



1000 Mission, Purpose, Interpretation, Philosophy (Revised 12/20/2024)

1001. Important Advisory

- A. These guidelines were prepared as a reference for Code Enforcement staff, Town staff with enforcement authority, and the public. They are intended to provide general guidelines on how the Town of Camp Verde's codes, ordinances, and other regulations are enforced. To fully understand the code enforcement process and citizens' rights and/or responsibilities, reference should be made to the applicable codes, fee schedules, policies, and procedures themselves.
- B. Please be aware that revisions to codes, ordinances, policies, and procedures by various Town Departments and outside agencies may NOT be reflected in this document. Please also note that this document does not have the force of law. The codes, ordinances, policies, and procedures by various departments take precedence over these guidelines.

1002. The Mission

- A. The mission of the Town of Camp Verde's Code Enforcement Division is to protect the health and safety of the Town's residents and visitors and the livability of the community by assuring compliance with the Town's land use, ordinances, environmental, and codes. The Town will ensure compliance by encouraging voluntary compliance and sanctioning code violators who do not comply.

1003. Purpose

- A. The purpose of the Town of Camp Verde Code Enforcement Program Policy and Procedures Manual (hereafter "manual") is to provide written guidelines for:
 - 1. The prioritization of code enforcement cases;
 - 2. Initiation and investigation of code violation complaints;
 - 3. Enforcement of codes, ordinances, and regulations through voluntary compliance;
 - 4. Enforcement timeframes and processes;
 - 5. Prosecution of code violators who do not comply, including the assessment of fines and penalties and sanctioning of code violators;
 - 6. Recovery of the Town's investigation and enforcement costs;
 - 7. Staff Safety and;
 - 8. Resolution of Complaints.
- B. These written guidelines are intended to increase consistency and predictability within the Town's Code Enforcement Program and to educate Town residents and property owners about Code Enforcement and the consequences of violating codes, ordinances, and regulations.



1004. Interpretation

- A. This manual describes the standard policies and procedures for the Code Enforcement Division and should be interpreted to maximize the efficiency of the program and operations and achieve compliance with residences and property owners found to be in violation of codes, ordinances, and regulations. Unless otherwise directed by the Community Development Director or designee, this manual shall be followed.

1005. Philosophy

1005.1 Policy

- A. The Town's policy is to achieve compliance with codes, ordinances, and regulations in all cases of reported and verifiable violations. However, the Town may not always have sufficient resources to address all cases expeditiously. Consequently, the Town has established through this manual a priority ranking for Code Enforcement and procedures designed to maximize available Code Enforcement resources. The Code Enforcement Policy Program should follow the priority ranking outlined in **Section 2002.2** of this manual. It also should be flexible enough to allow the level of enforcement that best fits the type and circumstances of ordinance, code, and building violation(s) within clear and objective criteria outlined in this manual and consistent with the priorities.
- B. Code Enforcement is a complaint-driven process with the sole purpose of maintaining established norms and standards for the community that are out of compliance with minimum local, state, and federal requirements. The only exception to this process is when fire, life safety, and health violations are observed during the normal course of business or proactive enforcement is authorized by the Community Development Director or designee.
- C. The Code Enforcement Division does not enter into civil disputes regarding encroachments, easements, right-of-ways, or any other civil disputes between residents.
- D. The Code Enforcement Division and any other staff with enforcement authority shall enforce the codes, ordinances and regulations fairly and impartially.
- E. The Code Enforcement Division and any other staff having enforcement authority shall adhere to the core values set forth by the Town of Camp Verde during their daily duties, as indicated below.
 - 1. Accountability
 - 2. Collaboration
 - 3. Diversity
 - 4. Excellence
 - 5. Integrity
 - 6. Leadership
 - 7. Respect

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1000 Mission and Purpose
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8. Sustainability



2000 Enforcement Scope and Priorities Setting (Revised 11/12/2024)

2001. Scope

- A. These policies apply to civil enforcement of alleged codes, ordinances, and other regulatory violations.
- B. The Town does not enforce covenants, conditions, and restrictions (CC&Rs) or other private agreements.
- C. The Town does not resolve private disputes among third parties. Nothing in these policies limits or applies to actions by private parties to obtain compliance with codes, ordinances, or regulations through private means.
- D. Other departments, personnel, or agencies may have expertise or enforcement authority over specific codes, ordinances, or building violations. In that case, the Code Enforcement Officer or assigned staff may turn over a case to those departments, personnel, or agencies for enforcement action.
- E. The Code Enforcement Division investigates allegations of violations for compliance under the following:
 - 1. Zoning Ordinance Violations.
 - 2. Town Code Violations
 - a. There are exclusions within the Town Code that designate enforcement authority to other town personnel or departments.
 - 3. Building Code Violations.
 - 4. Health and Safety Regulations
- F. An allegation of a code, ordinance, or regulatory violation can be severe. The Town strives to investigate all reports of violations in a timely and efficient manner. To expend the Town's resources most appropriately and efficiently, it is essential to distinguish the difference between actual violations and non-violations. Examples of what is NOT a violation are below:
 - 1. Ugly or unattractive automobiles, trucks, and recreational vehicles.
 - 2. Eye sores or unattractive residences.
 - 3. Weeds in the ditch along the roadway should be maintained by the property owner or reported to the Public Works Department at **928.554.0872**
 - 4. Violations of CC&Rs or HOA regulations.
 - 5. Excessive dust during construction should be reported to the Arizona Department of Environmental Quality (ADEQ) at **800.234.5677**. A resident may contact the Town's Building Department for additional guidance by calling **928.554.0050**.
 - 6. Legally parked vehicles in the public right-of-way. If inoperable or abandoned, report it to the Town Marshal's Office at **928.554.8300**.
 - 7. Excessive barking and excessive noise from fowl or dogs at large should be reported to Animal Control with the Town's Marshal's Office at **928-554-8370**.
 - 8. Suspected livestock cruelty, mistreatment, and neglect (equine, cattle, sheep, goats, swine) should be reported to the Arizona Department of Agriculture at



623.445.0281.

9. Social nuisances and noisy activities should be reported to the Town's Marshal's Office – **928.554.8300**

2002. Enforcement Mechanisms and Priorities

2002.1 - Mechanisms

- A. The Code Enforcement Division's primary goal is to achieve compliance voluntarily from code violators, which will require less resources and time; however, staff may need to use other avenues and mechanisms to achieve compliance.
- B. The enforcement mechanisms available to the Town are:
 - 1. Obtaining voluntary compliance;
 - 2. Verbal or door hangers for compliance;
 - 3. Pre-Enforcement Notice;
 - 4. Notice of Violation ("NOV"), Extension Agreement, or Notice of Progress;
 - 5. Notice of Hearing/Complaint through the Administrative Hearing Office;
 - 6. Prosecution of code, ordinance, and regulatory violations in Town Court through the issuance of a civil citation or criminal complaint from the Town Attorney or Town Prosecutor;
 - 7. Petition for an injunction in the circuit or superior court;
 - 8. Stop work order;
 - 9. Permit revocation;
 - 10. Nuisance abatement;
 - 11. Assisting in enforcement by other regulatory and licensing agencies and;
 - 12. Any other remedy under the Town code or existing law.
- C. The enforcement mechanisms are not mutually exclusive and may be used alone, in sequence, or in combination with other mechanisms. In most cases, the Town will use the lowest level of enforcement to assure compliance. Still, it may use any necessary enforcement mechanism to achieve compliance in the most efficient manner possible.
- D. It should be understood that not all enforcement mechanisms may be applicable in a particular situation.

2002.2 - Criteria for Choosing Level of Enforcement

- A. Some code violation cases may have aggravating circumstances that require a different sequence of enforcement activity than that outlined in Section 2002.1 of this policy.
- B. The Code Enforcement Division or other staff that have enforcement authority may choose a different sequence if one or more of the following circumstances is present:
 - 1. The violation is severe (e.g., deviates significantly from the code, ordinance, or regulations);
 - 2. The violation poses a significant threat to public health, life, and safety, or the



environment as determined by the Community Development Director or designee;

3. The violation may cause economic harm to residents or the Town as a whole;

4. The physical size or extent of the violation is significant as determined by the Community Development Director or designee;

5. The violation has existed uncorrected for a significant period as determined by the Community Development Director or designee;

6. There is a previous history of code enforcement and founded complaints on the subject property or with the alleged code violator;

7. There is good potential for combining enforcement action on the violation with other violations;

8. There is little likelihood of obtaining voluntary compliance.

2002.2 Priorities

- A. The Code Enforcement Division or assigned staff shall attempt to investigate and resolve all code violations within budget and staffing resources. However, because of limited code enforcement resources, there may be times when all code violations cannot be given the same level of attention, and some code violations may receive no attention at all for a period of time as determined by the Community Development Director or designee.
- B. In circumstances where not all code violations can be investigated, the most severe violations, as determined under the priorities outlined in this section and the criteria for enforcement in Section 2002.2 of this policy, shall be addressed before the less severe violations are addressed, regardless of the order in which the complaints are received. However, complaints alleging priority and non-priority violations can be processed together to maximize efficiency.
- C. The Town has established the following priorities for Code Enforcement Officers or other authorized staff that have enforcement authority:
 - 1. Violations that present an imminent threat to public life, health, and safety;
 - 2. Violations which impact rivers, streams, floodplains, and wetlands;
 - 3. Solid waste code violations, environmental soil violations, or building code violations consisting of ongoing non-permitted construction or failure to obtain permits;
 - 4. Land use violations that are determined to be a hazard.
- D. Lower priority cases and complaints alleging code violations that do not fall within the priority ranking above should be processed in the order in which they are received and as Code Enforcement or staff resources allow.
- E. At the discretion of the Code Enforcement Division and in consultation with the Community Development Director or designee, complaints may be processed in any order that maximizes enforcement efficiency.
- F. All complaints concerning a particular type of code violation (e.g., non-permitted manufactured homes or dry weeds and grasses) or all complaints of violations occurring in a particular geographic area may be processed together, regardless of the order in which the complaints are received.



- G. In consultation with the Code Enforcement Division, the Community Development Director or designee may set case priorities at the time of assignment or at his/her discretion, adjusting the priority at any time during the investigation.
 - 1. If assigning case priority, the Community Development Director or designee may consider factors such as chronic complainers, complaints generated as part of a neighbor-versus-neighbor feud, and other actions where the complaint appears to be a vehicle to use the Code Enforcement Division to retaliate or punish another party.
- H. Prioritizing a case may also evolve based on available staffing.
- I. The Town will not tolerate the misuse of code enforcement resources through frivolous complaints, complaints intended to harass, or complaints intended to overburden code enforcement officers. In some instances, the Town may choose not to pursue enforcement of code violations if, following a recommendation from the Community Development Director and consultation with the Town Attorney, the Town Manager determines there has been an abuse of code enforcement resources. Complaints must be submitted in writing.



3000 - Enforcement Applicability, Reporting, Processing, and Timeframes

(Revised 12/31/2024)

3001. Applicability and Policy

- A. This policy applies to all code enforcement administered by the Community Development Department (CDD), its employees and agents, or any other staff authorized to enforce codes, ordinances, and regulations. Except as otherwise provided, the policies and procedures apply to all alleged code violations whether or not they existed or were known by the Town on the effective date of this policy. The policies and procedures supplement other Town policies and procedures. If there are conflicting procedures, the stricter policy supersedes and should be followed.

3002. Reporting

3002.1 – Reporting Alleged Violations

- A. Any person may file a complaint to the Town alleging one or more violations of codes, ordinances, or other regulatory provisions under the jurisdiction of the Town by one of the following methods:
 - 1. In-person; or,
 - 2. Online, or,
 - 3. Email.
- B. The Code Enforcement Officer or assigned staff shall highly encourage the complainant to use the online complaint portal when filing a complaint.
- C. The Official Compliant Form or Investigative Service Request form shall be completed for each alleged violation reported by the complainant or person taking in the complaint.
- D. The Official Compliant Form or Investigative Service Request form shall contain, at a minimum, the following information:
 - 1. Date of submission.
 - 2. Address and parcel/assessor's parcel number (APN#).
 - 3. A summary or description of the alleged violation(s).
 - 4. A short statement that all information being reported is complete, factual, and accurate.
 - 5. A short statement that any incomplete complaint forms submitted will not be processed.
 - 6. If the complainant wishes to remain anonymous.
- E. The Town's policy is to accept complaints when the complainant wishes to remain anonymous. The Town's Official Complaint Form or Investigative Service Request form shall accompany all anonymous complaints.

3002.2 - Confidentiality of Case Files



- A. The Town's policy is to maintain the confidentiality of code enforcement complaint files and computer records, including the complainant's personally identifying information, such as name, phone number, and address, to the extent legally possible. The Town believes it is essential to maintain confidentiality to assure effective investigation and prosecution of code, ordinance, and building violations. In addition, the Town recognizes that some complainants do not want their names disclosed to the alleged code violator for fear of retaliation. However, in some cases, it may be necessary for successful prosecution and enforcement for the complainant to be identified and to testify in court.
- B. Code Enforcement files will be maintained confidential throughout the investigation, infraction prosecution, or other types of code enforcement. Notwithstanding, this information may be obtained according to state law through a proper public records or discovery request. Staff will seek the town attorney's approval before release.
- C. The contents of code enforcement files will not be disclosed to anyone other than Town and court staff who have a reason to know and are involved in the investigation or to similar staff of an agency with which the Town is cooperating. The contents of the file will not be disclosed to any other until:
 - 1. The investigation is complete, and a discovery request is made or
 - 2. The file is closed, and disclosure is made according to the Public Records laws in Arizona.
 - 3. Notwithstanding, this information may be obtained according to state law through a proper public records or discovery request. Staff will seek attorney approval before release.
- D. In cases where the Town chooses to cooperate with or defer to federal or state agencies for Code Enforcement action, the file's contents may be disclosed, as necessary, to the other agency. The Town is required to produce responsive public records to a person under Arizona's Public Records Law when a public records request is received.
- E. All staff shall follow the Arizona Records retention schedule for retaining and destroying records. The Code Enforcement Officer or assigned staff will document case actions and interactions throughout an ongoing case in the digital case file or other similar means.

3003. Processing



3003.1 – Processing a Complaint and Recording

- A. The complaint is the official record of its investigation and resolution. The Complaint Record shall include the following minimum information:
 - 1. An assigned complaint number;
 - 2. The assigned county parcel map number for the subject property;
 - 3. Which code enforcement staff is assigned to the case;
 - 4. The complaint form, if applicable;
 - 5. Documentation of investigation;
 - 6. Assessor's information on the subject property.
- B. When a complaint has been reported, the Code Enforcement Officer or assigned staff shall enter the complaint information and any supporting documents into the case management system.
- C. The complaint record shall be entered into the case management system under subsection 3004.1.A of this policy.
- D. All staff assisting in any aspect of the investigation shall document their activity by using one of the following methods:
 - 1. Logging the activity or action within the case management system or;
 - 2. Completing a supplemental report or supplemental activity report.
- E. All supporting documentation from other staff shall be submitted to the Code Enforcement Officer or assigned staff following the timeframe outlined under subsection 3004.2 of this policy.
- F. The Community Development Director or designee may assign other staff to enter/log in the initial complaint information and supporting documentation into the case management statement to generate the case number if any of the following apply:
 - 1. Code Enforcement Officer or assigned staff is on vacation, ill, or some other emergency occurs; or,
 - 2. Low staff levels; or,
 - 3. High caseload; or,
 - 4. Any other unforeseen situation.
- G. When the Code Enforcement Officer or assigned staff initiates an investigation, they may notify other departments, County, State, or Federal agencies interested in the alleged code violation.
- H. The Community Development Director and/or Code Enforcement Officer is responsible for the preliminary screening and assignment of all Official Compliant records under the Code Enforcement Division's responsibilities.
- I. Examining the Town's official records may reveal potential code violations. For example, cross-referencing between the County Assessor's and Town's records may reveal construction or land use activity without necessary permits or approvals. Community Development staff may also discover code violations by comparing the County's land use, environmental health, and construction permit records with each other concerning the Town's records.
 - 1. The Code Enforcement Officer or assigned staff may regularly compare pertinent Town and other agency records to identify potential code violations.



2. Violations discovered by comparing information under this subsection shall be reported to the Code Enforcement Officer using the Official Complaint Form or Investigative Service Request Form.

3003.2 Complaint Screening

A. The Community Development Director or Code Enforcement Division performs the following duties relating to the intake of the Official Complaint Reports:

1. Gives immediate attention to potential fire, life safety, or health-related complaints.
2. Manages complaints and cases using the priority ranking system outlined under subsection 2000.
3. Sees that phone and email messages left regarding violations are returned within 3-5 business days. Oversees the creation of the digital case file for the complaint in the case management system, including but not limited to the following:
 - a. A copy of the Official Complaint Form or Investigative Service Request Form;
 - b. Owner's name, address, email, phone/fax number, and other contact/site information;
 - c. Assessor's parcel number & any current or historic parcel number page notations;
 - d. Prior zoning permit history;
 - e. Prior building permit history;
 - f. Prior violation history.

3004 Timeframes

The following timeframes shall be adhered to closely for each aspect to ensure efficient case management.

3004.1 – Official Complaint Records/Activity

- A. Official Complaint Record(s) entered in the case management system within 3-5 business days of submission.
- B. Activity logs for site visits, interviews, and similar actions must be entered into the case management system within 3-5 business days of the completion date.

3004.2 – Supplemental Reports and Activity

- A. Supplemental Reports or Supplement Activity Reports (hard copies) are submitted to the Code Enforcement Division within 3 to 5 business days from the activity date.
 1. Before entering the case management system, hard copies of supplemental and activity reports must be date-stamped.
 2. The date stamp shall be entered in the upper right-hand corner of the document.

3004.3 – Timeframe Discretion

- A. The timeframes may be adjusted at the discretion of the Code Enforcement Officer or assigned staff in consultation with the Community Development Director due to staffing levels, resources, or other factors outside the staff's control.



4000 - Enforcement Investigation

(Revised 12/31/2024)

4001. Applicability and Policy

- A. This policy applies to all code enforcement administered by the Community Development Department (CDD), its employees and agents, or any other staff authorized to enforce codes, ordinances, and regulations when starting an investigation for an alleged violation. Staff may take discretionary measures to resolve a violation or violations in the most efficient manner possible.

4002. Investigation

4002.1– Preliminary Investigations

- A. At the beginning of each investigation, the following shall be established:
1. The property upon which the alleged code violation exists must be in the Town's code enforcement jurisdiction.
 2. The zoning of the subject property shall be determined.
 3. The status of any land use, environmental issues, flood zoning, building, electrical, construction (including, but not limited to, structural, mechanical, plumbing), or other similar permits on the subject property shall be determined.
 4. All individuals with a recorded legal interest in the subject property should be identified. These individuals should include the owners, contract purchasers, lessees, lienholders, or other security interest holders.
 5. In addition to those listed in subparagraph 4, any other persons potentially responsible for the alleged code violation(s) should be identified. The individuals could include tenants, trustees, or contractors.
 6. The Code Enforcement Officer or assigned staff, with the assistance of other departments and legal counsel as necessary, shall identify the pertinent provisions of the codes, ordinances, and regulations that may have been violated according to the complaint.
 7. The Code Enforcement Officer or assigned staff shall examine any records to determine the existence and status of prior or existing code violation complaints on the subject property or concerning the alleged violator.
- B. The Code Enforcement Officer or assigned staff may contact the complainant by phone, mail, email, or in person to obtain additional information; staff will be cautious to protect confidential information.
- C. Before contact is made, staff will determine if a code violation exists for the complaint.
1. If a violation is determined to exist, the case investigation continues.
 2. If it does not, the case will be resolved by file closure as provided in policy section 8000.

4002.2 – Investigation and Inspection of Property

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- A. After the Code Enforcement Officer receives a complaint, an investigation is commenced.
- B. An investigation should include a visit to the property for an on-site inspection to determine if the allegation is valid and a violation exists. In most cases, the property will be inspected by the assigned Code Enforcement Officer. The Code Enforcement Officer or assigned staff shall determine if the violation or violations exist by observation from any public right-of-ways or any other place that allows public or semi-public access, such as to a residential front.
 1. Staff shall refrain from using adjacent properties to attempt to observe alleged violations.
 2. The Code Enforcement Officer or assigned staff shall only enter areas of the property to which legal access has been granted.
 3. If legal access is needed upon the premises or an area in which legal access has not been granted and the Code Enforcement Officer or assigned staff has a reason to believe a violation or violations exists, the Code Enforcement Officer or assigned staff may:
 - a. Ask for consent from the property owner, tenant, or person in control of the property;
 - b. Consent can be obtained either verbally or in writing.
 - c. Whether consent was granted or not, this information shall be documented in the case file.
 - d. If consent is given, enter and investigate only as to the complaint.
 - e. If consent is not granted and there is probable cause to believe a violation exists, the Community Development Director or Code Enforcement shall work with the Town Attorney for
 1. Applying for an inspection warrant; or
 2. Apply for a search warrant.
- C. The Code Enforcement Officer or assigned staff may conduct the on-site visit with or without prior notice to the property owner, occupant, or alleged code violator. The determination of whether to give prior notice shall be made based on the following criteria:
 1. The nature of the alleged violation;
 2. Whether or not prior notice will make detection and documentation of the alleged violation more difficult;
 3. Whether or not prior notice will unnecessarily increase the known risk of violent confrontation or injury to Code Enforcement staff or other staff.
- D. The initial site visit shall be made within 3-5 business days of the complaint being reported.
- E. The Code Enforcement Officer or assigned staff, during the initial site visit, shall document the violations that exist on the premise/property by two or more of the following means:
 1. Photographs;
 2. Videos;
 3. Field notes;
 4. Measurements; or
 5. By some other legal means.
- F. When appropriate, Code Enforcement staff or other assigned staff should contact the local law enforcement agency to determine if there have been previous criminal complaints or



investigations concerning the subject property or alleged code violator and whether, in the opinion of law enforcement, a field investigation would present any threat to the safety of Code Enforcement staff, other staff, the alleged code violator or other persons present during the initial site visit or field investigations.

- G. All other compliance site visits/field investigations shall be made on the respective follow-up dates and times.
- H. Suppose internal or external factors beyond the Code Enforcement Officers' or assigned staff's control make conducting follow-up compliance site visits impossible. In that case, the follow-up site visits or field investigations should be completed as close to the respective compliance follow-up compliance date as possible.

4002.3 – Violation Contact

- A. Once a violation or violations have been determined, the Code Enforcement Officer or assigned staff will attempt to contact the property owner or tenant at the residence.
- B. If attempting Contact in person, the Code Enforcement Officer or assigned staff shall go directly to the obvious main entrance and contact the owner/tenant at the front door.
 - 1. If no contact is made, a door hanger or business card with the Code Enforcement Officer's or assigned staff's contact information will be left on-site at the discretion of the Code Enforcement Officer or assigned staff.
 - a. The Code Enforcement Officer or assigned staff shall follow the notification procedures as outlined in this policy.
 - 2. The Code Enforcement Officer or assigned staff may use other legal means to attempt in-person Contact with the property owner, tenant-occupant, or person in control.
- C. The Code Enforcement Officer or assigned staff should remain composed and leave the site immediately if the person is physically or verbally abusive.
- D. Code Enforcement staff or an assigned staff person may request law enforcement assistance in conducting the initial site visit or other field investigations and postpone such investigations until such assistance is available.

4002.4 – Violation Information

- A. The Code Enforcement Officer or assigned staff shall:
 - 1. Introduce themselves by name and title;
 - 2. Explain the reason for the initial site visit;
 - 3. Explain the violations determined;
 - 4. Explain the corrective action needed to be completed for compliance;
 - 5. Set a compliance deadline;
 - 6. Advise that a compliance/follow-up site visit will be conducted, and
 - 7. Penalty for non-compliance.
- B. Due to the complexity of some violations or cases, the Code Enforcement Officer or assigned staff may discuss preliminary findings with the property owner, tenant-occupant, or person in control if available on-site, including corrective action. The Code Enforcement Officer or assigned staff are not required to commit to or feel pressured to decide in the field corrective action. It is common for property owners or tenants to ask either verbally or in writing for



an "exact" and "complete and comprehensive" list of what must be done to achieve compliance.

- C. Code Enforcement Officers or staff may not be able, nor are they required, to provide such a document in the field if applicable. The Code Enforcement Officer or assigned staff may explain that conclusions require additional research and that applicable Town staff or the Code Enforcement Officer will contact the alleged violator through written means (e.g., notices).
- D. If the Code Enforcement Officer or staff cannot make personal contact with the property owner, or tenant-occupant after determining that a violation exists, staff may choose to:
 - 1. Contact the property owner or tenant via phone;
 - 2. Contact the property or tenant via email; or
 - 3. Send a Notice of Violation.

4003. Report of Investigation

- A. Upon completion of the initial investigation, the Code Enforcement Officer or assigned staff shall complete an investigation report in the case management system. The Field Investigation Report should be completed as soon as reasonably possible after the date and time of the initial site visit/field visit to ensure a complete and accurate report.
- B. The report shall include at least the following information:
 - 1. Name of investigator/staff;
 - 2. Date, time, and place of field visit;
 - 3. Code violation(s) observed;
 - 4. If no code violation(s) observed, an explanation;
 - 5. Witnesses, if any, interviewed and other persons present, if known, on-site at the time of the Investigation;
 - 6. Evidence, if any, obtained (e.g., photographs);
 - 7. Discussion, if any, of violation with the owner, occupant, or other responsible person;
 - 8. Action is necessary if known, to correct the violation; and
 - 9. Recommended enforcement action.
- C. Upon completion of the Initial Investigation, the Code Enforcement Officer or assigned staff may, at their discretion, issue notifications to residents and other agencies.
 - 1. If notification is made, it should include information on whether a case will be opened, why it will or will not be opened, and the name and contact information of the staff member assigned to the code enforcement case.

4004. Notice Submissions

- A. The Code Enforcement Officer or assigned staff have the following notices available to address non-compliance and communicate violations, compliance deadlines, corrective action, and penalties for the non-compliance:
 - 1. Notice of Violation
 - a. Notice is provided when a violation or violations occur after the Code Enforcement Officer or assigned staff visits the site and determines that the property is in violation.
 - 2. 2nd Notice of Violation



- a. Notice is provided when voluntary compliance has yet to meet as set forth from the first compliance deadline.
3. Notice of Progress or Extension
 - a. The Code Enforcement Officer or assigned staff has determined that progress has been made in correcting the violation or violations; however, the alleged violator needs to take additional action to bring the property into compliance, and the initial deadline still needs to be met. The Notice of Progress is used in conjunction with the Voluntary Compliance Agreement.
4. Voluntary Compliance Agreement
 - a. If the alleged violator admits to the violation(s) and requests extended time for voluntary compliance, the alleged violator shall sign a "Voluntary Compliance Agreement" in a form acceptable to the Town as determined by the Town's Legal Counsel. The agreement shall provide that, in exchange for the extended time for voluntary compliance, the alleged violator agrees to abate the violation(s) by a specified time and, if voluntary compliance is not obtained during this extended time, to waive hearing in any subsequent violation proceeding and consent to entry of judgment and imposition of penalties, costs, injunction, and such other relief as is deemed appropriate by the hearing Officer or court.
- B. All forms shall have the following information:
 1. Date of Notice;
 2. Date of Complaint Submission;
 3. Case Number or Violation Number;
 4. Property Owner and Tenant-Occupant or Person in Control;
 5. Property Address;
 6. Mailing Address;
 7. Violations or Code Details;
 8. Corrective Action Details;
 9. Compliance deadline date(s);
 10. Penalties for non-compliance details;
 11. Name of Code Enforcement Officer or assigned staff;
 12. Any other information pertinent to the case.
- C. The Code Enforcement Officer or assigned staff may serve a notice under subsection 4002.3.A to the alleged violator by one or more of the following means:
 1. Regular Mail;
 2. Certified Mail;
 3. In-person;
 4. Post on Property;
 5. Email; or
 6. Fax.
- D. If a notice is mailed, it shall be sent to the last known address on record with the County's assessor's or recorder's office.
- E. This doesn't preclude the Code Enforcement Officer or assigned staff from using other legal means to determine correct mailing addresses.

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- F. All notices shall be signed by the Code Enforcement Officer or assigned staff and saved under the associated case number in the case management system before being mailed or served to the property owner, tenant-occupant, or person in control.
- G. If a notice is posted on the property, it shall be posted near legal entry points to the property and viewable.
 - 1. The Code Enforcement Officer or assigned staff shall document the location of the notice posting by taking a picture.
 - 2. The picture shall be saved under the associated case number in the case management system.



**5000 Enforcement Procedures and
Voluntary Compliance**

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5000 – Enforcement Procedures

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5001. Voluntary Procedures Policy

- A. The primary objective of the Code Enforcement Division is voluntary compliance. Staff encourages voluntary code compliance by providing violators and other responsible persons with information about codes, ordinances, and regulations with an opportunity to comply within reasonable timeframes and with little or no penalty for determined violations.
- B. The Town believes voluntary compliance is generally less expensive for all parties and more satisfactory and lasting than involuntary compliance.
- C. Notwithstanding this objective, the Town believes that allowing violators to voluntarily comply during code enforcement or outside reasonable time limits for such compliance may result in abuse of this opportunity to delay compliance. Therefore, the Town's policy is to limit the timeframe during which the violators may come into voluntary compliance with little or no penalty.

5001.2 – Compliance Timing

- A. Opportunities for voluntary compliance, where provided, shall be of limited duration. The facts in each case differ. For most cases, the Code Enforcement Officer or assigned staff will provide the following limited time frames for code violations:
 1. (21) Twenty Calendar Days - Initial Code Violation Compliance Deadline.
 2. (21) Twenty Calendar Days – if not in compliance before or on the Initial Code Violation Compliance Deadline.
- B. If the property owner or tenant-occupant/person in control of the property does not comply with subsection 5001.2.A.2, a Notice of Hearing/Complaint will be issued.
 1. The Notice of Hearing/Complaint requires the property owner, tenant-occupant, or person in control of the property to appear in front of the Administrative Hearing Officer 30 Days from the date the Notice of Hearing/Complaint was served or the next available court date.
 2. The Code Enforcement Officer or staff shall follow the procedures outlined under Enforcement Procedures for Violations of the Town Code as outlined under the Town Code.
- C. For complex cases, the Code Enforcement Officer or assigned staff shall consider the appropriate timeframe for compliance on a case-by-case basis.
- D. If other compliance dates are set by some other means, the violator shall abide by those compliance dates.



**5000 Enforcement Procedures and
Voluntary Compliance**

Issued 11/12/2024

5001.3 – Closure

- A. If the Code Enforcement Officer or assigned staff determines that the required corrections have been made within the timeframes under subsection 5001.2.A.2 or before the Hearing date as set forth under subsection 5001.2.B or the liable persons have provided evidence that no violation exists, the date and method of compliance shall be noted in the case. The case shall be resolved by file closure under policy section 8000.
- B. All code violation cases shall remain open until conditions within Section 8000 of this manual are met.



6000 – Enforcement Procedures, Civil Citation, Criminal Citation, and Long Form Complaint (Revised 12/20/2024)

6001.1 Non-Voluntary Procedures – Policy

- A. The primary objective of the Code Enforcement Division is voluntary compliance; however, staff will encounter property owners or tenant-occupants who refuse to comply with the orders set forth by the Code Enforcement Officer or assigned staff.
- B. The Code Enforcement Officer or assigned staff may choose to seek compliance using:
 - 1. Issuance of Notice of Hearing/Complaint
 - 2. Issuance of a Civil Citation
 - 3. Issuance of a Criminal Citation through the Marshal's Office
 - 4. Issuance of a Long Form complaint
- C. A Notice of Hearing to a hearing officer or a citation issued to the court shall be prepared only after an investigation has verified the existence of a Code violation.
- D. All citations submitted to the Town court shall be served under the provisions of Arizona State Law.
- E. The case management software tool shall be used to document all citation information and long-form criminal summons.

6001.2 – Notice of Hearing/Compliant

- A. If the property owner, tenant-occupant, or person in control of the property does not comply with subsection 5001.2.A.2, a Notice of Hearing/Complaint will be issued.
 - 1. The Notice of Hearing/Complaint requires the property owner, tenant-occupant, or person in control of the property to appear in front of the Administrative Hearing Officer 30 Days from the date the Notice of Hearing/Complaint was served or the next available court date.
 - 2. The Code Enforcement Officer or assigned staff shall follow the procedures outlined under the Enforcement Procedures for Violations of the Town Code as outlined in the Town Code.
- B. At the discretion of Code Enforcement or assigned staff, a Notice of Hearing/Compliant may be initiated if Code Enforcement staff or other designated staff determines that non-compliance with a violation or violations warrants bypassing the issuing of a Notice of Violation and a second Notice of Violation.
- C. Any person authorized under subsection 7-7-1.A.5 of the Town Code may issue a Notice of Hearing/Compliant. The person issuing the Notice of Hearing/Compliant must verify the conduct or circumstances constituting a violation and will be required to present the case in front of the Administrative Hearing Officer.
- D. The procedures outlined under Town Code Article 7-7, Enforcement Procedures for Violations of the Town Code, shall be adhered to.



**6000 Enforcement Procedure, Citations,
Long Form Complaint**

Issued 11/12/2024

6001.3 – Civil Citation

- A. At the discretion of the Code Enforcement Officer or assigned staff, a civil citation may be issued when the violation or violations rise above the level of a Notice of Hearing/Complaint and not a case of a repeat offender, habitual offender property, or a violation deemed an imminent health or safety concern.
- B. The Code Enforcement Officer or assigned staff may issue a civil citation preceded by a Violation Warning Letter, a Citation Warning Letter, or similar notices.
 - 1. These steps already include a timeframe for correction, which must have expired with no compliance before a citation is issued.
- C. The Code Enforcement Officer or assigned staff issuing the civil citation must be aware of the violation and present the case.
- D. The Code Enforcement Officer or assigned staff must attempt to document the owner/tenant's contact information and identification. If contact information and identification are refused or unavailable, the Code Enforcement Officer or assigned staff notes the refusal or unavailability. The Code Enforcement Officer or assigned staff relies upon the most readily available information in the Town or County records and any current registered owner information. The Code Enforcement Officer or assigned staff may request the assistance of the local law enforcement agency to obtain this information on-site or after the fact. The citation should be personally served on the owner/tenant, left at the owner/tenant's dwelling or usual place of abode with someone of suitable age and discretion who resides there, or if the owner is a legal entity, by delivering a copy to an agent authorized by appointment or by law to receive service of process. If the Code Enforcement Officer is unable to properly serve the citation, consult with the Town Attorney.
- E. The citation and citation tracking log must be submitted to the appropriate court within 48 hours of the date it was served.
- F. For civil citations, the Code Enforcement Officer or staff serving the citation shall set the date for arraignment.
 - 1. The date is set 3-4 weeks after the citation was served on a Tuesday at 10:30 a.m.

6001.4 – Criminal Citation

- A. Criminal citations are not the preferred method for enforcement, as they divert resources from the violator that could otherwise be used to achieve compliance if cooperation had been maintained.
- B. However, a criminal citation will be used after other efforts have failed to achieve compliance. The Code Enforcement Officer determines when to use citations as an enforcement tool specific to a case. (e.g., a habitual offender or the alleged violator has had multiple valid violations within 24 months under subsection 7-7-3D of the Town Code. In that case, a criminal citation shall be issued.
- C. The Code Enforcement Officer or assigned staff, in consultation with the Community Development Director, shall first review the previous case files and violations and confirm the habitual offender status.
- D. The Code Enforcement Officer or assigned staff shall request the assistance of the local law enforcement agency to serve the criminal citation on the alleged violator.



**6000 Enforcement Procedure, Citations,
Long Form Complaint**

Issued 11/12/2024

1. The above doesn't preclude the Code Enforcement Officer or assigned staff from consulting with the local law enforcement staff or legal counsel.

6001.5 – Criminal Long Form Complaint

- A. Instead of issuing a criminal citation, the Code Enforcement Officer or assigned staff may submit the valid violations through a long-form criminal or criminal summons to the Town Attorney or Town Prosecutor.
- B. The Code Enforcement Officer or assigned staff must attempt to document the owner/tenant's contact information and identification. The Code Enforcement Officer or assigned staff may request the assistance of the local law enforcement agency to obtain this information through legal means to identify the alleged violator(s), if applicable appropriately.
- C. The Code Enforcement Officer or assigned staff shall prepare and review all applicable documentation such as but not limited to:
 1. Case narrative;
 2. Violation type and details;
 3. Notices;
 4. Emails and other documented communications;
 5. Pictures and video;
 6. Other relevant information.
- D. The Community Development Director shall review the prepared case file before being submitted.
- E. The Community Development Director or designee shall be notified of all criminal summons or criminal citations being issued.
- F. Once reviewed and approved, the Code Enforcement Officer or assigned staff shall submit the approved case file to the Town Attorney or Town Prosecutor for submission to the court.
- G. The Code Enforcement Officer or assigned staff shall document all case information in the case management system.



**7000 Enforcement - Other Remedies and
Officer Safety**

Issued 11/12/2024

7000 – Other Remedies and Officer Safety (Revised 12/31/2024)

7001 Policy

- A. Code Enforcement Officers and assigned staff have additional tools to address non-compliant properties.
- B. Additional tools include but are not limited to:
 - 1. Nuisance abatement and liens;
 - 2. Dangerous building abatement and liens;
 - 3. Collection agencies for lien cost recovery;
 - 4. Stop work orders;
 - 5. Permit revocation and;
 - 6. Injunctions.

7001.1 - Other Remedies

- A. The preferred method is to seek voluntary compliance to resolve violations. If this approach does not work, the Code Enforcement Officer and assigned staff have several enforcement-related tools to seek compliance, listed under subsection 7001.1.B.
- B. For violations that require the Town or a licensed contractor to abate under Article 10-2(Declaration Nuisance), the Code Enforcement Officer or assigned staff shall follow the procedures outlined under subsections 10-2-2 through 10-2-4 of the Town Code.
- C. For violations requiring the abatement of dangerous buildings or structures, the Code Enforcement Officer or assigned staff shall follow the procedures outlined under Town Code subsection 7-2-108, Unsafe Structures and Equipment.
 - 1. The Code Enforcement Officer or assigned may seek additional guidance from the Chief Building Official for issues under this section.
- D. For violations requiring the issuance of a stop work order or permit revocation, the Code Enforcement Officers or assigned staff shall follow the provisions outlined under subsections 7-2-103.14 and 7-2-104.15.
 - 1. The Code Enforcement Officer or assigned may seek additional guidance from the Chief Building Official for issues under this section.
- E. The Code Enforcement Officer or assigned staff shall seek guidance and assistance from the Town Attorney on issues requiring injunctions.

7002 Employee Safety

- A. The safety and welfare of our personnel are critical and a high priority. Code Enforcement Officers or assigned staff are expected to maintain professionalism when dealing with the public; however, if they are dealing with hostile individuals, they are expected to avoid confrontation and remove themselves from the situation as quickly and safely as possible.
- B. Many potential safety issues can be avoided by following proper investigative techniques such as:
 - 1. Reviewing prior cases to determine any potential safety hazards or potential hostile individuals.



**7000 Enforcement - Other Remedies and
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2. Becoming familiar with the geographical area of the complaint and other complaints within the area before initial contact.
 3. Speaking with other officers or other staff who investigated previous complaints.
 4. Additional resources, such as a second code officer, a supervisor or manager, the Community Development Director, law enforcement, or animal control, are available when warranted.
- C. The Community Development Director will be informed of all potentially harmful situations by phone, email, text, or face-to-face before any initial contact and will develop strategies to best address those hazards.
 - D. All threats, assaults, and batteries directed at the Code Enforcement Officer or assigned staff shall be reported immediately to the Community Development Director and law enforcement.
 - E. The Code Enforcement Officer or assigned staff should obtain information as safely as possible about the subject making the threat, assault, or battery, including their intent, ability, and desire to carry out their actions. This information will be vital for law enforcement and supervisors.
 - F. Code Enforcement, assigned staff, and the Marshal's Office should work together to share information regarding known and potential dangerous occupant(s) of properties under investigation by code enforcement and take necessary steps to mitigate the risk of harm to all, including but not limited, to obtaining assistance from law enforcement in making any contacts with such individual(s), reporting location before making contact and after completing the inspection or other contact, and adhering to safety standards, training, and protocols.
 - G. Staff shall always stay alert and anticipate potential risks in the field and the office.



8000 - Enforcement Compliant Resolution and closure

(Revised 12/31/2024)

8001.1 Policy

- A. The Town recognizes that factors outside the Town's control may sometimes affect final resolution. These factors can include the lack of the property owner subject to code enforcement, the lack of Town or other resources to assist the property owner, statutory limitations on potential fines or other penalties for code violations, the large number of complaints to be resolved, and constraints on Town resources that may preclude continued attempts to bring a property owner into compliance with codes, ordinances, or regulations.
- B. It is the Town's policy to attempt to reach a final, satisfactory resolution of all code enforcement complaints that best protect the health, safety, and welfare of Town residents and visitors.

8001.2 - Focus and Discretion

- A. The Town has the discretion to focus its Code Enforcement resources on violations that meet the priorities outlined in policy section 2002.2 and shall attempt to resolve those and other violations within a reasonable period. The Town's policy is to close code enforcement complaints utilizing discretionary immunity when one of the listed occurrences applies under subsection 8001.2.B.
- B. A case will be closed under one of the following instances:
 - 1. When no violation is found after investigation.
 - 2. After there is voluntary compliance.
 - 3. After a judge or hearing officer has determined that the property owner or other responsible person is responsible for the violation(s) and the violation(s) have been corrected.
 - 4. After nuisance-related violations that have been declared a general nuisance, they have been abated by a licensed contractor or town staff.
 - 5. After an injunction has been issued and the property owner or other responsible person has corrected the violation(s).
 - 6. After investigation and prosecution of the violation(s) have been completed by a federal or state agency to which the Town deferred enforcement action.
 - 7. When the property on which the violation exists is sold or transferred, a new enforcement case is opened in the new owner's name.
 - 8. After lien(s) on the property subject to enforcement action, or upon other property owner by the property owner subject to code enforcement.
 - 9. Where multiple prior liens exist on a property subject to code enforcement action or upon other property owned by the property owner subject to enforcement action, precluding or inhibiting collection enforcement lien(s).
- C. The Town may explore alternate methods to resolve violations not included above within legal means.
- D. The Code Enforcement Officer or assigned staff may, at their discretion, notify the complainant when the complaint has been resolved by one of the following methods:



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1. The online case management system, or;
 2. Phone, or;
 3. Email, or;
 4. Notice, or;
 5. In-person.
- E. The Code Enforcement Officer or assigned staff will not notify a complainant if the case has been resolved and the complaint was reported anonymously by the reporting party.
- F. Cases that require a permit to be completed, approved, and issued will be closed once the necessary permits have been obtained.
- G. When all violations have been corrected, the Code Enforcement Officer or assigned staff shall document the reason for closure and close the case in the case management system.