

Memorandum



CITY OF DALLAS

DATE August 3, 2018

TO Honorable Mayor and Members of the City Council

SUBJECT **Follow-up on 8/1/18 Open Microphone Speaker**

On Wednesday, August 1st, Ms. Doris Allen spoke during the Open Microphone portion of the City Council meeting regarding a citation she received from Code Compliance for a Bulk/Brush Trash violation. Bulk/Brush violations are one of only two violations where Code Compliance does not issue a Notice of Violation (NOV) prior to issuing a citation. This “zero tolerance” policy is at the direction of City Council and has been in place since approximately 2005.

With the current bulk and brush trash program, it is allowable to have materials out on the curb for up to nine days every month. Providing a notice and allowing time for the violation to be abated would increase that to at least 15 days, or approximately one-half of every month, where the neighborhood could have large amounts of bulky/brush trash in front of their homes. If the legal setout date occurs during that due process period, in effect it is extending the time period when it is allowable to have bulk/brush trash placed out.

Bulk/Brush is one of the top 5 most common violations addressed by Code Compliance, with approximately 12,000 cases created per year. Currently, staff documents the case, issues the citation, refers the case to Sanitation for removal, and that is it. Issuing a Notice of Violation, mailing the NOV, returning to the location for a re-inspection, and documenting those findings would all be new activities and all require time. If this policy is ever changed, additional resources would be required.

The Quality of Life, Arts & Culture Committee has been briefed by the Sanitation Services department on the following dates over the last two years and continues to explore potential changes to the bulk and brush program:

- November 14, 2016
- February 27, 2017
- February 26, 2018
- May 14, 2018

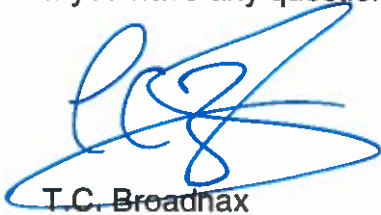
As for the details of the specific case brought up by Ms. Doris Allen at this week’s Council Briefing, the citation was issued when the violation was discovered proactively by our Code Inspector on June 29, 2018. The bulk and brush pick-up week for that area is the 2nd week, meaning materials were legal for setout on June 8th and Sanitation would have picked them up by June 16th. June 29th was clearly out of the legal cycle. The citation was mailed to Ms. Allen’s residence in Lancaster, TX. Please see the attached photos for the nature of the violation.

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If you have any questions or concerns, please contact me.



T.C. Broadnax
City Manager

c: Larry Casto, City Attorney
Craig D. Kinton, City Auditor
Biliera Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizzor Tolbert, Chief of Staff to the City Manager
Majed A. Al-Ghafry, Assistant City Manager
Jon Fortune, Assistant City Manager

Joey Zapata, Assistant City Manager
M. Elizabeth Reich, Chief Financial Officer
Nadia Chandler Hardy, Chief of Community Services
Raquel Favela, Chief of Economic Development & Neighborhood Services
Theresa O'Donnell, Chief of Resilience
Directors and Assistant Directors