



City of Tucson
Housing and Community Development Department
Code Enforcement Division

The City of Tucson's Code Enforcement Division is responsible for enforcing property maintenance codes throughout Tucson. These are the codes that ensure owners maintain their properties, which then helps protect citizens' health, safety and welfare. Code Enforcement also has a direct impact on preserving the livability and property values of Tucson's neighborhoods.

What is enforced?

- Chapter 16 of the City Code, the Neighborhood Preservation Ordinance (NPO)
- Chapter 3 of the City Code, the Sign Code
- Portions of the Unified Development Code, formerly known as the Land Use Code

How are complaints made?

The majority of property complaints come from citizens who are concerned about the condition of their neighborhood. The main code issues that field inspectors address are overgrown weeds, trash/debris, excessive storage, work without permits, dead vegetation, junk motor vehicles, minimum housing standards, substandard and unsanitary housing conditions, vacant and neglected buildings, zoning violations, property use violations, illegal temporary signs, and signs placed illegally in the public Rights of Way except when there is a primary or general election occurring.

If you suspect a Property and Housing violation within the City limits you can use any of the following options to submit a report to the Code Compliance Center:

Use the new 24 hour, 7 days a week On-Line Complaint Form at

<http://cms3.tucsonaz.gov/hcd/violation>

- We respond back to your concern with an activity number if we are able to open a case for inspection. To track the progress of the case simply log onto:
<http://www.tucsonaz.gov/webapp/DevSvcsWebApp/ires/inspresults.html>
- Enter the activity number you will receive from our division and you will be able to track the concern you have on-line.

Phone the call center at (520) 791-5843 The call center is open Monday-Friday from 9:30 AM to 4 PM.

Fax: (520) 791-2513 Use the mail-in/fax Complaint Form at

http://cms3.tucsonaz.gov/files/hcd/CMS1_016211.pdf

Address: 320 N. Commerce Park Loop, Tucson, AZ 85745

What is the process from complaint to resolution?

1. A case is opened based on a complaint.
2. An inspection is scheduled.
3. If no violation is found, the case is closed.
4. If violations are found, the property owner receives a Notice of Violation (NOV) a warning letter that outlines what code violations exist and gives a time frame in which to correct them.
5. If an emergency situation exists, immediate compliance may be required.
6. In most situations, the owner is given 30 days to abate the violations. More time may be allotted for a more complicated case where drawings may be required prior to permitting.
7. If the owner fails to comply within the time frame given in the NOV, they may be charged a re-inspection fee of \$75. This is a fee, not a fine, and it reflects the staff time and processing necessary for a re-inspection.
8. Inspectors can grant an extension if warranted. If a property owner is disabled or elderly and needs assistance, we will help them find assistance through sources such as Pima Council on Aging, Adult Protective Services, and Pima County Juvenile Court.
9. If no extension is requested or granted and the violations are not abated, then the owner may be served with a citation. A citation brings the action into City Court and the owner faces arraignment and subsequent court dates. The judicial process can extend the life of a case by at least 60 to 90 days.
10. The City Magistrate who hears the case may dismiss the case, continue the case to another date, order abatement of the violations, grant extensions to complete the abatement, and/or impose fines that may range from \$150 to a maximum of \$2,500 per violation.
11. The Code Enforcement Division does not collect or receive the fines imposed. However, if the owner is found responsible and there were costs incurred, such as clean up and removal, the owner will be charged for those costs. Failure to pay those costs can cause a lien to be placed on the property for the full amount.

Why does it take so long?

The majority of complaints are resolved within the time frame allotted in the Notice of Violation.

But,

- There may be difficulties finding or contacting the owner
- The owner may dispute the violation
- The owner may have difficulty abating the violations due to the complexities of the case or financial restraints
- The owner may chose to pursue the judicial resolution
- The judicial resolution is time intensive and may result in continuations granted

Appeal of a Notice of Violation

An owner can appeal certain codes in the Neighborhood Preservation Ordinance through an administrative process by filing the appeal within ten (10) days after the date of service of the notice. More detail is outlined on the last page of the NOV or by calling 791-5843.

To appeal an NOV to the Board of Adjustments or Board of Appeals, a property owner must contact Planning and Development Service Dept. for assistance. They are located at 201 N. Stone, Tucson, and phone number: 791-5550.

Appeal of a Re-inspection Fee

A person may appeal the imposition of a re-inspection fee to the code official through an administrative conference in the manner provided in section 16.71 of the Neighborhood Preservation Ordinance. The administrative conference shall be the only administrative appeal of a re-inspection fee and no appeal may be made to the board of appeals. More detail is outlined in the re-inspection fee letter or by calling 791-5843.