



Town Code Chapter 10: Health and Sanitation

Text Amendment P16-0079

Town Council

July 18, 2018



REQUEST

- Repeal Town Code *Chapter 10 Health and Sanitation* and replace it with an updated version of Town Code *Chapter 10 Health and Sanitation*



HISTORY

May 2015—Council amended the Town Code and Zoning Ordinance to allow violations to be heard by a Civil Hearing Officer

September 2015—Council amended parts of the Town Code/Chapter 9 which decriminalize and imposed civil penalties to sections of the code



HISTORY (CONTINUED)

- August 2016—Council approved contract with Ayers & Brown, P.C. for services of Civil Hearing Officer for the Town of Queen Creek
- November 2016—Council amended the Town Code Chapter 9 to decriminalize first offenses for barking dog violations, which allowed for Hearing Officer to hear those cases





HIGHLIGHTS OF CODE CHANGES

Decriminalizing Numerous Code Sections

- Current: first offence is a class 1 misdemeanor
- Proposed: all offenses are civil violations

Changing Appeal Process for Hearing Officer Decisions

- Current: Hearing Officer decisions are appealed and heard by the Town Council
- Proposed: Hearing Officer decisions are appealed and heard by the Board of Adjustment to be consistent with other jurisdictions



HIGHLIGHTS OF CODE CHANGES (CONTINUED)

Adding More Options for the Town to Use to Remedy Residential Waste Services

- Current: first offense violation \$50, second offense violation \$50, third offense violation \$100 and fourth and subsequent offense violations \$250
- Proposed: \$250 for the first offense violation, \$500.00 for a second offense in a 12-month period, and \$2,000.00 for a third offense in said 12-month period to be consistent with the current fine schedules



HIGHLIGHTS OF CODE CHANGES (CONTINUED)

Increasing Abatement Surcharge to be More Consistent With Other Municipalities

- Current: 10% surcharge of the actual cost
- Proposed: \$300.00 inspection fee

Adding a Definition of Inoperable Vehicle as a Nuisance

- Current: No definition or enforcement authority for inoperable vehicles on private property
- Proposed: Having the authority to enforce regulations for inoperable vehicles on private property

HIGHLIGHTS OF CODE CHANGES (CONTINUED)

Changing all the Reference to Chapters in the code to Articles to be more consistent with other Town Codes

- Current: The words are used interchangeably
- Proposed: Be more consistent throughout the Town Code



PENALTIES

Civil penalty fines are proposed to match current fines in other Town Code Chapters:

- 1st offense \$250
- 2nd offense \$500 in a 12 month period
- 3rd offense \$2000 in a 12-month period





Questions?

Thank you.