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**Strategic Code Enforcement For  
Sustaining Resilient Communities**

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# DEFINITION

**STRATEGIC CODE COMPLIANCE ENFORCEMENT IS THE EXERCISE OF MUNICIPAL POLICE POWER TO SECURE COMPLIANCE WITH LAWS PROTECTING THE PUBLIC RIGHT TO HEALTH, SAFETY AND SECURITY.**

**THE ADOPTION AND THE ENFORCEMENT OF LAWS THAT SET STANDARDS FOR PUBLIC HEALTH, SAFETY AND SECURITY ARE A FUNDAMENTAL POLICE FUNCTION OF GOVERNMENT IN A CIVILIZED SOCIETY. THE ESTABLISHMENT OF AGENCIES AND MECHANISMS FOR ENFORCING THOSE STANDARDS WHEN RESPONSIBLE PERSONS FAIL OR REFUSE TO COMPLY IS AN EQUALLY ESSENTIAL POLICE FUNCTION IN A CIVILIZED SOCIETY.**

# Introducing Strategic Code Compliance Enforcement

1. Organization of programs, assets and resources into a coordinated system with clearly identified goals, principles, and procedures.
2. Focuses programs, resources and skills on the problems and dysfunctions most critical to better code compliance.
3. All elements--personnel, agencies, institutions, policies, procedures, planning, setting priorities, and administration--have a common purpose in which each plays a contributing part.
  - 3.1 Requires perspective beyond the silos of individual government offices, community organizations, or statutory solutions.
4. Operates proactively and pragmatically toward achievable objectives.
  - 4.1 Does not act only on complaints.
  - 4.2 Looks for causes of non-compliance and prevents property blight.
5. Designs enforcement solutions for specific circumstances in particular times and places rather than relying on one solution for all situations.
6. Studies and anticipates what is changing in the economic, demographic, political, and cultural dynamics of a community, as well as changes and condition of individual parcels at the neighborhood level.

# **Making and Using an Integrated Parcel-Based Data Facility**

1. Public data on real property titles, transactions, legal interests, values, use, maintenance, and history that is kept in different places under different authorities using different record-keeping systems need to be integrated into a data facility managed for access by all who serve the public interest.
  - 1.1 Problem: title records office, tax assessors and collectors, all courts, municipal inspectors of, permit issuers, police, etc.—operate separate, incompatible data systems under different legal authority.
2. Provides access to all available data organized to produce both evidence for enforcement and research for advocacy, policy and program planning, and evaluation at one source.
3. Uses assessor's parcel ID to trace simultaneously the movement of properties through various transactions and overlapping jurisdictions of the government agencies concerned with property use, condition, compliance and title changes in real time.
4. Capacity must include searching, sorting, mapping, graphing, and spreadsheet functions.
5. Facility must be managed with the consent of providers and users of data in a manner assuring adequate capacity, reliability, transparency, accountability and access to known users.
6. Best results have come from growing gradually relying on local rather than on remote software system providers and managers.

## **A Coalition of the Willing**

1. Reformation of the neighborhood code compliance is most evident today where coalitions of people in a variety of institutions, organizations, and departments work together to make change happen.
2. Successful coalitions are distinguished by their participants' determination to see beyond individual objectives to work toward the larger goal they have in common.
3. Sharing knowledge and data is an empowering resource for those willing to make an effective system out of disparate programs and actions.
4. Coalitions function as a coordinating council of people with practical knowledge in leadership positions within key organizations and institutions.
5. Usually the best convener is a community-based organization credible to the various officials, institutions and professionals who work on some aspect of code enforcement.
6. Coalitions are effective as unofficial, informal, groups operating by consensus with protocols of their own because members may not otherwise be authorized or permitted to participate.

## **A Coalition of the Willing (Continued)**

7. Coalitions make no policy for the institutions of their members but they do study policy issues, give information, advice, and proposals in support of both public policy and actions in line with the reform agenda held by the group.
8. Public communication in the name of the coalition must be authorized by the coalition as to content, time, and manner.
9. Coalitions must avoid electoral politics.

## Author's Sources For Further Study

“Strategic Code Compliance Enforcement: A Prescription For Resilient Communities,” Brescia, Ray & John Travis Marshall, eds., *How Cities Will Save the World: Urban Innovation in the Face of Population Flows, Climate Change and Economic Inequality*. Routledge, (2016) p. 209.

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“Code Compliance Enforcement in the Mortgage Crisis” (pamphlet, 2009)  
[http://www.communityprogress.net/filebin/pdf/new\\_resrcs/Kermit\\_Lind\\_Code\\_Enforcement\\_Paper.pdf](http://www.communityprogress.net/filebin/pdf/new_resrcs/Kermit_Lind_Code_Enforcement_Paper.pdf)

“Collateral Matters: Housing Code Compliance in the Mortgage Crisis”  
*N. Ill. U. L. Rev.*, 445 (2011)

See also, Joseph Schilling, “Code Enforcement and Community Stabilization: The Forgotten First Responders to Vacant and Foreclosed Homes,” *2 Alb. Gov’t L. Rev.* 101 (2009)

Finally, a word from an old policy wonk:

“It must be remembered that there is nothing more difficult to plan, more doubtful of success, nor more dangerous to manage than a new system. For the initiator has the enmity of all who would profit by the preservation of the old institution and merely lukewarm defenders in those who gain by the new ones.”

---*Niccolo Machiavelli*



# **Toward Just Sustainability in Neighborhoods and Communities**

1. When people choose neighborhoods for sustainability it adds sustainability.
2. Developing sustaining characteristics in neighborhoods and communities is a call to action and change.
3. **Social justice** is a characteristic for sustainable neighborhoods and communities.
4. Developing just and sustaining characteristics involves community-based police power.
5. Just sustainability is a principle—a guiding aspiration, not a specific model.
6. Just sustainability needs neighborhood organization and development of capacities and skills for united action.
7. Constructive engagement among different neighborhoods, communities and government entities is possible through organization and practice