



WILDWOOD

February 25, 2020

MEMORANDUM

To: Planning and Parks Committee Members

From: Department of Planning and Parks

Re: **Municipal Enforcement of Code Violations (Wards – All)**

Cc: The Honorable James R. Bowlin, Mayor
Administration and Public Works Committee Members
Economic Development Committee Members
Sam Anselm, City Administrator
John A. Young, City Attorney
Rick Brown, P.E. and P.T.O.E., Director of Public Works
Kathy Arnett, Assistant Director of Planning and Parks

[Background >>>](#)

The enforcement of municipal codes is a team effort, which depends on many parties. These parties include the Municipal Court, the Prosecuting Attorney in the Municipal Court, the St. Louis County Police Department – Wildwood Precinct, in limited instances, and the Code Enforcement Officers of the Department of Planning, which has three (3) positions for such activities. This team, in enforcing many of the land use codes, including the Zoning Ordinance, Grading Code, and Nuisance Code, work in unison to gain compliance, more so than to collect fines. Without the team working together, the enforcement of these codes is hindered and residents and the City can be negatively impacted by such. Therefore, coordination between all these parties is essential and certainly not optional.

The Department holds a very strong belief that codes relating to land use, grading, and nuisances are the foundation on which a strong and vibrant community are built upon and need to be applied fairly, consistently, and timely to ensure the public's health, safety, and welfare are preserved. These circumstances have been the backdrop of this Department since September 1995. It is not to say that, at times, certain issues become more problematic than others, and have not met these high standards, but, in most instances, residents and property owners, along the City's team, are able to address almost all problems and situations in this regard.

With changes to the Municipal Court by actions of the Missouri Legislature and the Missouri Supreme Court after 2014, the enforcement of codes for local governments has taken another turn. This turn is not necessarily anything other than lessening the burden on certain groups that are subject to the enforcement of codes relative to responding to violations and ensuring the enforcement actions of communities are, again, fair, consistent, and timely. In the opinion of the Department of Planning, the greatest change is the fee structure associated with fines that can be assessed, when compliance is not reached. The fee structure, when assessed by the appointed Municipal Judge, is often the incentive to bring a problem into compliance and address long-standing issues that have been difficult to resolve.

Regardless, the new landscape exists in terms of enforcement of codes and the City of Wildwood is accommodating such as best as possible. Complicating these factors, the Department would also note other parameters are now being placed upon the City's Code Enforcement Officers. These parameters include:

1. Access to properties;
2. Coordination of enforcement efforts; and
3. Timeframes.

These parameters only make the process of enforcing current codes and gaining compliance slower and has raised questions among residents in this regard.

[Content of Tonight's Presentation >>>](#)

The Department of Planning is presenting this information to the Planning and Parks Committee Members to advise them of the changes that have occurred and that are, for all intents and purposes, still being incorporated into the day-to-day activities of the Code Enforcement Officials. Certainly, the Department of Planning is committed to working with all parties to ensure code enforcement is a key part of maintaining Wildwood as a premier place to live, work, and play, while also protecting property values. The protection of the public's health, safety, welfare, along with property values, are the key underpinnings of any action or activity of a municipal government and expected to be priorities of City officials by their residents. Accordingly, if Committee Members are receiving complaints about code enforcement, the situation noted herein is part of the reason that certain problem properties and others are not being addressed as quickly or fully as some would seek in this regard.

Additionally, the Department of Planning is seeking the support of the Planning and Parks Committee in exploring several steps in regards to code enforcement within the City of Wildwood. These steps will allow the City to explore more effective measures, particularly when dealing with a particular problem or situation that is more difficult than most. The list of steps for the Committee's consideration are as follows:

1. Engage the use of the St. Louis County Problem Properties Unit more often, when circumstance is justified. The Department currently has access to this unit, but does not frequently utilize it, given its workload and past capabilities of the City's own staff.

2. Advocate for maximum fines, when individual enforcement cases are repeat offenders or the City's efforts are being ignored or circumvented.
3. Emphasize the importance of code enforcement and cooperation at all levels of government in this regard, when discussing these matters with other members of the City's team.
4. Lobby the State of Missouri, through the City's memberships in municipal organizations, for greater latitude in certain code and nuisance cases that are determined to be life-threatening or lead to cascading issues in the area where and when they exist.

The Department of Planning is attempting to be proactive in this regard and ensure that Wildwood does not have issues in regards to efficient code enforcement in the future. The items noted in this Memorandum will be the subject of discussion at tonight's meeting and the Department will be seeking direction in regards to them as well.

[Summary and Conclusion >>>](#)

If any of the Committee Members should have any questions or comments regarding this information, please feel free to contact the Department of Planning and Parks at (636) 458-0440. A presentation is planned on this matter at tonight's meeting. Thank you for the opportunity to present this information to the Committee on this important matter.