

BILL NO. G-16-09-18

GENERAL ORDINANCE NO. G-_____

**AN ORDINANCE AMENDING CHAPTER 39:
ORDINANCE VIOLATIONS BUREAU:
SECTION 39.3 SCHEDULE OF PENALTIES OF
THE CITY OF FORT WAYNE INDIANA CODE
OF ORDINANCES**

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
THE CITY OF FORT WAYNE, INDIANA:**

SECTION 1. That Chapter 39: ORDINANCE VIOLATIONS BUREAU,
Section 39.3 Schedule of penalties be amended to add the following violations::

<i>Nature of Violations</i>	<i>Code Section</i>	<i>Civil Penalty</i>
CPP citation	103.99(A)(2)	\$250 for each violation after designation

SECTION 2. That this Ordinance is in full force and effect from and after
its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol Helton, City Attorney

EXECUTIVE SUMMARY

Problem

Public safety across the country is experiencing increased calls for service without additional personnel. Public safety must become more efficient in order to address community concerns as this increase in call volume adversely affects the health, safety, and welfare of our community. The resources utilized toward properties with repeat calls for service is staggering. Below is a 6 month snapshot (January 1, 2016 – June 30, 2016) of **only 4** commercial properties located around a major corridor of the City in regards to police calls for service:

- Relax Inn – 3527 W. Coliseum Blvd. - 222 calls for service
- Economy Inn – 3340 W. Coliseum Blvd. - 316 calls for service
- Travel Inn – 2712 W. Coliseum Blvd. - 141 calls for service
- Country Hearth Inn – 2908 Goshen Rd. - 55 calls for service

This equates to 90+ hours **per** officer (most times 2-4 officers needed) and approximately \$3,456 **per** officer in expenses to include equipment and wages.¹ This is not a quadrant problem; this is a City-wide problem. Every quadrant in the City has problem properties that require an excessive amount of public safety resources due to nuisance calls for service that are otherwise taken from the rest of the City. Other examples of commercial properties encompassing **ALL 6** of the quadrants with excessive nuisance calls include:

- Coliseum Inn
- Best Way Inn
- Pierres
- Both Shangri-La locations
- Sports & Spirits
- Fosters Sports Bar
- Hallmark Inn

The image of Fort Wayne is an additional concern. A simple internet search of any one of the above mentioned properties demonstrates a myriad of harshly negative customer reviews warning visitors of the problems associated with these properties. In fact, the photo image for the Economy Inn shows two squad cars parked in front of the hotel. Obviously, this is not the image we wish to portray of our City.

Proposal

The Chronic Problem Property (“CPP”) ordinance is designed to address repeat nuisance calls for service on problem properties. Once a property has been designated a CPP, certain terms and conditions are imposed on the owner to reduce or eliminate current and future problems.

¹ According to the Fiscal Affairs Manager of the Fort Wayne Police Department assessed at \$.64 a minute.

Solution

A member of the Fort Wayne Police Department will be designated as the enforcing officer and point of contact throughout the entire process. The officer will work closely with the City Attorney, Neighborhood Code, Fire Department, Animal Care and Control, Department of Health, and the council person whose district is affected by the designated CPP. In addition, the officer will work with property owners through a remediation agreement. The remediation agreement is a collaborative effort between property owners and the City that implement proactive strategies towards reducing nuisance calls while holding property owners accountable.

The ordinance is broken down into 2 categories, residential and commercial. If there are 5 or more valid complaints or citations in a 60 day period for residential properties, the property will be designated a CPP. Likewise, if there are 12 or more valid complaints or citations in a 90 day period for commercial properties, the property will be designated a CPP. The officer will issue warnings to property owners when they are close to reaching the threshold. Once designated a CPP, the property will be listed as such for 365 days unless credited for compliance with proactive measures taken through the remediation agreement.

If the owner fails or refuses to abide by the remediation agreement, notice of non-compliance will be made to the owner and penalties will be imposed for every subsequent complaint or citation. Penalties imposed include: \$250 per citation/complaint; \$500 for properties designated a CPP twice in a 12 month period; and, \$750 for properties designated a CPP more than twice in a 24 month period.

Expectation

- Educate the public
- Community collaboration
- Accountability
- Reduced calls for service
- Reallocate valuable resources to other needs of the City
- Reduce costs associated with nuisance calls
- Promote a satisfying public image

Conclusion

This ordinance is **NOT** designed to be punitive. Rather, the CPP ordinance is designed to encourage property owners to collaborate with the City to abate community issues stemming from their properties. This will be an excellent tool and innovative approach for the City to address a serious concern that is suffocating the City's resources.