

## **Code Enforcement Frequently Asked Questions**

### **Why do we have Code Enforcement?**

The role of Code Enforcement is to help maintain and enhance the appearance of residential and business properties throughout the City of Commerce. Without Code Enforcement, areas have an increase of blight and give the appearance of “NO ONE CARES”.

### **How does Code Enforcement work?**

There is one Code Enforcement Officer who, as time permits, patrols the City to ensure that properties are in compliance with Municipal codes. If a violation is found, Code Enforcement Officer will leave a Code Violation Notice or send a letter to contact the owner/tenant and make them aware of the problem. The owner/tenant will be given a specific amount of time (usually 10 or 30 days depending on the violation) to correct the violation. If the problem is not resolved within the allotted time, the owner/tenant may be issued a Citation/Summons to appear in Municipal Court.

### **I recently received a Notice of Violation for a Code Violation. Is this the same thing as getting a citation?**

Answer: No, a Notice of Violation is a written notice to the owner/tenant that there is a violation of one or more city ordinances. If the violation has not been corrected after the time given, owner/tenant may be issued a Citation/Summons to appear in Municipal Court.

### **How do I report a violation?**

There are several ways to report a violation. You can call the department at 706-335-4200 and speak to the receptionist who will take the complaint over the phone. You can come to our office, located at 545 Cedar Drive, and submit a complaint with the counter staff. Please note that in order to process a complaint we need the address of the violation, your name, address, and phone number so that a case can be opened prior to sending an officer or inspector to investigate.

### **Who turned me in?**

We receive complaints from a number of sources including internal referrals, outside agencies and the general public. We do not disclose the source of the complaints; that information is kept confidential and protected under state law.

### **Do I need a permit to build an accessory or storage building on my property?**

Building Permit: You do not need a building permit if the shed is detached, not more than 120 square feet (i.e. 10' x 12') in size, and has no electrical or plumbing installed. However, if the shed is attached to another structure or has electrical or plumbing installed then a permit is required regardless of the size. Building setbacks are enforced depending on property zoning. Please call 706-335-4200 prior to building or installing a prebuilt building. Moving a building after it is built or installed is costly and can be avoided by due diligence on your part.

**What are setbacks and how do I determine mine?**

Setbacks are the minimum distance that a building or structure can be placed from a property line and other structures. Setbacks can vary depending on the zoning. Contact the Planning Department staff to determine your setbacks for the type of structure you wish to build.

**What happens when someone is in violation of the codes?**

If the violation is in progress, a Stop Work Notice will be posted on the property and all work must stop immediately. If the work in violation has been completed, a Notice of Violation will be posted on the property or a Notice of Violation letter will be mailed to the property owner. Either may give a time frame (usually 10-30 days) in which to comply.

**What happens when someone refuses to comply with the codes or ordinances?**

A Code Violation Letter will be mailed to the property owner and/or tenants notifying them of the infraction. If the violation has not been corrected after the time given, owner/tenant may be issued a Citation/Summons to appear in Municipal Court.

Severe health, life, and safety hazardous, environmentally sensitive violations, and repeat offenders may be subject to a more stringent enforcement action on a case by case basis.

**The violation existed before I bought the property. Why am I responsible for clearing the violation?**

Violations run with the property, not with the person who created the violation. If you purchased a property that has violations, you are responsible for abating the violations.

**How much will the permits cost to clear the violations?**

Permit fees vary depending on the complexity of the project. Contact the Planning Department staff and they will assist you in determining your cost.

**What do I need to do to clear the violation?**

If no permit is required, simply cease the illegal activity and call the Code Enforcement Officer to schedule an inspection. If a permit is required, you must schedule an appointment with the Code Enforcement staff who will assist you with your application submittal. The permit must be approved, all permit and code enforcement fees paid, the permit issued, and a final inspection to sign off on the permit before the violation is cleared.

**How much time do I have to clear the violations?**

In most cases you are given 10-30 days to either abate the violation or apply for permits to abate the violation. However, the time frame is at the Code Enforcement Officer's discretion depending on the severity of the violation.

**What are the regulations regarding storage or parking of commercial vehicles in residential zones?**

The parking or storage of commercial vehicles in residential zones is prohibited.

**I am a commercial truck driver. Can I park my Semi-Truck at home?**

No, Semi-Trucks, Dump Trucks, and other commercial vehicles weighing over 10,000 lbs. are not allowed to park overnight in a residential zoned area.

**Q. Am I required to put structure numbers on my residence or business?**

A. Yes. The City of Commerce code requires structure numbers to be visible from the roadway. Structure numbering can be accomplished by placing your correct numerical address on your structure, mailbox or a post if your mailbox is not adjacent to your driveway.

**Q. Do I need a business license to operate my own business?**

A. Yes. Contact the City of Commerce Business License division at 706-335-3164 for business license information and requirements.

**Can I operate a business out of my home?**

Some businesses are allowed and others are not allowed in a residential zoning district. Contact the Planning Department to obtain more information prior to commencing the business.

**Q. My neighbor has a few junk cars on their property. Is this legal?**

A. No. Inoperable, unlicensed vehicles are prohibited unless the property in question is zoned for the storing of junk vehicles, or the vehicle is stored in a Garage, Carport, or stored behind the dwelling. If stored behind the dwelling, the vehicle must not be visible from the public street or road.

**Q. I am having a yard sale this weekend. Do I need a permit? Can I put signs up to advertise the sale?**

A. Yes, you do need a permit to conduct a yard sale. They are free at City Hall. You may only place signs on your property where the sale is occurring or on other private properties with owner's permission. No signs are allowed in any right-of-way or attached to telephone poles, trees or other existing signs. The best way to advertise a yard sale is your local paper or publication, not by littering the community in which you live with signs.

**Q. My neighbor's dog barks all hours both day and night. Is there anything Code Enforcement can do?**

A. Animal complaints including barking dogs are handled by the City of Commerce Animal Control Officer. He can be reached at 706-335-3200.

