

2020 SEP 30 PM 2:47

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September 29, 2020

Public Works, Planning & Development Standing Committee of the RTM

I spoke at the September 16th meeting prior to the decision being made to delete the Blight Ordinance completely. I misunderstood the purpose of that meeting to be a discussion of the changes proposed to enhance the existing Blight Ordinance. No matter which direction the committee goes there are some thought which must be included in the actionable standards of the ordinance or regulations.

The personnel employed by the town to administer and enforce the must act expeditiously and diligently as possible when issuing a citation or violation. It is important to give the offender a minimum amount of time to drag out the process because they will. It has been my experience that the BEO puts too much effort into voluntary compliance with the offender. Also the staff in the zoning department need to be more customer service oriented.

The ordinances were written after careful consideration to circumstance. What was thought of at the time was the intention. The offender no matter how devious they might be should not have the last laugh. And herein lies a very troubling detail of the existing Blight and Vehicle and Traffic Ordinance. In the Blight Ordinance specific language reads under **15.26.020 – Definitions A. Blighted premises: Any house, building, structure or land in which at least one of the conditions exists. A blighted premise is presumed to be a public nuisance. It has been determined by the town's blight enforcement officer that a condition exists that poses serious or immediate threat to the health, safety or general welfare of the community.**

I. Unlicensed/inoperable vehicle (s) which violate existing town zoning regulations

The Vehicle and Traffic Ordinance specific language reads under 10.08.050 – Removal of abandoned, inoperable or unregistered motor vehicles: Any abandoned, inoperable or unregistered motor vehicle within the town limits, which remains unmoved for thirty days after notice by the zoning enforcement officer to the property owner on which said vehicle so remains, requesting removal of said vehicle, and notice by the zoning enforcement officer in a newspaper having a substantial circulation in the town, may be removed and disposed of in accordance with Sections 10.08.020 et seq., of this chapter.

It is my opinion that the existing Blight Ordinance with its language crafted specifically for its purpose and with the enhancements proposed by the Director of Planning and Development should remain. One other item needs to be addressed is that the Zoning Regulations make no mention of Municipal Abatement in the chance that this event is necessary. The public is used to the Blight Ordinance. Tweak it if necessary to add more clout and put legal teeth in it.

The one caveat going back to my discussion of the inoperable unregistered motor vehicles despite the written word of the ordinances if such a blighted nuisance is put on a registered trailer it is in the ZEO's opinion no longer considered blight or a nuisance. That is ridiculous. Isn't the ordinance the rule of law? That accommodation to the offender is contrary to the intent of the RTM and crosses the line no matter if the document is the Blight Ordinance or the Vehicle and Traffic Ordinance.