
PLANNING DEPARTMENT MEMORANDUM

CITY OF LENOIR, 801 WEST AVENUE, LENOIR, NC 28645

TO: Lane Bailey, City Manager
FROM: Jenny Wheelock, Planning Director
DATE: February 26, 2014
SUBJECT: Proposed Amendments relating to Code Enforcement
CC: Ed Blair, City Attorney
Scott Brown, Police Chief

The Police and Planning departments are proposing changes to several chapters of Lenoir's Code of Ordinances (specifically, chapters 1, 10, 12, and Appendix A) to modify the process of Code Enforcement in the City. These changes are prompted by a comprehensive review of our ordinances and will give the general public and the two new code enforcement positions, the Zoning and Housing Inspector position in the Planning Department and the Nuisance Abatement Investigator position in the Police Department clear direction on enforcement procedures within the City.

Specifically, the proposed changes:

- Put the whole enforcement process in Chapter 1, where it applies to all violations of the city ordinances.
- Add a fee schedule for civil penalties that increases the penalties that can be assessed on properties that remain in violation for longer periods of time.
- Remove outdated references to a "housing appeals board" and specify that appeals of the enforcement of the City's minimum housing ordinance will be heard by the Board of Adjustment.
- Eliminate formal nuisance appeal hearings at City Council and replace with an option for an administrative review by the Chief of Police. The Chief of Police can still choose to send particular cases to City Council for good cause.
- Streamline the nuisance ordinance and remove duplicative sections on junk vehicles and grass and weed violations.
- Increase the time for owner-abatement of nuisance violations from 10 days to 15 days (this is the period of time after notification and before the City can impose penalties and/or abate the violation at the owner's expense).
- Increase options and add flexibility for recouping abatement costs and collecting civil penalties – can be sent directly to debt set-off or added as a tax lien on the property.

Please see a proposed ordinance, attached. The Police and Planning Departments plan to present an overview of the proposed organizational changes and division of code enforcement duties, along with a summary of the above changes, to the City Council on March 4, 2014 and ask them to call for a public hearing to consider the attached draft ordinance on March 18, 2014.