



**City of Dallas**

# **Code Compliance Services Habitual Nuisance Property Designation**

**Quality of Life Committee  
September 19, 2022**

Chris Christian, Director  
Jeremy Reed, Interim  
Assistant Director  
Code Compliance Services

# Presentation Overview



- Current Enforcement
- Case Studies
- Enhancement Recommendation
- Enhancement Advantages
- Next Steps



# Current Enforcement



- Currently, Chapter 27 Article VIII addresses Habitual Nuisance Properties.
- A property is presumed a Habitual Nuisance Property if the property is the site of three or more citations for code violations within 365 days.
- However, currently “code violations” are limited to:
  - Overcrowding (Chapter 16, Dallas Fire Code)
  - Noise (Chapters 30 and 51A)
  - Promoters (Chapter 38A)
  - Valet Parking Services (Chapter 43)
  - Conditions in planned development or specific use permit ordinances regulating outdoor live music, outdoor patios, the operation of outdoor speakers and amplification, and hours of operation of a use.



# Current Enforcement (continued)



- Ideally, owners abate violations of the city code following a notice of violation.
- When voluntary compliance is not achieved, the city has certain escalated enforcement strategies:
  - Re-inspection fees for graded inspections;
  - Citations;
  - Referrals to nuisance abatement/liens; and/or
  - Lawsuits in municipal or district court



# Current Enforcement (continued)



However, each enforcement option has limitations:

- Repeat violations;
- Does not rise to litigation threshold;
- Cost of doing business;
- Unpaid liens

The unresolved nuisances continue to negatively impact neighboring communities' quality of life and divert city resources.





# Case Studies



- Case Study (Council District 1) – Does not meet threshold for litigation





# Case Studies (continued)



- Case Study (Council District 7) – Repeat Violations: Open & Vacant





# Case Studies (continued)



- Case Study (Council District 4) - Non-Graded Apartment Inspection - Would otherwise require litigation, citations seen as cost of doing business





# Enhancement Recommendation



Consider expanding Article VIII, “Habitual Nuisance Properties,” of Chapter 27-11 of the Dallas City Code to include minimum property standards as an abatable nuisance activity, enhancing this tool for escalated enforcement.



# Enhancement Advantages



This amended enforcement tool:

- Adds an additional level of enforcement for Code Compliance and the City Attorney's Office;
- Provides property owner's an additional opportunity to comply with city code before litigation becomes the only option;
- Creates a means for recovering costs associated with habitual code violations;
- Improves the quality of life for residents and patrons.





# Next Steps



Seek Council approval to amend Article VIII, “Habitual Criminal & Nuisance Properties,” of Chapter 27 of the Dallas City Code to include Minimum Property Standards.





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