

# **Code Compliance: From Reporting to Prosecuting**

## **A workshop sponsored by the Neighborhood Resource Center Of San Antonio**

As the Hunters Creek Neighborhood Association representative, I attended this workshop concerning the process of filing complaints concerning City Codes. I felt this event was very important. Many others from around the city did too as there was an overflow crowd in attendance.

The workshop was broken down into three segments: The process of reporting violations, Code Compliance issues, and Prosecution of violations. There was a representative from the City Service Calling Center, 311, a Code Compliance Supervisor and the Environmental Prosecutor from the City Attorney's office.

### **The 311 Call Center**

The **311** call center, opened in 2002, is the best avenue to use when reporting a complaint. It is very busy as last year there were 860,000 calls and it is estimated that 1,200,000 calls will be made to **311**. It is also best not to call between 4:30 and 6:30 P.M., when traffic is heaviest. Whenever you call with a complaint, ask for an **assignment number** as your call is forwarded to the appropriate department.

### **Code Compliance**

A possible Code Compliance Violation, when called in to **311**, will be given an assignment number and forwarded to Code Compliance Supervisor, and then assigned to a Code Compliance Officer. Their goal is to address a complaint in seven days. Please don't expect same-day service, the city has 65 officers who handled 200,000 complaints last year. 10 officers are now working on Saturdays. There have been an increasing number of calls about illegal garage sales, that is, sales without a permit, which you can get down town or at HEB. HEB now provides the names and addresses of permits purchased at their stores to the city, so there is no loophole anymore. So-called "serial" garage sales, those conducted almost every weekend and problems with stolen items being "fenced" at some locations have been problems.

### **Prosecution of Violations**

The intake process begins for a violation begins when a code compliance supervisor presents a complaint to the environmental prosecutor's section of the city attorney's office. The complaint is reviewed for facts and legality. Many times, the complaint must be returned for additional information so it can be brought to trial. This takes about a week if there are no problems. When the case is forwarded for trial, there maybe an arraignment where the potential violator is provided the opportunity to plead not guilty. This is why it is so important to have all evidence including pictures

statements and any other relevant information to be complete when the review is conducted. If the person pleads not guilty, a trial will be convened in 3-6 months. If the judge takes it straight to trial, it takes about 3-6 weeks. Due to defendant rights, the process can be lengthy, so if you think you know of a violation, don't delay in reporting it as the prosecution time frames themselves can take months.

I have tried to summarize the key points of this very detailed workshop. I was able to get names of the major supervisors and phone numbers for them. If you have any questions about Code Compliance, please contact our Covenants and Codes Chair, Carrie Bustamante.

Ken Lawrence, President, HCNA