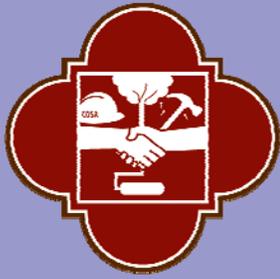


Code Enforcement Section, Development Services Department

Message from our Assistant Director



# Code Connection

“Partnering with our Community to build and maintain a safer San Antonio”

We often overlook how important the City Code is to the quality of life we enjoy here in San Antonio. Being charged with the responsibility of ensuring that citizens comply with the San Antonio Property Code (SAPMC) is one we take seriously. This month, the 2015 SAPMC, along with the 2015 versions of the International Code Council (ICC) building-related and fires codes, became effective. We want to make sure that San Antonio has City Codes that are current with national and accredited standards.

One of the most common and difficult issues Code Enforcement faces are civil disputes and, because they don't involve any law that has been adopted by City Council, resolution is found either in court or through mediation. An example is a disagreement between neighbors or between landlords and tenants. Best prevention? Being a good neighbor.

Spring is here, bringing more and much needed rain to our area. Of course, this translates to fast growing grass and green lawns...which means mowing your yard more often. Allowing grass to grow over 12 inches can create safety and health hazards for you, your family and your neighbors. It is also a violation of City Code (Sec. 14-61) and will lead to a notice being issued.

Code Enforcement is here to serve our

community. If you have any compliance issues, there are a few ways you can let us know:

- Call 311
- Download the free “311” app onto your smart phone
- Visit our website, click on “Online Code Enforcement Request” icon on right



Michael Shannon, PE, CBO  
Assistant Director-Field Services  
Code Enforcement & Building  
Inspections

Please continue to send your comments, ideas and suggestions to us at:

[CodeConnection@sanantonio.gov](mailto:CodeConnection@sanantonio.gov)

Best Regards,

*Mike*

## Contact Us

Cliff Morton Development & Business Services Center  
1901 S. Alamo  
San Antonio, Texas 78204

Hours: Monday – Friday  
7:45 a.m. - 4:30 p.m.

*To report Code Compliance issues call 311 or download City's "311" Phone App.*

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## What is a “civil dispute”? - Richard Zertuche

Simply defined, it’s a disagreement or complaint between two or more individuals or organizations. It’s different from a City code violation because it doesn’t involve laws enacted by City Council and it doesn’t require the involvement of City Code Enforcement (CE) Officers. A civil dispute usually involves tort, contract, or probate laws and is resolved by a court through the awarding of compensation, usually in the form of financial damages.

You may ask why this topic would be included in a Code Enforcement newsletter. CE officers are frequently contacted by citizens asking for assistance with neighbor disputes. Occasionally, these disputes aren’t “true” code violations and are outside the code officer’s authority to address. Here are some examples of complaints that we receive, which are not subject to City code requirements, thus making them civil disputes:

- **Fences between Properties** Fences which are in disrepair between neighboring properties, as well as determination of who is required to pay for any repairs, are a civil dispute. The City code applies exclusively to maintenance of fences adjacent to a street frontage or public right-of-way.
- **Property Line Disputes** Encroachments onto someone’s private property by an abutting property owner are also civil disputes that are not enforceable under City Code or the San Antonio Property Maintenance Code (SAPMC). We can only enforce encroachments onto city-controlled property (City Code, Sec. 6-1). For example, blocking a public sidewalk, street or alleyway are examples where CE Officers can take enforcement action to require removal of an encroachment. Fences built by one neighbor over another neighbor’s property line is an example of a civil dispute that cannot be enforced by the City.
- **Parking in Front of Your Home** It isn’t against the law for your neighbor to park his car on the street in front of your home. While it may seem like an un-neighborly thing to do, it’s not a code violation unless there is a City-

installed “No Parking” sign, the car doesn’t block your driveway or commits some other City code violation.

- **Deed Restrictions** Neighborhood deed restrictions and covenants are private property agreements between the buyer and developer of a property. The city isn’t a party to these agreements and therefore has no authority to enforce the deed restrictions. For example, some neighborhood associations have restrictions that prohibit the keeping of a boat or other watercraft. This requirement would have to be enforced by the neighborhood association or other affected individuals. There is no City code restriction on this, as long as they abide by the City’s parking regulations.
- **Evictions or rent disputes** Lease agreements and evictions are civil disputes between a landlord and a tenant. Code Enforcement has no authority to intervene on either party’s behalf.

The best way to avoid a civil dispute is to be friendly and neighborly with one another, open lines of communication and engage in polite and civil dialogue. Respect one another’s points of view and, most of the time, you’ll be able to iron out your differences. However, in the event that you cannot come to a peaceful resolution, you may wish to seek mediation.

Mediation is an impartial, voluntary, and structured process of resolving problems without the expense of going to court. Bexar County offers a free mediation service to both individuals and businesses. Some of the disputes appropriate for mediation include: neighbor complaints, consumer problems, landlord and tenant issues, family matters, and property damage, along with several other common disputes. For more information, please call the Center at (210)335-2128 or visit their website at [www.bexar.org/drc](http://www.bexar.org/drc) .

If you see a possible code violation in your neighborhood, call “311” and we’ll go out to conduct an inspection. CE is here to assist citizens and ensure there is compliance of city code.

**Richard Zertuche** is the Code Supervisor for North Central area. He has been with the City of San Antonio since 1993 and is a U.S. Army Veteran.

## Continued Progress in Permitting Boarding Homes - Alma Martinez-Jimenez

Boarding homes provide “basic care” to three or more elderly and/or disabled individuals, not related to the owner. Services like meals, light housekeeping, and assistance with self-administration of medication are offered, but residents should be capable of attending to their own personal needs (bathing, feeding, self-evacuating). Although the term is sometimes used broadly, the ordinance clearly identifies those locations required to obtain a permit from the City to operate legally. Other types of congregate living are monitored by various entities at the state level including Department of Disability and Aging (DADS), Family and Protective Services, or Department of Criminal Justice. Previously, DADS regulated boarding homes but now focuses only on assisted living facilities with four or more residents requiring personal care. For more on congregate living, please see Information Bulletin 532, available on our website at [www.sanantonio.gov/dsd](http://www.sanantonio.gov/dsd).

“The Boarding Homes Ordinance protects a vulnerable segment of our population.”

The City’s boarding homes ordinance was adopted by City Council on Dec. 2012, focusing on safety and upkeep of buildings and properties where boarding home residents choose to live. It requires these facilities to maintain City fire, building, health and zoning requirements to receive and renew permits. More than 2,200 properties have been investigated throughout San Antonio by the Boarding Home Inspection Team, resulting in the closure of 12 dangerous properties. Due to history of violations at these properties, they will be unable to re-open until all violations have been corrected, a fire sprinkler has been installed, and a boarding home permit obtained. To date, six homes have permits and many others are working towards meeting all requirements.

Over the past two years, we have continued working with boarding homes owners and operators to meet all the requirements. Now that some time has passed and the owners have chosen not to

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## Performance Measures — March/April 2015

We want you to know what we are doing! Our main goals are to be more proactive and to gain quicker compliance. These performance measures track our level and effectiveness of our service for Tier I and II issues. *Tier I* includes key health and safety issues, such as high weeds, trash, unsecure structures, visual obstructions. *Tier II* encompasses building maintenance and zoning.

	MAR.	APR.	TOTAL	FY 2015 TO DATE (FY=Oct. 2014 to Sept. 2015)
Inspections initiated by Code Officers (Proactive)	5,076	4,850	9,926	30,807
Inspections initiated through complaints/calls (Reactive)	1,416	1,785	3,201	7,290
Pro-activity Rate (Goal of 50%)	78%	73%	76%	81%
Response Time—Tier I (Goal of 2 business days)	1.2	1.4	1.3	1.5
Response Time—Tier II (Goal of 6 business days)	1.6	1.6	1.6	1.7
Compliance Rate (Goal of 90%)	95%	96%	95%	95%
Graffiti locations abated	2,168	3,016	3,736	8,920
Square footage of Graffiti Abated (Goal of 3.6 million)	276,495	212,652	489,147	1,873,103

"Partnering with our Community to build and maintain a safer San Antonio"

Did You Know...

Failure to comply and correct your violations will result in an Administrative Hearing. Cases can also be escalated to district court. To see San Antonio's Property Maintenance Code, visit [sanantonio.gov/dsd/codes.asp](http://sanantonio.gov/dsd/codes.asp)

For all of San Antonio's Codes, go to: [www.municode.com/library/TX/San\\_Antonio](http://www.municode.com/library/TX/San_Antonio)

Top 5 Violations — March/April 2015

VIOLATIONS RESOLVED	TOTAL
Graffiti	7,095
Property Maintenance	5,496
Bandit Signs	1,909
Dangerous Premises	1,599
Vacant Lots	1,233

Boarding Homes (Cont.)

meet these minimum standards, municipal court cases have been and will continue to be filed to gain compliance. Cases can also be escalated to District Court and so far, through this process, the City has successfully closed four dangerous boarding homes. Via our efforts, 120 residents are now in safer locations with a better quality of life.

This past September, Bexar County passed a version of the City's ordinance to monitor boarding homes. We continue to work closely with them to track compliance of homes that relocated outside the city limits. If you believe there is an illegal boarding home in your neighborhood, please contact the City at (210) 207-8511.

**Alma Martinez-Jimenez** joined the City in 2008 and came to Code Enforcement in May 2014 as a Senior Special Projects Manager. She is responsible for special units including Graffiti, Neighborhood Enhancement Team (NET), Boarding Homes, Building Standards Board support, and Zoning and Permitting section.

Graffiti Corner



Crime Prevention through Environmental Design (CPTED), can help avert graffiti vandalism:

- Eliminate design features that provide access to roofs or upper levels. It's harder to remove graffiti from these locations.
- "Grow over graffiti" by planting climbing, thorny plants next to fences to discourage intrusion or graffiti vandalism.
- Install lighting, such as solar powered spot lights, to prevent blind spots in critical areas.

The more difficult it is to commit a crime, the less crime will occur. Make sure address numbers are clearly visible from the street and public way, and remove graffiti within 24-48 hours.

Need help with removal? Call 210-207-2833 [BUFF] to request free supplies or assistance. You can also like Development Services Department's Facebook page to receive tips and reminders!



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1901 S. Alamo  
San Antonio, Texas 78204

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We're on the web!

[www.sanantonio.gov/ces](http://www.sanantonio.gov/ces)

What You're Saying

"I wanted to compliment Code Officer Leticia Villarreal. She is excellent at her job, very efficient and knowledgeable." - Resident

"Thank you very much. We really appreciate your timely response. We have been trying to improve our building over the last 10 years, and have been at that location since 1976. We appreciate all you have done to help us continue to try and improve the neighborhood." - Small Business Owner

"I want to complement the Code Enforcement Officers that work in District 1 and 5. They are doing a great job. Keep up the good work!" - Resident

"On Wednesday afternoon I used the city's 311 app to report graffiti on a fence in our neighborhood. Early Thursday morning in freezing weather, Anthony from the Graffiti team was out there painting the fence. Thank you for your prompt response!" - Resident

"Thank You! Thank You! For taking care of the graffiti. You (Graffiti Team) are on top of things and doing a great job. Please acknowledge your staff for team working and supporting this much needed service to the community. You are very much appreciated." - Sunshine Estates Neighborhood Association

