

Tabled Fresno city code enforcement bill likely to return

By George
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This is an alley south of Kearney Blvd. in southwest Fresno that is being used as a dump for old mattresses, tires and miscellaneous garbage.

MARK CROSSE — THE FRESNO BEE [Buy Photo](#)

A chastened Fresno City Hall is hustling back to square one on its dreams of turning everyone into a code enforcement officer.

City officials have tabled a bill that would have made it easier for Frenans to take their neighbor to court for allegedly causing certain public nuisances.

The council doesn't meet this week, but officials said the idea probably will return after it has been more thoroughly reviewed in public.

"It's going to come back," Council Member Lee Brand said. "It's a step in the right direction. But this time there will be better communication on what it's about."

City Manager Bruce Rudd in an email said changes to the code enforcement process will wait until after the council code committee meets. He said that will probably happen in early October.

"In the interim, we are working on other strategies that will be used to deal with properties that are not being properly maintained," Rudd said.

Events surrounding the proposed bill were unusual.

The council on July 31 approved a law that would enable residents to file a formal complaint for certain code violations. These nuisances include a barking dog, a car parked on the front lawn, trash piled in the yard or blockage of a public sidewalk.

The procedure described in the bill is complex. It begins with the aggrieved party sending a letter to the alleged code violator asking that the nuisance stop. Both sides could end up arguing their sides of the story to a hearing officer with the authority to choose a winner.

The bill was presented to the council by City Attorney Doug Sloan, even though code enforcement is a function overseen by the mayor/city manager side of City Hall. This was the first hint that the idea was a trial balloon.

The council on July 31 approved only the introduction of the bill. The council would have to vote to adopt the bill and have its decision go through the mayoral signature/veto process before becoming law.

The council never got there. Council Member Oliver Baines on Aug. 21 had the bill tabled until Fresno could chew some more on the idea.

The council doesn't do much tabling. It also doesn't flinch very often after successfully introducing a bill.

Code enforcement is a perennial hot-button issue. The issue is simple: Everyone wants the power of government to force their neighbors to behave, but no one wants that coercion forced on them.

Brand said he suspects all council members got similar constituent feedback.

"There was a feeling it was being rushed," Brand said.

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