

The City of Lindsborg
Code Compliance Policy Manual
Version 1.0 – April 2023



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Introduction

Proactive Code Compliance may be a new term to most. It's very different than Code Enforcement. The former suggests a positive, proactive approach to neighborhood vitality whereas the latter has a negative, reactive, and almost disciplinary tone. Most towns and cities practice complaint-based code enforcement and for the most part, Lindsborg has been no exception to this approach. However, the goal of a Proactive Code Compliance model is to set standards and motivate compliance among our community rather than living within a culture of complaints and penalties.

Our neighborhoods are the environment in which we live and raise our families. So, a quality code compliance program should provide resources for financial assistance as well as steps to remediate issues that devalue, detract, and degrade the quality of these neighborhoods. Community engagement will allow residents to work alongside the city to create the framework for a community that is safe and appealing, with steady or growing property values, the ability to attract businesses to the community, and positive attitudes of citizens towards the local government.

Vision of Success – Lindsborg – Kansas’ Most Beautiful *Community*

In 2025, Lindsborg residents, visitors, and property owners voluntarily and proactively maintain their properties to code, resulting from a culture of community pride and care for one another. Members of the community proactively help their neighbors in need, and the City and partner organizations provide access to resources through thoughtful programs, information, and volunteer opportunities. Our community takes care of each other because we want to and because it feels great to help others. We are a community with clean, well-kept properties that prides itself as the best-looking and well-maintained community in Kansas. Most of all, we pride ourselves on our ability to help others for the good of the entire community. We are Lindsborg – Little Sweden, USA – and Kansas’ Most Beautiful *Community*.

Strategy

The Strategy for successfully implementing the vision of becoming Kansas' Most Beautiful Community includes a three-year process for developing a culture of proactive and voluntary code compliance through education and outreach, developing a robust volunteer network, thoughtful and equitable programming, and by facilitating new connections between neighbors and neighborhoods.

2023 – Learn by Doing

In the first year of the strategy, the department will focus on the development of systems to support all code compliance efforts moving forward. This will include developing the education and outreach materials for community members, developing a robust volunteer network, creating and implementing programming to support code compliance (e.g., Lift up Lindsborg!), as well as facilitating meaningful opportunities for neighbors to meet neighbors.

The strategy for compliance will include traditional code enforcement procedures, such as writing formal letters and issuing fines when appropriate. However, those efforts will be used as opportunities for education and outreach to help those in non-compliance work towards a habit of voluntary compliance.

For first time code violations, code enforcement deadlines will allow for up to two deadline extensions at the discretion of the Code Compliance Team member. For example, if a property owner misses a deadline for cutting grass, the team may issue an extension to do so up to two times before issuing penalties. This approach embracing the theme 'Learning by Doing' with an understanding that it might take some residents longer to understand the program and comply with code. It also is underpinned by a commitment to empathy and understanding, especially given that many non-compliant properties have secondary issues (e.g. poverty, disability, or age) that create barriers to compliance.

2024 – Implementing Systems and Evaluating Outcomes

In the second year of the program, the department will focus on the implementation of the systems developed in year one with mechanisms for feedback and provisions to adapt systems as necessary. Programs will be fully functional, and the volunteer base of helpful residents will be better developed and experienced to begin work from day one.

Code enforcement procedures will still be used as opportunities for education and outreach to help those in non-compliance work towards a habit of voluntary compliance.

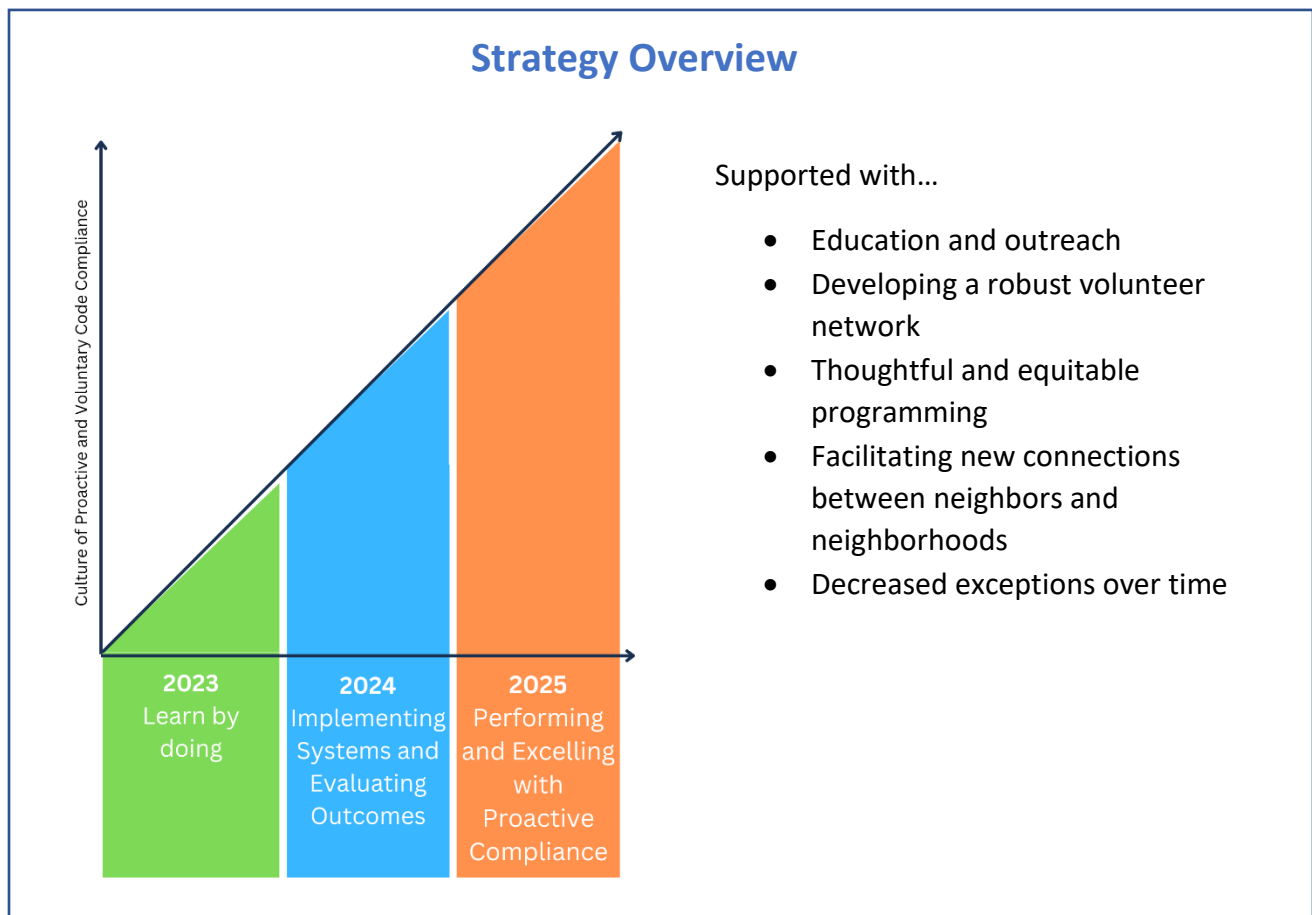
For first time code violations, code enforcement deadlines will allow for up to one deadline extensions at the discretion of the Code Compliance Team member. This reduction in allowable deadline extensions will increase the urgency for community members while still allowing them the space to transition to a culture of proactive and voluntary code compliance.

2025 – Performing and Excelling with Proactive Compliance

In the third year of the program, the department will focus on enhancing and scaling the success of the programs developed in the previous two years. Volunteers will be fully integrated, experienced, and will be able to teach new volunteers how to perform effectively. Neighbors will have had the opportunity to meet neighbors over the previous two years, leading to opportunities to proactively help those in need as they see needs arise. For example, when an elderly neighbor needs help mowing their lawn, a neighbor (whom they may not have known two years ago) proactively and voluntarily helps the elderly neighbor to mow their lawn without any involvement from the City.

Code enforcement procedures will continue to be used for opportunities for education and outreach, but the focus will shift away from orientation to the program and more towards the future of maintaining a culture of community pride. It will describe the next steps after year three and the expectation of Lindsborg as “Kansas’ Most Beautiful *Community*”, meaning a community whose appearance is aesthetically beautiful and whose connections and intrinsically beautiful.

For first time code violations, code enforcement deadlines will generally not allow for deadline exceptions. In special cases, Code Compliance Team members may issue discretionary deadline extensions should the case qualify for and formally document a case for hardship.



Goals

- Develop a culture of proactive and voluntary code compliance.
- Develop and increase community pride.
- Develop quality and quantity of formal and informal social connections between neighbors and residents by creating increased opportunities for informal connections.
- Develop programs, resources, and a robust volunteer network for residents in need.
- Become known as “Kansas’ most beautiful *community*,” where beautiful community refers to both the collective aesthetic quality of the built environment and the intangible elements of connection and fulfillment associated with personal relationships within the City’s jurisdiction.

Guide for public outreach

- The public must be informed once per year, every year of the department's Proactive Code Compliance Policy, and any changes made, by mail and online. This does not have to be completed during the current calendar year. This can be completed before the calendar year upcoming calendar year (e.g., December 2022 for calendar year 2023).
- Must clearly state what is being assessed (reference code for violations list). Must show visual example (e.g., with infographic)
- Must state the procedure and timelines for handling code violations.
- Must state overall strategy, including the reason for proactive code compliance and vision of success
- Must provide options for resources for property maintenance, if available.
- Must state legality of code enforcement and cite code with links to resources for review.
- Must provide a location to access full policy manual online and in print.

Guidelines for interpersonal conduct with residents

The guidelines for interpersonal conduct with residents are established to protect the safety of Code Compliance Team members while collecting evidence of non-compliance. It is known within the Code Compliance profession that resident interactions have the potential to become hostile, and violent, with very little warning. As such, Code Compliance Team members are required to follow the guidelines as presented:

- There can be no on-site discussion with residents regarding documented non-compliance. All discussion related to citations are to occur off site at City Hall, online (e.g., via Zoom), or over the phone for the safety of the Code Compliance Team member. If a resident engages and insists on discussing the code violations that have been documented and cited, Code Compliance Team Members are not to discuss the specifics of the violations and should remove themselves from the situation as quickly and respectfully as possible. Team members can and should cite this policy but offer a meeting time and location to discuss code violations with residents. For example:
 - “Thank you for your concern. I can hear that you have a lot of questions and would like an explanation. Our policy at The City is to have all discussions regarding code compliance at City Hall. Would you like to set up a time to meet me at City Hall, on Zoom, or over the phone to discuss your concerns and answer questions?”
 - If the resident continues to insist on speaking on site, you can respond with:
 - “Thank you again for your concern. I understand that you would like to speak now and many others in your situation often feel the same way. My job right now is just to document and collect evidence on code non-compliance, so I can’t talk at this time, but I’d be happy to discuss this further with you at City Hall, on Zoom, or over the phone. Which of those would you prefer?”

Notes

- Remember to introduce yourself, your title, and your organization if engaging with a resident in the field.
- Always wear your badge when working in the field and be ready to present it
- Speak low and slow with residents. They may not hear you the first time if you speak to quickly. Slow down your speech to make sure that you are understood.
- Always be honest, respectful, calm, collected, and professional.
- If a resident becomes violent or threatens violence, call the police immediately.

Guide for collecting evidence

Code Compliance Team members must follow these guidelines when collecting evidence of non-compliance. These guidelines are established to assure legal compliance and to protect the safety of Code Compliance Team members.

Team members cannot

- Look into windows.
- Look over privacy fences.
- Use devices, such as ladder or truck bed, to gain unnatural viewpoints of any property (e.g., to look over fences or into windows, etc.).
- Use aerial devices to gain unnatural viewing angles (e.g., drones, etc.).

Team members can

- Collect photo and video evidence with smart phones and cameras from the public right of way (ROW)
- View properties from all designated public ROW, including streets, sidewalks, alleys.
- Follow the natural path to front door of a property to collect evidence (e.g., walk to the front door on the sidewalk leading to the front door or door most commonly used).
- View properties from unnatural viewpoints if invited by property owner(s) or adjacent property owner(s) into/onto their property(s) with signed consent form.
 - [need to create form for this]
- Use publicly available satellite imagery to determine if unpermitted building activity has occurred on private property.

Required activities for collecting evidence on an annual basis

- Code Compliance Team members must travel all public streets with intent to collect evidence of non-compliance at least once per calendar year. The Community Development Director has the discretion as to who, when, and how this activity is performed. The Community Development Director must sign off on behalf of the Code Compliance Team that this activity has been completed once per calendar year.

Guide for issuing notices

- Notices are to be issued in accordance with the timelines adopted in the Lindsborg, KS – Code of Ordinances. Where there are no adopted timelines, the utilized timeline shall become the discretion of the Community Development Director. In no instance shall the utilized timeline be less than ten calendar days from the date of mailing of the notice.
- Notices must be recorded and documented electronically within the relevant case file.
- Notices must be attached to the relevant Code Compliance Report.

Guide for reporting and documenting Code Compliance Reports

- Code Compliance Team members must write a Standard Code Compliance Report and, upon resolution of the case, file the report as a .pdf file that is locked for editing for each instance of recorded violation(s). If there are multiple violations, one report can be filed citing all violations within a single case.
- Code Compliance Reports should be updated throughout the case management process and should include date and time stamps of changes in the progress of the case for future reference.
- Code violations should be mapped and/or georeferenced for future mapping.
- Reports shall be kept in digital format for a minimum of five years or until ownership of the property has changed. Reports can be kept in perpetuity.
- Case numbers should follow this format:
 - current calendar year – sequential number of case (e.g., 2023-01; 2023-02; 2023-03, etc.)
- Violation numbers should follow this format:
 - case number – sequential number of violation (e.g., 2023-01-01; 2023-01-02; 2023-01-03, etc.)
- Upon closing a case, Code Compliance Reports must include all relevant documents and evidence utilized during the management of the case and must be compiled into a single, locked pdf upon completion.
- Upon closing a case, All evidence must be compiled into a single folder named in the following format:
 - case number – evidence (e.g., 2023-01 – evidence)
- Code Compliance cases should be saved in a file associated with the year of creation.
 - (e.g., 2023)
- Code Compliance Reports should be saved within a file titled in the following format:
 - case number
- Open Code Compliance Reports should be titled in the following format:
 - case number – open. (e.g., 2023-01 – open)
- Final Code Compliance Reports should be re-titled in the following format:
 - case number – closed. (e.g., 2023-01 – closed)

Guide for issuing citations and prosecution

Issuing citations

If a citation needs to be issued, the Community Development Director should forward the case for review and charging decisions to the City Prosecutor. If further action is necessary, the City Prosecutor will determine how best to proceed to get the respondent into court.

Prosecution

Some violations that cannot be resolved by Lindsborg Public Safety may require prosecution in Lindsborg Municipal Court. In such cases, all correspondence between City staff and the defendant will be managed by the appointed prosecutor exclusively. There can be no communication between City staff and the defendant and/or their lawyer(s) until the lawsuit is resolved-

Guide for appeals and lawsuits

Appeals

All appeals are handled through the Board of Zoning Appeals as a civil offense. The Board of Zoning Appeals should have regularly scheduled meetings to hear cases at a date and time scheduled once per month. The Board of Zoning Appeals will meet as required but is not required to meet if there are no appeals on the agenda.

Lawsuits

Should the City of Lindsborg be named or otherwise implicated in a lawsuit, such cases shall be managed by the City's appointed legal counsel. All correspondence between City staff and the plaintiff will be managed by the appointed legal counsel exclusively. There can be no communication between City staff and the plaintiff or their lawyer(s) until the lawsuit is resolved.

Index of resources

Outreach letters and templates

(Located on internal drive)

Infographics

(To be developed)

Online resources

[Lindsborg, KS – Code of Ordinances](#)

Door hangers and notices

(Located on internal drive)

Approved contractor list

(To be developed)

- Lawn maintenance
- Exterior home maintenance
 - Siding
 - Painting
 - Repair
- Towing and waste removal
- Rodent stoppage
- Signage design and installation

Lift up Lindsborg! informational and supporting documents

(Located on internal drive)

Index of relevant code references

Sec. 48-23. - Weeds declared nuisance; removal required

Sec. 24-20. - Buildings and structures to be maintained in rodent-free condition.

Sec. 30-4. - Health nuisances prohibited

Sec. 30-5. - Premises nuisances prohibited.

Sec. 30-6. - Motor vehicle nuisances prohibited; exceptions.

Sec. 50-752. – Prohibited signs.

Sec. 50-877. - Article supplemental to district regulations

(Add and/or amend as necessary)

