2016 CODE ENFORCEMENT

Annual Report

City of Sioux Falls
CODE ENFORCEMENT
Promoting safer, cleaner neighborhoods

2016 Code Enforcement Year-End Report

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Code Enforcement Team Mission Statement

The Code Enforcement team is dedicated to enhancing the quality of life for the citizens of Sioux Falls by administering environmental, fire, housing, building, electrical, plumbing, mechanical, property maintenance, zoning, vegetation, health, sanitation, and nuisance ordinances.

We are committed to serving the community in a safe, professional, and effective manner. The program provides equal service to the complainant and violator with the intent of receiving the ultimate goal—*compliance*.

"Your most unhappy customers are your greatest source of learning"

– Bill Gates, Founder, Microsoft

Coordination Efforts

The Code Enforcement management team is represented by several City offices, including Planning and Building Services, Health, Public Works, Police, Fire Rescue, Community Development, and the City Attorney. The team holds regularly scheduled meetings to ensure the City maintains a consistent approach to citywide code enforcement efforts and encourage the coordination and communication of various departments in problematic cases and neighborhoods.

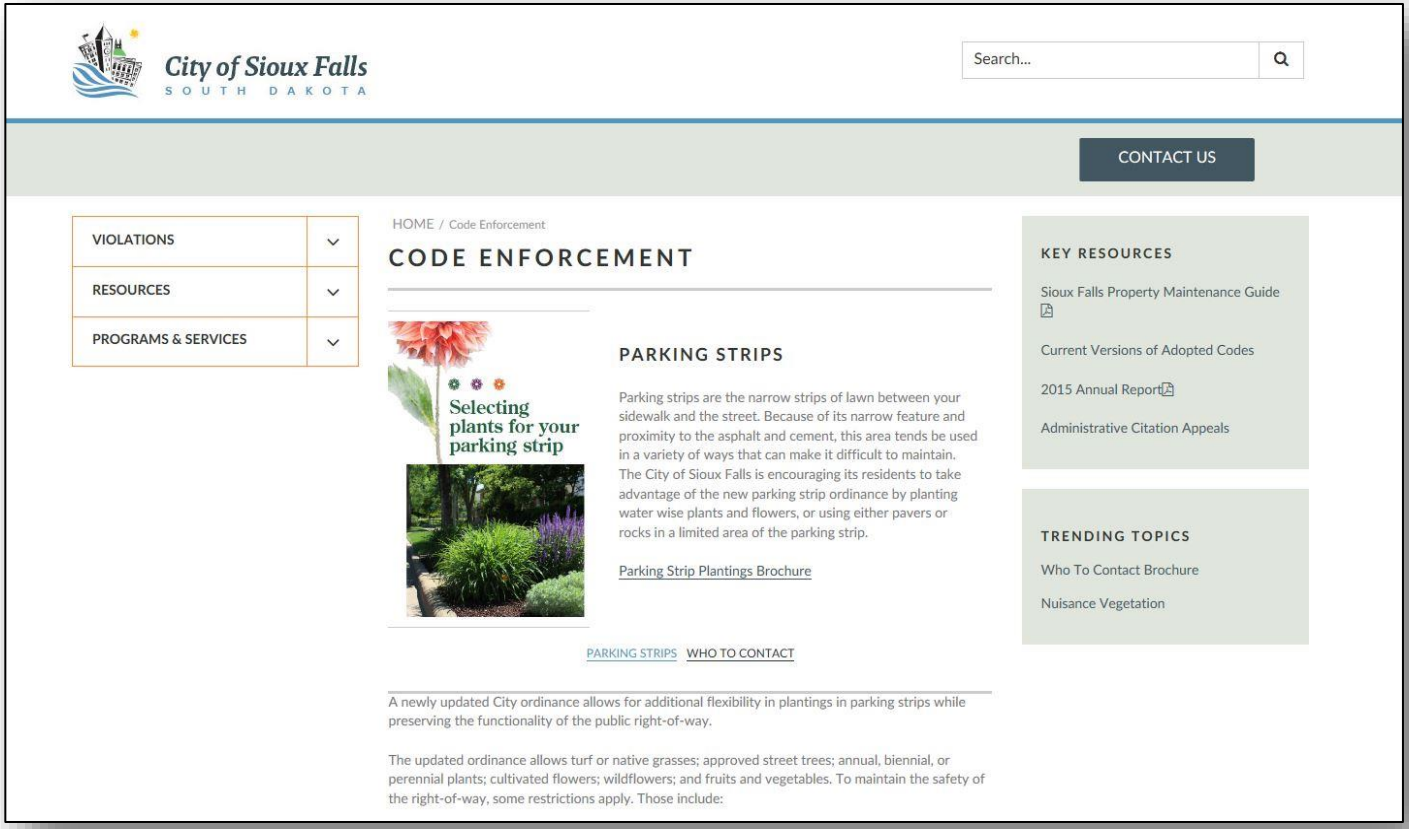
Collection of Citations and Costs

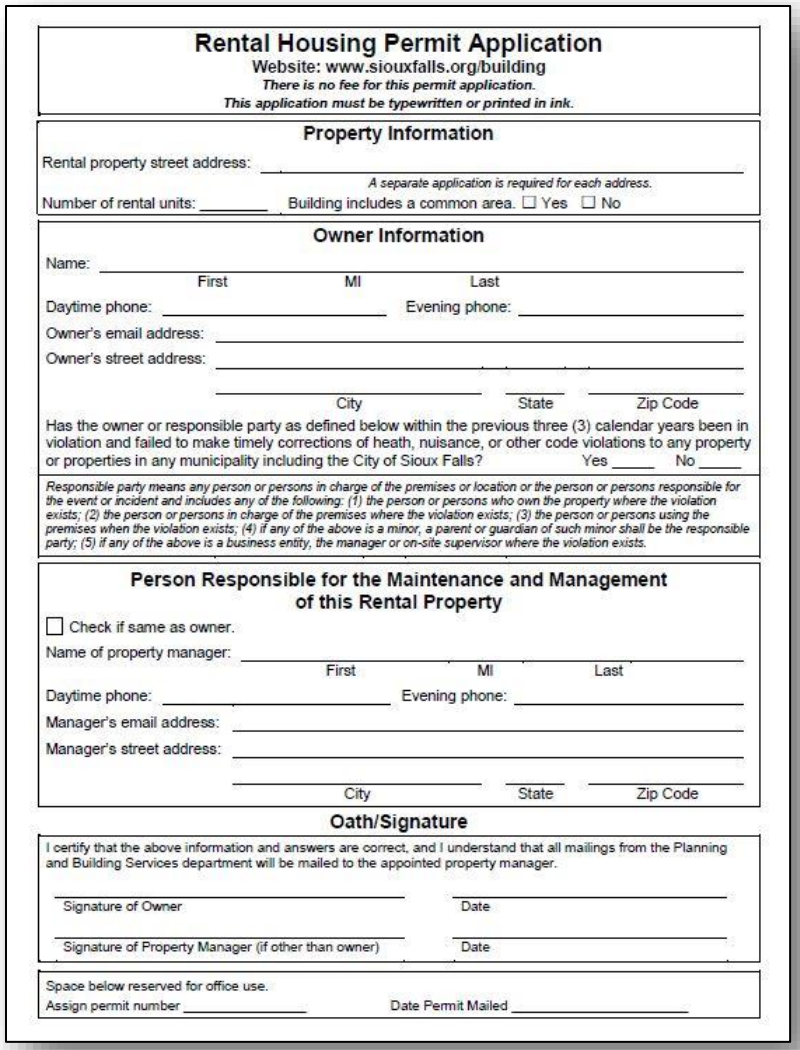
The City utilizes a combination of small claims court and collection agencies to collect delinquent citation fines. In addition, the City continues to issue a special assessment roll for costs associated with resolving violations where the City has incurred actual costs to abate a problem (nuisance vegetation, sidewalk snow removal, garbage cleanups, and razing of dilapidated structures.

2016 Year-End Status of Penalties	Dollar Amount
Total Penalties Issued in 2016	**$140,100**
Total 2016 Penalties Collected in Full	**$65,600**
2016 Penalties Being Collected Through Assessments	**$30,316**

Code Enforcement Website

In 2016 the City's Code Enforcement website was modified to make it easier for the public to find information regarding the locations and types of administrative citations that were issued throughout the year. Additionally, the site now includes an interactive map that displays the locations of registered vacant and foreclosed homes.





Rental Housing Permit Application
Website: www.siouxfalls.org/building
There is no fee for this permit application.
This application must be typewritten or printed in ink.

Property Information

Rental property street address: _____
A separate application is required for each address.
Number of rental units: _____ Building includes a common area. ☐ Yes ☐ No

Owner Information

Name: _____
First MI Last
Daytime phone: _____ Evening phone: _____
Owner's email address: _____
Owner's street address: _____
_____ _____ _____
City State Zip Code
Has the owner or responsible party as defined below within the previous three (3) calendar years been in violation and failed to make timely corrections of heath, nuisance, or other code violations to any property or properties in any municipality including the City of Sioux Falls? Yes _____ No _____

Responsible party means any person or persons in charge of the premises or location or the person or persons responsible for the event or incident and includes any of the following: (1) the person or persons who own the property where the violation exists; (2) the person or persons in charge of the premises where the violation exists; (3) the person or persons using the premises when the violation exists; (4) if any of the above is a minor, a parent or guardian of such minor shall be the responsible party; (5) if any of the above is a business entity, the manager or on-site supervisor where the violation exists.

Person Responsible for the Maintenance and Management of this Rental Property

☐ Check if same as owner.
Name of property manager: _____
First MI Last
Daytime phone: _____ Evening phone: _____
Manager's email address: _____
Manager's street address: _____
_____ _____ _____
City State Zip Code

Oath/Signature

I certify that the above information and answers are correct, and I understand that all mailings from the Planning and Building Services department will be mailed to the appointed property manager.

_____ _____
Signature of Owner Date
_____ _____
Signature of Property Manager (if other than owner) Date

Space below reserved for office use.
Assign permit number _____ Date Permit Mailed _____

Rental Registration Program

In 2016 City Staff began working alongside Council staff to revise the current Rental Registration Ordinance. The main objective for the revision of the ordinance is to continue getting all rental properties within city limits registered with the City. The City of Sioux Falls requires rental property to be registered for several reasons. Mainly, the information helps City Code Enforcement staff to follow up on complaints or code/ordinance violations so the owner/manager of the property can be contacted in a timely manner.

As part of the proactive rental registration ordinance revision effort in 2016, City staff continued to work with the South Dakota Multi Housing Association (SDMHA) to develop a system where both the SDMHA and the City contact potentially unregistered rental properties. If a property is verified as being a rental, the City follows up with the owner to register the property. In 2016, meetings were held by City staff with neighborhood champions and residents to update and educate them on the voluntary registration program.

The rental housing registration process is free of charge. However, failure to register your residential rental property will result in the issuance of an administrative citation through the code enforcement process. In 2017, the City will continue to urge that all residential property owners to register their properties by issuing press releases and publishing articles in the SDMHA monthly newsletters.

Fire Prevention Apartment Inspections

Sioux Falls Fire Rescue continued a recurring apartment inspections program with two full-time staff members this year. The goal of the program was to minimize fatalities and property loss associated with fire activity. Fortunately through collaborative efforts of many different agencies, the City experienced zero fatalities in 2016. Overall fire loss statistics continue to trend downward and are statistically well below the average for the Midwest region. Fire Prevention completed over 250 apartment inspections during the year, and provided safety information to property managers and tenants.

In 2016, new processes were in use, including using tablet-based electronic inspections to make all fire inspections more efficient and effective. This example demonstrates the commitment of both public and private interests in life safety efforts. As a part of the Code Enforcement team, Sioux Falls Fire Rescue is committed to keep our growing community a safe place to live.

Growing Resilient Campaign Sioux Falls

The Red Cross partnered with the Sioux Falls Fire Rescue, City of Sioux Falls Public Health, Community Development Department, and corporate and community leaders to do a one day Community Resiliency Project of the Garfield Neighborhood on Saturday October 22, 2016 in Sioux Falls.

The overarching goal of the day was to build community resiliency through discussion with families in their homes; installing the latest technology in smoke alarms which provide 10 years of protection without changing batteries. By having fire fighters installing these alarms, it gave Red Cross volunteers the opportunity to educate and empower citizens to prepare for many types of disasters.

Public Education and Outreach

The City Health Department is continuing to provide support and assistance for people who are having difficulty maintaining their property. As a result, the Health Department has offered short- and long-term case management services in the form of education, outreach, support, and housing resources.

The City Health Department organized an effort to update, print, and distribute the *Who to Contact* brochure (that includes the City's general number of 367-8000). Brochures were sent to all City utility customers. They were also distributed at many City buildings and at various neighborhood meetings. Citizens are provided with several formats for submitting complaints and obtaining information regarding Code Enforcement. The various methods include using the City's general phone number, individual department phone numbers, and online at the City's website through the Citizen Request Management system. In addition, the Code Enforcement Team produced several videos that describe the most common code enforcement issues experienced by our neighborhoods. The videos are also available for viewing on the City's website at www.siouxfalls.org.

Proactive Neighborhood Interaction

Various City offices meet with neighborhood groups upon request. The Neighborhood Services section of the City Planning department and Community Development department attend regularly scheduled meetings with several neighborhood associations and Neighborhood Watch groups. Meetings regarding rental registration, code enforcement, and safety were also held in 2016.

Understanding that each neighborhood has unique characteristics and needs, the Code Enforcement team focused its efforts on listening to the needs of the residents, and responding with an appropriate action plan. Below are examples of the successful relationships that were developed with the residents. Great strides were made by the Code Enforcement team in 2016 to change the perception of Code Enforcement from being a City program to a community service.

Project NICE and Project KEEP

From April 18 through April 21, 2016, a City-sponsored neighborhood cleanup occurred. Project NICE (Neighborhood Improvement/Complaint Easement) assists neighborhoods with environmental issues such as garbage, rubbish, yard waste, inoperable vehicles, dilapidated buildings, and zoning problems. Project KEEP (Keep Environmental Enhancement Permanent) helps maintain previous Project NICE neighborhoods.

The three ground crews removed 701.66 tons of rubble and solid waste, 10.87 tons of tires, 6.22 tons of appliances, 11.61 tons of yard waste and 13.35 tons of wood waste for a grand total of 743 tons of waste that was hauled out from the three neighborhoods. In addition there were separate clean up events provided simultaneously at seven of the mobile home parks in the cleanup areas. Over 29 tons of waste was removed from these seven mobile home parks as a part of Project NICE/KEEP. This brings the total to almost **772 tons of unwanted material removed from the Project NICE/KEEP neighborhoods**. In addition, 799 mattresses were collected for recycling from the project areas. Enthusiastic support and participation in the program by the residents of the three neighborhoods and the volunteers contributed to the great success of the project.

The Project NICE/KEEP City assisted cleanup and the follow up corrective action portion of the program has proven to be very beneficial for the City of Sioux Falls. The impact it has had in helping maintain and improve environmental conditions in many Sioux Falls neighborhoods are significant. After the cleanup was completed, the neighborhoods were surveyed, and any remaining violations of City ordinance were addressed. The impact the program has had in maintaining and improving environmental conditions in many Sioux Falls neighborhoods is significant.

Neighborhood Cleanup and Beautification

In the spirit of promoting neighborhood engagement, beautification, and cultivating a neighborly partnership with the Ellis & Eastern Railroad, four core neighborhood associations (Downtown, All Saints, Pettigrew Heights, and Tenth & Western) joined forces with volunteers from Eastside Lutheran Church and conducted a joint cleanup event on Saturday morning, October 15, 2016.

The cleanup area consisted of 2.5 miles of track traversing through four core neighborhoods; from a portion of the Downtown River Greenway (south of the Big Sioux River, east of Fawick Park) to Kiwanis Avenue on the west. Following the railroad cleanup work, the neighborhoods held a picnic lunch for the volunteers. Also invited were the Ellis & Eastern Railroad crew, Sioux Falls Police Department, Fire Rescue crews, and the Street Division of Public Works. In 2016 there was **900 lbs. of waste material hauled to the Landfill**.

Froelich Addition Neighborhood Clean-Up

Business owner Jody Little of Outlaw Tattoos organized a neighborhood cleanup in the Froelich Addition to help people living in the Froelich Addition as well as cleaning up a large portion of the neighborhood. Little paid for all of the dumpsters to be dropped off in various locations of the neighborhood. Several roll off dumpsters were filled and hauled out to the Landfill as a result of the clean-up event. Little's main goal was to for the cleanup to have a lasting impact on the look and feel for residents in the neighborhood.

Garfield Addition Neighborhood Clean-Up

The Garfield Neighborhood Association partnered with St. John American Lutheran Church and applied for funding through Community Development's 2016 Neighborhood Project Grant program to conduct a spring and fall neighborhood clean-up. Two roll-off dumpsters were provided during each clean-up to support the association's effort. Residents with limited resources or mobility were contacted and asked if they needed assistance cleaning up their properties and the response was overwhelming. Both clean-ups were a tremendous success and the residents that were assisted greatly appreciated the neighborhood association and church's efforts to beautify the Garfield neighborhood and come together as a collective unit to enhance their neighborhood.

Neighborhood Canvas between Code Enforcement, Community Development, and Crime Prevention

Code Enforcement, Community Development and Crime Prevention worked together simultaneously in 2016 to address complaints that involved each division throughout various neighborhoods in Sioux Falls. Crime Prevention led an effort to add LED street lights in the Pettigrew Heights neighborhood to address crime. Parks and Recreation along with Public Works Light and Power also assisted with this project.

Parking Strip Ordinance

A newly updated City ordinance allows for additional flexibility in plantings in parking strips while preserving the functionality of the public right-of-way. The updated ordinance allows for turf or native grasses; approved street trees; annual, biennial, or perineal plants; cultivated flowers; wildflowers; and fruits and vegetables. To maintain the safety of the right-of-way, some restrictions apply. Those include: Plants must be maintained at a height of no more than 36" from the top of the curb, neither plants with thorns, spines, or other sharp rigid parts are allowed, plant material may not overhang or encroach onto the sidewalk, wood mulch may be used only on a limited basis, turf grass must be maintained at a height of no more than 8", boulders and other structural encroachments are prohibited and landscaping pavers, edging, and nominal-sized rock mulch may be used in up to ¼ of the parking strip.

National Night Out

On Tuesday, August 2, 2016, City law enforcement and other staff visited eight neighborhoods to promote neighborhood pride and safety. Code Enforcement staff joined the Police Department in visiting Neighborhood Watch participants and educated citizens on how to prevent crime and answered questions about code enforcement.

The event was a HUGE success this year as Code Enforcement staff attended 6 of the 20+ parties that took place throughout Sioux Falls on that evening.

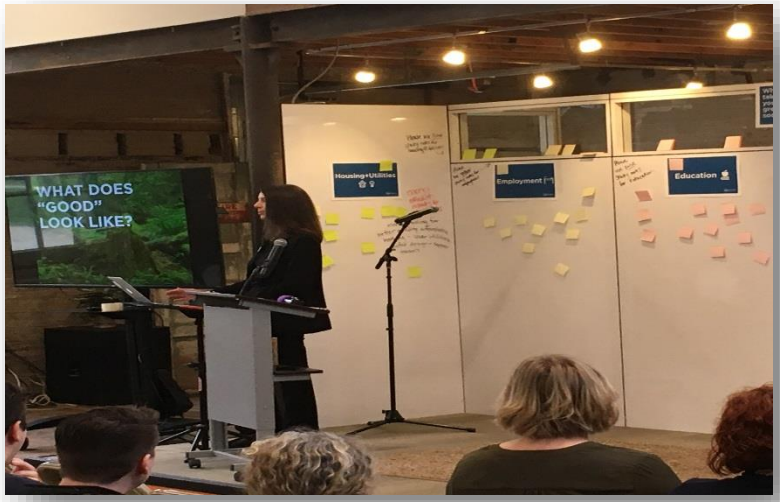
Pettigrew Heights
Neighborhood Association

SIOUX FALLS

Sixth Annual Neighborhood Summit

The Sixth Annual Mayor's Neighborhood Summit partnered with the Sioux Falls Design Center's "Design Week 2016" on Saturday October 1, 2016 at The Bakery in Sioux Falls. This year's event focused on sustainability teachings for neighborhoods, developers, architects, designers and civic leaders. This year's event agenda included a neighborhood "porch talk" by Mayor Huether, along with topics including implementing environmental and social stewardship opportunities throughout our community, exploring strategies for making Sioux Falls a thriving place for everyone, policies to enhance sustainability throughout the built environment, and neighborhood advocacy for the goals within Sioux Falls' Sustainability Master Plan.

Representatives from several City departments attended the summit, including Property Maintenance, Zoning, Community Development, Health, Parks and Recreation, Planning, Fire Rescue, and Police. Staff provided information to residents on a variety of code enforcement matters. The outreach and was well-received and appreciated by the participants.



City Programs

Before and after renovation.

Rental Rehabilitation Program

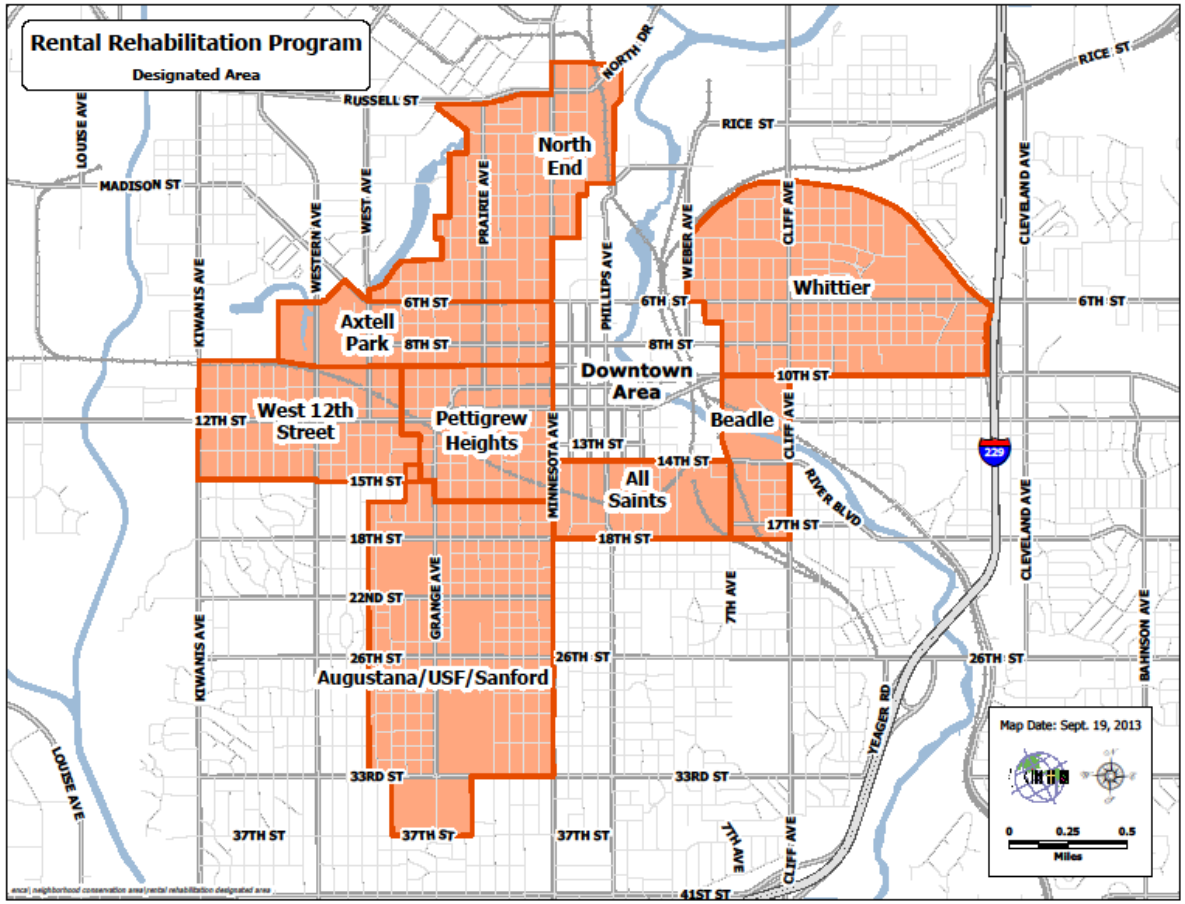
The City of Sioux Falls Rental Housing Rehabilitation Program, which began in 2012, continued to focus its efforts in eight core neighborhoods in 2016. The program is available to rental housing property owners with residential properties located within the defined Rental Rehabilitation Program neighborhood boundaries. In October of 2013, the program boundaries were expanded to include seven additional neighborhoods, including:

- All Saints
- Augustana/USF/Sanford
- Axtell Park
- Beadle
- Pettigrew Heights
- North End/Cathedral
- West 12th/Emerson
- Whittier

Eligible repairs include installation of insulation, new windows and doors, roofing, siding, and exterior painting. Properties must be an existing rental property located within the identified neighborhoods. Assistance is in the form of a low-interest amortized loan. The program is funded by a zero percent-loan from the South Dakota Housing Development Authority.

Two Rental Rehabilitation projects carried over from 201115 into 2016, and four new Rental Rehabilitation projects began in 2016. The locations of the 6 projects that were completed in 2016 were at:

- 520 North Menlo Avenue
- 700 East 4th Street
- 210 South West Avenue
- 818 West 10th Street
- 119 South Lincoln Avenue
- 1908 South Prairie Avenue



Upon expanding the Rental Rehabilitation Program in October 2013, there has been an overwhelming response for applications. Over one hundred fifty (150) have been mailed out to prospective rental property owners, as well as many applications being downloaded by property owners looking to qualify for funds to revitalize their properties. There have been forty-eight 48 applications submitted and approved for funding prior to year-end 2016. Community Development anticipates continued calls inquiring about the Rental Rehabilitation Program into 2017.

Neighborhood Revitalization Program

In 2016, Sioux Falls Community Development, in partnership with Affordable Housing Solutions, continued the Neighborhood Revitalization Program. The focus of this program is the stabilization of the city's older core neighborhoods and the development of affordable housing. This program purchases vacant dilapidated properties that are contributing to neighborhood deterioration.

Before demolition and after new construction.

The structures are razed and new homes or other types of housing units are constructed on the site; or, if the existing structure is suitable, it may be rehabilitated consistent with applicable codes. When completed, the homes are sold to households with incomes at or below 80 percent of the median family income as established by HUD. In 2016, seven homes were completed, sold and occupied through the Neighborhood Revitalization program. The plan for 2017, will be to construct and sell 10 homes through the Neighborhood Revitalization program.

Sioux Falls Community Development, in partnership with Affordable Housing Solutions, is nearing completion of a multi-family building at South Summit Avenue and West 10th Street. The original structures on this property were two dilapidated and condemned large homes being used as rental properties in the Pettigrew Heights Neighborhood. Construction of these units involved using HOME funds and will be targeted to two households at or below 30 percent, and six households at or near 50 percent of the area median income.

Sioux Falls Community Development was successful in acquiring six properties that would fit under the rules and regulations of the Neighborhood Revitalization Program. With the increased interdepartmental cooperation between Community Development and Building Services, these hazardous structures and properties have been or will be razed in the near future and again will become vibrant new affordable housing structures in the core areas of our community.

Building Demolitions / Notice to Vacate

A Notice to Vacate was issued for 605/607 S. Duluth since the structure was deemed unfit for human occupancy.

In response to public concerns regarding the length of time required to remove dilapidated structures, the timeframe for building demolitions from was reduced from 24 months to 18 months in 2010. In some instances, the code enforcement process ultimately leads to the need for an unsafe structure to be demolished. This final effort is not without ramifications, including potential costs to the City. Code Enforcement will also issue a Notice to Vacate if the structure is unsafe for human occupancy.

When it is necessary for the City to undertake the demolition of a structure on private property, the cost for any work performed by the City or its contractors during the demolition process is assessed to the property.

In some instances, the total cost for removal of a structure can be substantial. Therefore, it is always the goal of the Code Enforcement team to compel the property owner to complete the demolition without the need for the City to cover any costs.

Abandoned & Substandard Manufactured Homes Pilot Project

In addition to the structures demolished through the Notice and Order process, in 2013 the City Code Enforcement Management Team developed a pilot project to investigate processes to remove substandard and abandoned manufactured homes. Removal of substandard housing was the objective of the project. Abandoned manufactured homes were identified and purchased at public auction at the Minnehaha County Sherriff's sale on distress warrant for taxes. The manufactured housing park managers/owners were responsible for capping or disconnection of utilities and for clean-up of the lot once the manufactured home was removed. The pilot project costs included acquisition, titling, asbestos testing, asbestos removal, and transport to the city's landfill for disposal. This program will continue into 2017.

Home Foreclosure Tracking

For the past six years the City has tracked home foreclosures in Sioux Falls. On a national level, foreclosed properties have posed a variety of challenges for Code Enforcement officials.

During 2016, Code Enforcement staff continued to review code violations to determine what additional measures may be necessary to protect neighborhoods from the potential side effects caused by foreclosures. Sioux Falls is not immune to the forclosure issue, however we have many fewer forclosures than other cities our size. In 2016 Sioux Falls experienced 98 forclosures, which was down from the 125 we experienced in 2015.

Departmental Code Enforcement Statistics

Individual cases are tracked internally with the EnerGov system. As the table below shows, approximately 90 percent of all cases with a violation were brought into compliance after an initial notice was sent out. The Code Enforcement team has been successful at gaining compliance in most instances without issuing a citation.

Reporting Department	Cases with Violations	Cases Invalid	Total Cases	Inspections Completed	Compliance After Notice
Health	1,713	95	1,808	3,628	1,645
Parks/Forestry (Trees)	152	13	165	361	144
Nuisance Vegetation	1,709	279	1,988	3,512	1,270
Zoning	1,007	104	1,111	2,206	948
Sidewalk Snow	705	47	752	1491	579
Property Maintenance	220	36	256	485	205
TOTALS	5,506	574	6,080	11,683	4,791

During 2015 The City Attorney's Office sought judicial remedies through the court system for those cases that could not be corrected through voluntary compliance. Small claims actions were also filed for the collection of unpaid citation fines.

Judicial Remedy	Total Cases
Filed with Magistrate Court	2
Filed with Circuit Court	12
Small Claim Actions Filed	45

Primary Goal for 2017

As with 2017, the single primary goal for the upcoming year reflects the team's desire to provide better service to our customers, the public, with an emphasis on being responsive to their needs and concerns.

Goal: *TO MAINTAIN THE BALANCE BETWEEN CODE COMPLIANCE AND CODE ENFORCEMENT BY IMPLEMENTING PROGRAMS TO ENSURE A MINIMUM STANDARD IS MET AND KEEP THE CITY OF SIOUX FALLS SAFE AND CLEAN.*