

Mayor's Newsletter May 2008

CODE ENFORCEMENT: YOU CAN'T HAVE IT BOTH WAYS (Part 2)

Since the issue of code enforcement has continued to be a volatile one, I gave some thought to just copying April's newsletter and using it again. As I mentioned last month, there is a fine line between code enforcement and harassment, and City Council and city management continue to work to find that balance.

City Council has been listening to residents complain about lax code enforcement every month for the past year. In March, the City Manager was instructed by Council to begin strictly enforcing the codes, including those violated only at night. I think it is fair to say that the intent of individual council members was to catch the flagrant and frequent violators, but, unfortunately, a lot of good people were caught in the net of night time enforcement on relatively minor violations.

City Council again spent a lot of time on the issue of city codes in a joint session with the Planning & Zoning Committee, the entity responsible for analyzing and writing the codes. In that meeting, we heard from numerous citizens cited for various code violations who were upset that they received tickets without so much as a warning. As a result, Council clarified their intentions regarding code enforcement in the April meeting, and the enforcement policy will be easier to understand in the future. We may have been too forceful in tightening up on enforcement all at once and there will now be more warnings given to all but the most frequent and flagrant violators of the city's codes.

I have received a lot of communication via email, phone and letter from a number of citizens in the past few months on the issue of code enforcement. Many of those were more than a little upset about receiving a citation on some minute issue of the code. All but a few of them admitted that "technically" they were in violation of the code, but they all had good reasons as to why they should not be ticketed; some reasoned that they have lived in Jersey Village for many years, some blamed their yard people, some have no place to "hide" their trash cans without moving them behind a fence. The questions I asked in response were: do you think the City should enforce the codes? Should citizens receive a warning on their first code violation? Should the codes only be enforced between 8 AM and 5 PM Monday through Friday? Should discretion be used when things are not quite "up to code?" Should the City allow for good excuses when codes are violated?

Over the next few months the Planning & Zoning Committee will be reviewing the language and intent of the City's codes. As an involved citizen, you can participate in that review process by sharing your thoughts and opinions with the committee. Find out when the meetings are scheduled and plan to attend. You can find a complete set of the City's codes at http://www.municode.com/Resources/code_list.asp?stateID=43. In the meantime, continue to communicate with your City Council representatives about your opinions on how the codes are enforced. If you think warnings should be given before a ticket, let them know that. If you think that the codes should be enforced with your neighbors, but exceptions should be made when you are not in compliance, I can only tell you this: you cannot have it both ways.

So the big question remains: where do you draw the line on code enforcement? I am certain that the vast majority of residents want all the codes enforced since they are important to the quality of life we enjoy here. The beauty of living in Jersey Village is that you know your neighbors will not open an auto repair shop in their garage, they won't park their junk cars in the front yard and they will not leave piles of trash at the curb all week long.

A handwritten signature in cursive script, appearing to read "Russell W. Hawley". The signature is written in black ink and is positioned below the main body of text.