CITY OF CORAL GABLES

POLICY REGARDING CODE ENFORCEMENT AND NEIGHBOR DISPUTES

It has become evident that the City's Development Services Department, Code Enforcement Division is often used as a vehicle in furtherance of neighbor disputes, both in residential and commercial districts. These unfortunate situations lead to the expending of significant City resources, at all levels, and rarely result in a favorable outcome for either party. The City Commission has directed that a policy be established to more effectively address these situations. The following policy sets out how the City's Code Enforcement Division will handle complaints made by individuals or businesses involved in neighbor disputes.

Definitions:

Neighbor dispute is defined as three (3) or more code enforcement complaints between the same set of neighbors or between individual(s) at the same property against the same neighboring property, whether residential or commercial, during a period of six (6) months.

Neighbor is defined as any resident or business in the City.

Neighboring property is defined as any property, commercial or residential, within the City.

Code enforcement complaint is defined as a communication to the Code Enforcement Division regardless of the number of citations that results from the communication; each communication advising the department of potential violations, constitutes a "complaint" for purposes of this policy.

Life-safety violations include, but are not limited to, those citable under the following sections of the City Code:

105-224. Freedom from health, accident or fire hazards

105-225. Freedom from rubbish and garbage (if item creates a safety concern)

105-229. Insect and rodent harborage (exterior)

105-277. Foundation walls

105-278. Stairs, porches and railings

105-279. Weather and weather-tightness

105-282. Vermin and rodent free

105-286. Structural members

105-287. Chimneys, flues and vents

105-289. Floors, walls, ceilings and roof

105-292. Insect or rodent harborage (interior)

105-293. Maintenance of plumbing systems

105-295. Maintenance and operation of heating equipment

105-296. Storage of fuels

105-297. Maintenance of electrical wiring and devices

105-339. Electric fixtures in bathrooms

As well as any violations citable under the life-safety sections of the Florida Building Code and the City's Zoning Code.

Policy:

If the Code Enforcement Division Director, in his/her discretion, establishes that a neighbor dispute exists, the department will not issue a Notice of Violation/ticket to the property or business being complained about, unless the violation is a life-safety violation. If either neighbor believes that their complaint should not fall under this policy, either may request that the decision be reviewed by the Code Enforcement Prosecutor. If either neighbor wishes to appeal the decision of the Code Enforcement Prosecutor, he/she may request, in writing, to the Code Enforcement Division Director, that the matter be reviewed by the Code Enforcement Board.

Exceptions:

This policy does not apply to noise complaints, complaints regarding abandoned properties or complaints regarding public nuisance properties.