

RESOLUTUION TBD – 2025 (ABATEMENT & RESTITUTION PROCESS)

This resolution is to document the standing operating procedures and policies for investigating, issuing warnings or notice of ordinance violations, abatement procedures, correction procedures and filing for restitution when handling city ordinance violations.

Whereas the Parma City Council and mayor desire to protect the health, safety and sanitation of the community; and

Whereas the Parma City Council and Mayor desire to have a written documented procedure for the processing of property nuisances; and

Whereas the Parma Police Chief, in conjunction with other departments, have outlined a process for property nuisances; and

Whereas the Parma City Council and Mayor find this process to be the best management practice.

Now therefore, the Parma City Council hereby adopts the following in dealing with the abatement of properties and provide the following process for restation:

Section 1. Complaint Procedure.

Any person or entity may file a complaint with the City of Parma regarding ~~unkept~~ property within the city limits which ~~appears to be in violation of one or more city ordinances or state code~~. A written complaint may be filed at City Hall or with the Parma Police Department during normal business hours. The written report shall indicate the property address or location, property owner if known, suspected violation, the code section governing the purported violation, and shall include photographs of the violation or a detailed written description of the conditions in violation and contact information of the report filer.

Any person or entity may call City Hall or the Parma Police Department to file a verbal report of suspected violation anonymously, however, any report anonymous or not does not mean there is an actual violation.

Section 2. Investigation Procedure.

All reports will be forwarded to the Parma Police Department and assigned for investigation. The Parma Police Department will identify if an actual violation has or is occurring and issue either a verbal or written warning to make the Property Owner aware of the violation. The warning will be documented by the Parma Police department in an appropriate manner. If the violator is not the property owner, that person too shall be given either a verbal or written warning.

Section 3. Investigation Follow-up.

The officer who issued the warning, or their supervisor, will follow-up on the violation within ten working days after the warning was issued. The follow-up will be documented in accordance with Parma Police Standing Operating Procedures.

Section 4. Administrative Notice.

If the officer finds the violation has been corrected, no further action will occur. If the officer finds the property to continue to be in violation at the time of follow-up, a citation for the city ordinance violation may be issued and the citation and charges will be documented in the appropriate manner, with a written report, photos of the violation and a copy of the citation uploaded in the appropriate manner.

Once the citation has been issued, the officer will notify the Police Department Administrative Assistant or assigned person; of the name of the violator and property owner, address and the violation. The Administrative Assistant will send a letter to the residence and property owner (if different) via Certified-Mail and First-Class mail notifying them that the violation has not been corrected, and the city will take further action to abate the problem at the property owner's expense. Once the Administrative Assistant receives confirmation that the certified mail has been received or returned without confirmation, the Administrative Assistant will notify the Police Chief.

Section 5. Final Check.

Once the Parma Police Chief has been notified, he / she will make a final check of the violations. If the violations have not been corrected, the Police Chief will notify the Public Works Supervisor to have the property abated and correct the violation.

Section 6. Abatement and Correction of Violation.

Once the violation(s) have been corrected, the Public Works Supervisor will document all hours, equipment and items needed to complete the job and provide the City Treasurer with a cost to correct the violation or abatement process.

Section 7. Invoicing for Abatement and Correction of Violation.

The City Treasurer shall send an invoice to the Property Owner for the cost of the abatement and corrective action. The property owner shall have 30 days in which to pay the invoice. If the invoice goes unpaid after thirty days, the City Clerk shall place the matter before the City Council at their next Regular City Council Meeting in which the City Council shall determine if the invoice shall be placed as a lien against the property. The City Council may add additional charges for the processing of the lien which is normal and not exorbitant.

Section 8. Criminal Prosecution.

Nothing in this resolution prohibits the city from filing criminal charges against the person identified as violating the city's nuisance codes.

Section 9. Lien Filing.

It is the duty of the City Clerk to file a special assessment and lien with Canyon County for the civil process of abating the property or violation. The City Clerk or their deputy shall file a special assessment with Canyon County to be collected in the same manner as property taxes, pursuant to Idaho Code 50-1008.

Section 10. Lien Payments.

Once a special assessment has been filed with Canyon County, the payment for such lien can only be paid to Canyon County in the same manner as property taxes, or through a title and escrow company. Payments will be forwarded by Canyon County to the City of Parma and booked against the "Abatement Line" to offset the cost of the abatement.

Section 10. Lien Release

Once the City Clerk has been notified of a request for a lien release, the City Clerk shall determine if the lien has been paid, and if paid, shall issue a lien release and file the release with Canyon County.

PASSED AND APPROVED this _____ day of _____, 2025.

Angie Lee, Mayor

ATTEST: _____
Melissa Klinge, City Clerk