



**City of Gainesville
Code Enforcement Division
STANDARD OPERATING POLICY**

Title: Administrative/Policy A-4

Effective Date: 03/15/2007

Rescinds: New

Subject: Citizen Participation in Utilizing Civil Citations

PURPOSE:

- A.** To utilize citizen knowledge of code violations
- B.** To establish a procedure for utilizing evidence acquired by citizens in the civil citation process.

POLICY:

- A.** It shall be the policy of this department, insofar as possible, to establish, in writing, acceptable methods of action to be used by staff to utilize evidence acquired by citizens in the prosecution of code enforcement cases.
- B.** After being notified a code violation by an interested party, Code Enforcement Staff shall research public records to confirm the existence of any recorded documents that support the claims.
- C.** Staff shall coordinate its research with the Clerk of the Code Enforcement Board and the City Attorneys Office.
- D.** Evidence collected by the citizen and staff shall be considered sufficient to prosecute a case when upon personal investigation, the officer has reasonable cause to believe that the person has committed a civil infraction in violation of a duly enacted code or ordinance.

CITIZEN INPUT:

This division will act when a citizen has first hand knowledge of a violation that is documented by any of the following:

- Photographs accompanied by an affidavit affirming the photographs truly and accurately display the conditions witnessed by the citizen at the time and date the photographs were taken
- Film accompanied by an affidavit affirming the film truly and accurately display the conditions witnessed by the citizen at the time and date the photographs were taken
- Other evidence such as web based information, digital recordings of any kind (this could apply to audio), and/or items or evidence which helps confirm existence of a violation.

PROCEDURE:

Immediately after a citizen makes a formal written complaint staff shall take the following actions:

- A.** Take appropriate steps to insure that the evidence submitted by a citizen is properly researched and that the Code Enforcement Manager is notified of their findings.
- B.** The Code Enforcement Manager, upon review of the documentation, shall submit all warnings, civil citations and backup documentation to the City Attorney.
- C.** Staff shall take appropriate steps to notify all interested parties of court dates and shall when necessary subpoena any citizen with knowledge of the event to testify in such court hearing.

FORM:

- A.** A standard complaint form shall be used to initiate the complaint process. This form shall be made available on the Code Enforcement web site, from staff as well as from code officers in the field.
- B.** The appropriate standard division memo format shall be used by staff when composing the response to the manager.
- C.** A standard letter format will be utilized when notifying interested parties.
- D.** The appropriate standard division affidavit shall be utilized for photo/film confirmation noted above.