

Monitoring and Enforcement of Current City Emergency Regulations and Executive and County Orders

**Ad Hoc Committee COVID-19
Human and Social Recovery
and Assistance**



May 14, 2020

**Jon Fortune, Assistant City Manager
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Overview

- Complaint Process and Coordination
- COVID-19 Code Enforcement Data
- Monitoring and Enforcement Priorities
- Opportunities and Recommendations
- Involuntary Compliance

Complaint Process and Coordination

- All COVID-19 related complaints are processed through 311.
 - To date, 311 has received 5,202 (3/13/2020 – 5/12/2020) COVID related calls from residents.
- Any COVID-19 related complaints coming to 911 are dispatched to C-19 officers for response.
 - DPD has responded to 24 calls for service regarding large gatherings since 5/12/2020.
 - There have been no citations issued by DPD to date.
 - Fire Marshal has written 10 citations to date.
- The Park Ranger is utilizing a hotline to address general rule violation questions, general park questions, or concerns that are non-emergency from 9:30 AM to 5:00 PM daily.
- 28 Parking Enforcement personnel are responding to COVID-19 complaints through 311 and operate from 7:00 AM to 8:00 PM daily.
- DPD continues to coordinate with the Dallas County Sheriff's Office on complaints brought to the City by Dallas County.

COVID-19 Code Enforcement Data

Code Compliance Services COVID-19 Special Task Force Inspections				
Month	311 Reactive	Proactive	Total for the Month	Total Citations for the Month
March	1,323	2,695	4,018	3
April	2,625	11,454	14,079	17
May	291	518	809	11
Total to Date	4,239	14,667	18,906	31

Updated May 10, 2020

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COVID-19 Code Enforcement Data

- **14,667** of the cases regarding COVID-19 have been proactive.
- **4,239** cases were called in (311 reactive).
- **5,738** Notices of Violation (NOV) have been issued. Out of those NOVs only 26 locations required a citation to bring about compliance.
- The vast majority of all cases have been related to non-posting of the AER.

Monitoring and Enforcement Priorities

- At the request of Mayor Johnson and Deputy Mayor Pro Tem McGough, the City is engaged in conversation with Dallas County as to how there could be more collaboration regarding enforcement between the two entities
 - Additional details will be presented to the Ad Hoc Committee in the near future



Monitoring and Enforcement Priorities

- The goal of Code Compliance (CCS) is to control the spread of COVID-19 by educating business owners on the Governor's 25% maximum occupancy requirement.
 - Monitoring of non-essential businesses allowed to reopen with specified requirements.
 - CCS staff continues to work AER cases at a level of 75% proactive engagement.
 - As necessary, notices of violations are given, and citations are only issued for lack of compliance.
- 311 is monitoring all existing orders to ensure that current COVID related service request options are up to date and match the scope and level of the regulations currently in place.

Monitoring and Enforcement Priorities

- PKR's primary monitoring focus is closed amenities such as playgrounds, pavilions, basketball courts and athletic fields, along with social distancing compliance in open areas of parks, such as trails.
- A special initiative was held on the weekend of 5/9/20 (Sat. through Sun.) by DPD, CCS, and PKR to provide stationary monitoring at College, Glendale, and JJ Lemmon parks. The initiative was successful and voluntary compliance was achieved.

Monitoring and Enforcement Priorities

- Parking enforcement continues to monitor parks, trails, and the surrounding neighborhood for parking compliance in collaboration with other enforcement agencies.
- Patrons are offered one free parking session when using the mobile payment app through their smart phone.
 - Residents in Central Business District, Bishop Arts and Uptown area are getting an additional 45 minutes to park and pickup their essentials without parking fees.
 - All in-person adjudication for parking citations have been suspended. Residents can contest their parking citations via mail or fax. Fees incurred due to “Failure to Appear” or “Delayed Appeal” will be waived by the Department of Transportation and Court.

Opportunities and Recommendations

- Approximately 130 Code Officers will remain on the COVID-19 Special Task Force
 - Enforcement activity will be split 50:50 between commercial districts and community neighborhoods
- Approximately 20 Code Officers will be primarily focusing on proactive and reactive blight related premise violations
 - Enforcement will be educational and informational
 - Align closely with Service First Rep Program

Opportunities and Recommendations

- 311 continues to work closely with Code Compliance, Housing, Economic Development, Office of Innovation, and the City Attorney's Office to provide the most up to date information to residents.
- 311 continues to provide assistance and support in the way of natural language IVR voice prompts for the City's COVID Resource and Information and Financial Assistance Hotlines.
- As PKR staff returns to new normal duties, parking monitors for White Rock Lake will become less available. PKR will possibly focus on prioritizing peak usage days (Thursday through Sunday).

Involuntary Compliance

Legal Strategies	Data
Referral of Violation to Community Prosecution	23
CAO Violation Notice Letters	21
District Court Lawsuits	1

- Cases are referred to CAO by Code, DPD, and DFR following the issuance of a citation.
- Once a case is referred to the CP, a notice letter is issued to the business owner, and potentially the property owner.
- If a business owner fails to comply with the emergency regulations following citation and notification from CAO, a lawsuit may be filed to request a district court issue a temporary restraining order.

Updated May 12, 2020

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Involuntary Compliance

The City continues to coordinate with other law enforcement agencies to coordinate consistent enforcement and collaborate – where applicable.

County	<ul style="list-style-type: none">- The District Attorney's Office does not anticipate filing civil lawsuits to enforce the COVID-19 regulations, however, the Dallas County Commissioner's Court may request that the DA's Office institute litigation regarding such enforcement.
State	<ul style="list-style-type: none">- The Office of the Attorney General is prepared to provide legal counsel to local governments regarding the interpretation and enforcement of executive orders.- Enforcement by state agencies is currently on a case-by-case basis and dependent on the agency.
Federal	<ul style="list-style-type: none">- The U.S. Attorney's Office will continue to partner with the City on matters such as Project Safe Neighborhood and will also work with the City on domestic violence issues and sexual harassment in public housing and other matters.

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Discussion



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