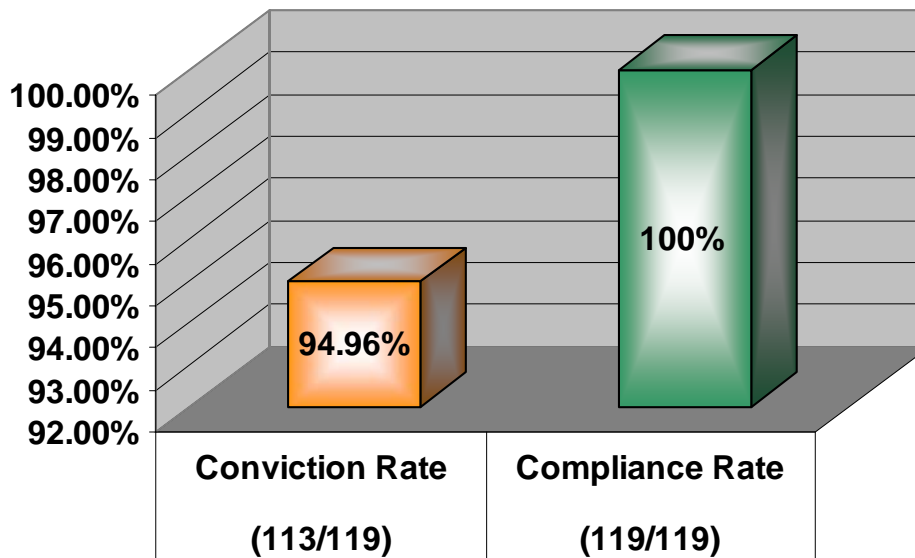
1. Unsightly/Unsanitary Conditions

Of the 126 citations issued for unsightly/unsanitary conditions during 2007, 113 resulted in a disposition of guilty, 6 were dismissed, and 7 failed to appear. As such, of the 126 total citations written in 2007, 119 of those have been disposed of as of the date of this publication.

a. 2007 Conviction Rate. Of the 119 disposed of cases, 113 of them have been convicted, for a conviction rate of 94.96%. The conviction rate for 2007 is higher than either 2003 (84.78%), 2004 (85.45%), 2005 (91.23%), or 2006 (92.19%). Out of the 126 total citations issued in 2007, none of them resulted in a finding of not guilty. Of the 6 dismissals, 3 were dismissed by the Judge (due to compliance), 1 was dismissed by the City Attorney's Office (due to compliance), 1 was dismissed due to the wrong person being cited, and 1 was dismissed due to the defendant selling the property to someone who then complied.

b. 2007 Compliance Rate. Of the 119 disposed of unsightly/unsanitary condition cases in 2007, all 119 cases resulted in the property ultimately complying with city ordinances. In each of the 6 instances where an unsightly/unsanitary condition case was dismissed in 2007, the property was nonetheless brought into compliance. As such, the compliance rate in 2007 for unsightly/unsanitary condition cases was 100%.

Unsightly/Unsanitary Conditions - 2007



2. Inoperative Vehicle/Parking in the Grass Violations

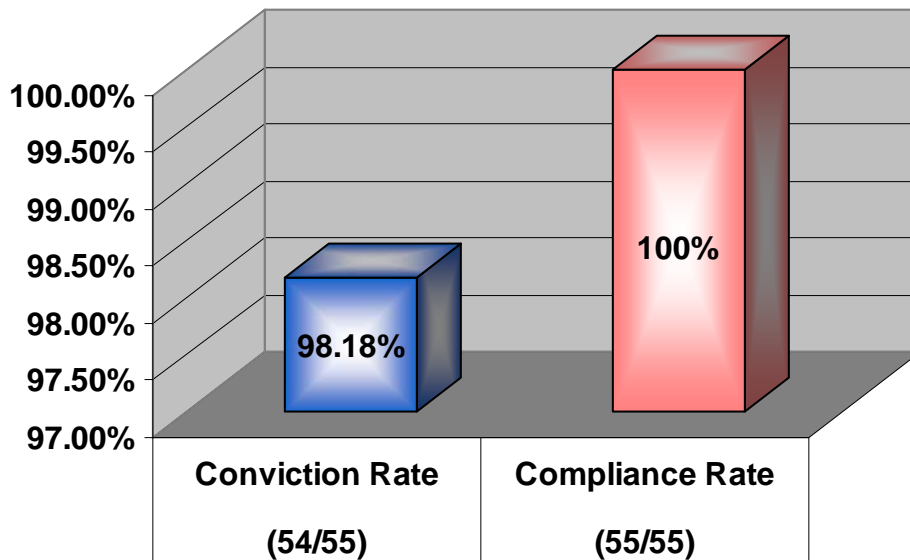
Of the 57 citations issued for inoperative vehicle/parking in the grass during 2007, 54 resulted in a disposition of guilty, 1 was dismissed, and 2 failed to appear. As such, of the 57 total inoperative vehicle/parking in the grass citations written in 2007, 55 of those have been disposed of as of the date of this publication.

a. 2007 Conviction Rate. Of the 55 disposed of cases, 54 of them have resulted in a conviction, for a conviction rate of 98.18%. This conviction rate is higher than either 2003 (94.44%), 2004 (97.67%), 2005 (95.83%), or 2006 (90.48%). Out of the 57 total inoperative vehicle/parking

in the grass citations issued in 2007, none of them resulted in a finding of not guilty. The 1 dismissal was done by the Judge (due to compliance).

b. 2007 Compliance Rate. Of the 55 disposed of inoperative vehicle/parking in the grass cases in 2007, all 55 cases resulted in the property ultimately complying with city ordinances. In the only instance where an inoperative vehicle/parking in the grass case was dismissed in 2007, the property was nonetheless brought into compliance. As such, the compliance rate in 2007 for inoperative vehicle/parking in the grass cases was 100%.

Inoperative Vehicles/Parking in the Grass - 2007



3. Misc. Ordinance Violations

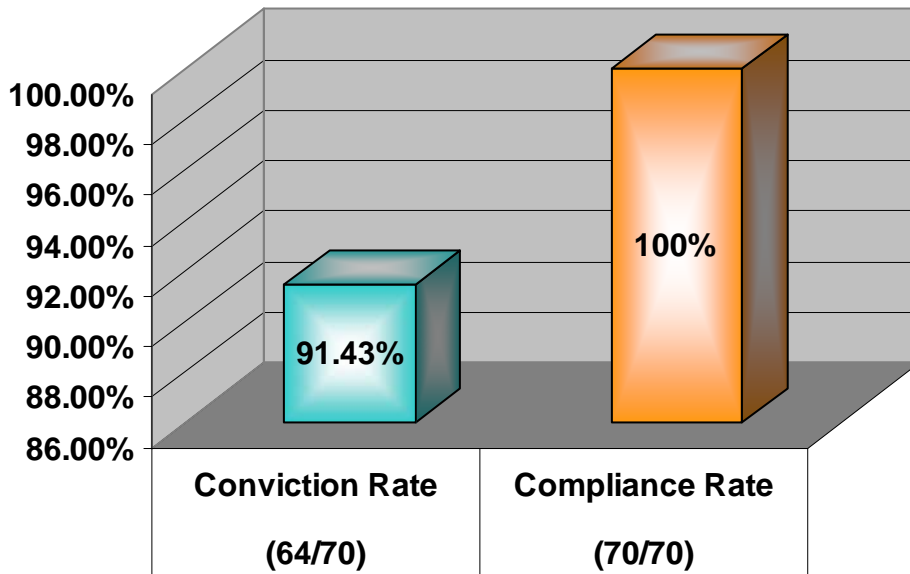
Of the 72 miscellaneous ordinance violations cited in 2007, 64 resulted in a disposition of guilty, 6 were dismissed, and 2 failed to appear. As such, of the 72 miscellaneous ordinance citations written in 2007, 70 of those have been disposed of as of the date of this publication.

a. 2007 Conviction Rate. Of the 70 disposed of miscellaneous ordinance violation cases for 2007, 64 of them resulted in a conviction, for a conviction rate of 91.43%. The conviction rate for 2007 is higher than 2003-2004 (77.77%) and 2005 (87.72%), but is slightly lower than 2006 (94.34%). Of the 6 dismissals, 4 were done at the request of the City Attorney's Office (due to compliance), 1 was dismissed by the Judge (due to compliance), and 1 was dismissed at the request of Code Enforcement (due to compliance). Out of the 72 miscellaneous ordinance citations issued in 2007, none of them resulted in a finding of not guilty.

b. 2007 Compliance Rate. Of the 70 disposed of miscellaneous ordinance violation cases in 2007, all 70 cases resulted in the property ultimately complying with city ordinances. In each of the 6 instances where a miscellaneous ordinance violation case was dismissed in 2007, the

property was ultimately brought into compliance. As such, the compliance rate in 2007 for miscellaneous ordinance violations cases was 100%.

Miscellaneous Ordinance Violations - 2007



H. Conclusion

This survey clearly indicates that the Code Enforcement Division and SNAP are clearly having an impact on “cleaning up the city”. It also demonstrates the role played by Code Enforcement, SNAP, the City Attorney’s Office, and the Springdale District Court in enforcing these types of city ordinances.

STAFF OF CITY ATTORNEY'S OFFICE

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Brooke Lockhart~~~~~ Deputy City Attorney

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Lynda Belvedresi~~~~~ Case Coordinator/Victim Advocate

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