

Priorities for Code Violations for Code Compliance, Development Services
(adopted by the Board of County Commissioners in 2008 – R&O #08-104)

In 2008 the Board of County Commissioners adopted the following as the priorities for Code Compliance, Development Services. The Board identified four priorities of violations (Priorities 1-4) for Current Planning Services and two priorities of violations (Priorities 1 and 2) for Building Services. In addition, the Board included a list of “Aggravating Circumstances.”

Priorities

Code Compliance staff will generally respond to potential code violations based on the priority ranking listed below. The priority may be adjusted based on available resources or aggravating circumstances.

Current Planning Services Priorities

Priority 1 Violations

These violations involve land use activities that impact environmental/natural resources (irreparable harm may take place if not corrected), pose significant health and safety issues or involve structures under construction that do not meet Code standards.

- 1) Flood Plain and Drainage Hazard Area disturbances (including but not limited to grading and construction of roadway crossings)
- 2) Tree/vegetation removal within Significant Natural Resource areas
- 3) Dwelling (s) without a permit
- 4) Accessory structure without permits in the EFC District
- 5) Setback issues for dwellings or accessory buildings under construction
- 6) Compliance with conditions of development permits (i.e. conditions of approval)
- 7) Sight distances violations

Priority 2 Violations

These violations involve activities that disturb the livability of the community or pose a lower health and safety risk. Health and safety issues would cause the violation to be designated a higher priority.

- 1) Grading without permits in all districts except as specifically listed
- 2) Commercial/industrial activities without permits (includes home occupations and agricultural buildings converted to nonagricultural uses)
- 3) Outdoor parking or storage of five or more operable vehicles
- 4) Storage of two or more inoperable vehicles or parts thereof (defined as auto wrecking)

Priority 3 Violations

These violations usually do not involve safety issues, may have visual impacts but are hard to enforce (i.e. signs) or does not cause irreparable harm (agricultural building without permit).

- 1) Accessory structures exceeding the dimensional standards in all districts except as specifically listed
- 2) Setback issues for existing structures in all districts except as specifically listed
- 3) Parking or storage of commercial vehicles, heavy equipment in a residential district

- 4) Fence or retaining wall height issues
- 5) Miscellaneous Code violations

Priority 4 Violations

These types of violations happen fairly infrequently, and if they do occur, there is no irreparable harm or life safety issues involved. Many times these violations are ultimately civil issues between the parties.

- 1) Keeping of fowl for sale or swine in the urban area
- 2) Unlawful land divisions
- 3) Signs

Building Services Priorities

Priority 1 Violations

These violations consist of fire and life-safety hazards to the public resulting from conditions in or associated with buildings and/or their sub-systems.

- 1) Fire and electrocution hazards associated with electrical systems and electrical installations made without permits and inspections.
- 2) Unsanitary conditions associated with plumbing systems and plumbing installations made without permits and inspections.
- 3) Dangerous conditions associated with mechanical systems and mechanical installations made without permits and inspections.
- 4) Dangerous conditions associated with structural construction and structural work without permits and inspections.
- 5) Any other condition regulated by building codes which present a significant hazard to the public.

Priority 2 Violations

These violations may be a violation or infraction of Chapter 14 of the County Code but are not of a magnitude to be considered as a Priority 1.

- 1) Construction of small, uninhabited accessory buildings
- 2) Grading and/or fill activities
- 3) Fences over 6 feet tall
- 4) Low voltage wiring

Aggravating Circumstances

Some code violations may have aggravating circumstances requiring a different sequence for compliance activity. The County may choose a different sequence of priority if one or more of the following circumstances are present:

- 1) The code violation is severe
- 2) Actions leading to the violation(s) were intentional
- 3) The violation is significant in terms of physical size or extent of the violation.
- 4) The violation has existed uncorrected for a significant length of time.
- 5) There is little likelihood of obtaining voluntary compliance.
- 6) Code Compliance is required by the BCC or Director.