

Codes Enforcement - Complaint Policy  
Town of DeWitt Department of Planning & Zoning (P&Z)  
(Adopted 9-13-99)

PURPOSE

The Town of DeWitt Department of Planning & Zoning (the “Department”) receives hundreds of code enforcement complaints each year. Each complaint must be handled in a fair, consistent and timely manner. In order to accomplish this it is the Department’s intent to follow established procedure whereby:

- \* a complaint properly received is thoroughly investigated;
- \* a dispute is resolved with as few parties involved as is necessary; and
- \* a complaint is conducted fairly and in as simple a manner as is practical.

There are two sources through which code enforcement is initiated: complainants and town-initiated enforcement action. THIS POLICY ADDRESSES COMPLAINANT-INITIATED CODES ENFORCEMENT.

PROCEDURE

A complaint shall be documented by the Department on an appropriate form along with pertinent information either called in or in person. Promptly upon receipt of a complaint the P&Z staff will initially assess whether it is a complaint over which the Department has jurisdiction. (If not, the complainant will be so notified and will be referred to an office or agency when appropriate.) At the earliest possible time the P&Z staff will assign the complaint to a Codes Enforcement Officer (CEO) for investigation -- recognizing the seriousness and immediacy of the complaint and the availability of Departmental resources.

Appropriate investigation will be undertaken; material documentation will be gathered; and notes will be taken of observations, discussions and statements. At the disposition of the case, the CEO will provide a synopsis, direction or steps that each party has agreed to take to moderate or otherwise resolve issues. These shall be carefully documented and a copy shall be placed in the Permanent Complaint File.

The Town will not take action with respect to an anonymous complaint because it cannot assure confidentiality. One exception is when an alleged violation involves imminent threat to public health or safety.

## MEDIATION

The Department, in appropriate cases, may recommend mediation between disputants. Mediation may be conducted by a mediation service such as New Justice Conflict Resolution Services, Inc.

## APPEALS

Appeal from a determination of a Code Enforcement Officer shall be first made to the Director. If the Director is unable to resolve the matter he shall refer the same to an appropriate board or officer.

## COORDINATION

The Department shall notify other enforcement agencies where a complaint has been filed and there is reason to believe that non-town violations or jurisdictions may be involved.

## PROSECUTION

If a complaint cannot be satisfactorily resolved by the Department and there is reason to believe that codes violation(s) exist then the Department shall initiate prosecution steps pursuant to standard departmental procedures including, as appropriate, informal notices from the Department and attorney's office. Once formal steps have commenced, the Department shall pursue prosecution to conclusion.

## APPLICABILITY

This policy applies to all codes administered by the Department and its agents for complainant-initiated enforcement. The procedures and forms of this Policy shall supersede any conflicting town policy and procedure.

EFFECTIVE DATE: Immediately