



# The City of **Arnold** Missouri

## THE CODE ENFORCEMENT PROCESS

- 1) **A resident submits a concern about a possible code violation via the City's website, email, phone, in-person, etc.**
- 2) **After receipt of a concern, a city inspector will visit the site as soon as possible to determine whether a violation exists.**
  - a) Because of people's Fourth Amendment Constitutional rights, inspectors are limited to observing what is visible from the street or other public right-of-way. Other than to knock on the door to speak with the occupant, the inspector will not go onto private property without permission. This means they will not walk into yards, fly a drone over the property, look over privacy fences, through windows, or under car covers, tarps, etc.
  - b) If no violations are observed, the file will be closed.
  - c) If a violation is observed, the City will contact the appropriate parties, informing them of the violation and the necessary action to resolve the issue.
  - d) The City seeks compliance rather than prosecution, and will work with parties who show visible progress in resolving the issue.
  - e) Uncorrected violations will result in citations being issued for court appearance and prosecution by the city's Legal Department, or the City may correct certain violations at the expense of the property owner.
- 3) **"Anonymous" vs. "On the Record" reports.**
  - a) The City will investigate every concern reported, however, it is common to follow up with the concerned party for additional information. It is not possible to do that with anonymous reporters.
  - b) Anonymous complaints are more likely to fail in prosecution than concerns reported by persons that leave their name and are willing to testify in court. Admissible evidence, background and additional information make the difference in a successful prosecution.
  - c) While a neighbor or concerned party can invite the City inspector onto their property to view the alleged violation, and while this might be helpful to the City's enforcement, it should be noted that by inviting an inspector onto their property the neighbor or concerned party may have put themselves "on the record".
  - d) The City is bound by Missouri's "Sunshine Law". Should any member of the public make a request to see communications and other records related to a particular case, the name of the individual who went "on the record" may be disclosed.
  - e) In all cases when reporting concerns, intentionally falsifying information may be a criminal act under applicable laws.

### **NOTES:**

- 1) *Inspectors only have authority over certain sections of the City's Code of Ordinances. Where other departments, agencies, or organizations have jurisdiction, the Inspector will forward the concern to the appropriate entity (e.g. Arnold Police Department, Arnold Public Works, Public Water Supply District 1, Ameren, etc.).*
- 2) *Resolution of Code Violations through the legal system can take time, and this may lead people to believe that the City is not addressing the issue. However, the City works to ensure that all concerns are considered and that all requirements of the legal process are followed.*