

RESOLUTION NO. 2022-30

A RESOLUTION AMENDING THE PROBLEM RESOLUTION TEAM COMPLAINT PROCESS.

WHEREAS, a Problem Resolution Team was established by way of Resolution 98-22 on February 24, 1998, to deal with nuisances, blighted and substandard housing and/or properties, housing code issues, health and sanitation matters, and other potential concerns wherein a multi-disciplined approach to problem resolution would be beneficial within the municipality or its zoning jurisdiction; and

WHEREAS, on September 17, 2013, by way of Resolution 2013-99, the PRT “Complaint Process” was developed to guide staff in its efforts to handle the complaints received on issues identified therein; and

WHEREAS, the Problem Resolution Team has reviewed the complaint process and is recommending changes thereto.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the proposed amended “PRT Complaint Process,” which is attached hereto and incorporated herein by reference, is hereby approved and shall be in effect June 1, 2022.

PASSED AND APPROVED this 19th day of April, 2022.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

PRT Complaint Process
(Effective June 1, 2022)

As per council directive, all complaints are to be investigated. Complaints must be in writing. Verbal complaints will only be investigated if they involve conditions which in the opinion of the Code Official pose an eminent danger to life, such as a building ready to collapse, and are visible from public property. All written complaints must contain the following information:

- A. Name of complainant.
 - B. Phone number to contact complainant for additional information.
 - C. Property address.
 - D. Description of alleged violation.
 - E. Supporting evidence, such as photos or professional reports, if they are available.
1. Upon receipt of a complaint regarding the interior of the building or an exterior safety issue, the Code Official, or his designee, shall telephone the property owner to notify them that there is a complaint against their property and briefly describe the alleged violation. The Code Official, or his designee, shall request the property owner set up a date and time for an inspection of the property within the next seven (7) days. In addition to the telephone call, the Code Official, or his designee, shall send via Certified Mail an official request of the same. Any complaint regarding interior or structural issues will result in the Code Official requesting an inspection of the entire building.
 2. If the complaint involves only the exterior of the building and no safety issues, the Code Official will refer the complaint to the PRT for a hearing and recommendation.
 3. Should the property owner refuse to allow an inspection, the Code Official will work with the City Attorney to obtain an inspection warrant whenever possible.
 4. Upon inspection, the Code Official will document any code violations and work with the property owner to set reasonable deadlines for correction. All deadlines will be presented to the PRT for affirmation at their next scheduled meeting. If the Code Official determines the violations are severe enough that they endanger the safety of the occupants, he may set deadlines which expire prior to the next PRT meeting. Should the PRT determine that the deadlines are inappropriate they may set new deadlines and direct the Code Official to notify the property owner in writing of any amendments to the original decision of the Code Official. Any decision of the Code Official may be appealed by the owner to the Board of Appeals in writing within 20 days of the order.
 5. Upon inspection, the Code Official shall place the complaint on the PRT agenda for discussion and recommendation at their next scheduled meeting. Such recommendation shall then be directed to the Code Official for enforcement. The Police Chief will assist the Code Official as deemed appropriate.

6. This process shall not prevent the Code Official from taking necessary steps as outlined in the International Property Maintenance Code (IPMC). If the Code Official deems the structure unfit for occupancy he/she shall have any occupants removed, placard the building, and set guidelines for the building to be occupied again. The complaint and the inspection results shall be brought before the PRT before the Code Official issues a demolition order. In extreme instances the Code Official may take action based upon Emergency measures as outlined in the IPMC.
7. If the property owner fails to comply with a deadline, the Code Official may recommend an extension to the PRT based upon significant progress or in cases of extreme hardship. At the next scheduled meeting the PRT will review any recommendation and either grant an extension or request the Code Official to advertise for bids the required work. Such advertisement shall be published at least twice in a local paper. The bids shall then be submitted to the City Council for action based upon the PRT recommendation.
8. Once the property owner has addressed all code violations, or removed the building according to City Code, the Code Official will verify compliance and report the actions to the PRT at their next meeting. The PRT will then take action to verify that the complaint may be closed or request additional information from the Code Official.
9. Upon closure of the complaint by the PRT, the Code Official, or his designee, shall send written notice to the property owner acknowledging their compliance.