

## **What is a Zoning/Building Code?**

Zoning and Building codes are a set of ordinances that are approved and adopted by the Pima County Board of Supervisors under authority of the State of Arizona. These codes are intended to promote the health, safety, and welfare of the community; to provide for orderly growth and development; and to regulate land use, protecting property values and preserving natural aesthetics.

## **Common Code Violations**

Code Enforcement receives complaints on a wide variety of ordinance violations. The most common complaints are: inoperable vehicles, open storage of junk, construction without permits, structures not meeting setbacks, and home based businesses without permits.

## **How is a Code Violation Reported?**

Complaints of code violations are submitted to Code Enforcement by citizens and by various departments or municipal agencies responsible for protecting public health, safety, and welfare. Complaints of possible zoning or building code violations may be submitted in person or by mail at **Pima County Development Services, Attn: Code Enforcement, 201 N. Stone Ave, Tucson AZ, 85701**. Alternatively, complaints may be filed via the internet at [www.dsd.pima.gov](http://www.dsd.pima.gov). The Code Enforcement Division may be contacted by phone at 724-9511. While we are not able to accept complaints by phone, we are able to provide general information regarding code violations, and instructions on how to file a complaint in writing.

## **What is the Enforcement Process?**

The goal of the Code Enforcement Division is to investigate reported code violations and to assist property owners in correcting the violations and maintaining their property in compliance with the code. The first step in the process is to mail a courtesy letter to the owner of the property alleged to be in violation. This letter merely advises that a complaint has been filed and briefly describes the nature of the complaint. This is an opportunity for the property owner to contact code enforcement to discuss the situation and remedy violations prior to any inspection. Inspectors will schedule an initial inspection to determine if the alleged violation appears to exist. If a violation is confirmed, inspectors may issue citations when there is no voluntary progress toward compliance. Fines may be imposed and timelines for compliance established. If there is still non-compliance after the civil citation process, Code Enforcement may refer the case to the County Attorney's Office for further enforcement action in Superior Court.

## **What if I Receive A Courtesy Letter?**

A courtesy letter is merely a notification that someone has filed a complaint alleging zoning or building code violations on your property. The Courtesy letter is sent to you by the inspector assigned to the case. This is an opportunity for you to contact the inspector to discuss the allegation and to schedule an inspection. A courtesy letter is only mailed to property owners when no previous similar violations have been documented.

## **How Much Time Do I Have to Correct Violations?**

For most violations, our policy dictates that the property be compliant within 60 days beginning on the date the case is opened. This 60 day policy applies only to first time violators. For repeat violators, we may issue citations as soon as a violation is confirmed by the inspector.

## **What if I receive a Citation?**

If you receive a citation it is because Pima County believes there is a code violation(s) on your property. The citation will contain specific information regarding the alleged violation(s) including the applicable code section(s), the address and or tax code number of the property in question, the date the alleged violation(s) was observed, information identifying the owner or responsible party and requirements to achieve compliance.

You may elect to accept responsibility for the violation. This means that there will be no hearing and that you accept the recommend timeframe for compliance and any associated fine amount.

If you do not accept responsibility, the recommend timeframe for compliance and any associated fine amount, a date will be set for an Administrative Hearing on the matter.

## **What happens at an Administrative Hearing?**

At the hearing, the county will present evidence of the violation. You will have the opportunity to dispute that evidence, present your own evidence, and ask questions of the inspector. The Hearing Officer will decide if the property is in violation, and if so, who is responsible, fine amounts, and timeframes for compliance based on the county's recommendation.

## **Who may attend Administrative Hearings?**

Administrative hearings are open to the public but are not “public hearings” per se. A complaining party or other interested person may request to speak at the hearing, however, such requests are granted at the sole discretion of the Hearing Officer. Any individual allowed to speak shall be formally sworn in as a witness. The scope of any testimony given shall be limited to providing factual information that may not have been put forth by the county or by the defendant, but which may assist in the Hearing Officer’s ability to understand the facts of the case. The Hearing Officer may cease the witness’s testimony at any time if, in his judgment, the information being provided does not specifically pertain to or assist in the understanding of matter(s) at hand. Any member of the public testifying as a witness in such proceedings is subject to questioning by the Hearing Officer and to cross-examination by the County and by the defendant.

## **How Much Are the Fines?**

The standard fine recommendation for a first time violation is \$750.00 with \$50.00 due immediately and \$700.00 suspended for a period of 45 calendar days from the date of judgment, pending compliance.

This recommendation is per violation as shown on the citation.

If you are cited as a business (Inc., LLC, etc...) fine amounts may be up to \$10,000.00 per violation.

## **How Do I Appeal the Hearing Officer’s Decision?**

If you believe the Hearing Officer’s decision is wrong and that you are not responsible for a code violation, you may appeal the decision to the Board of Supervisors. Instructions and timeframes for appealing the Hearing Officer’s decision are detailed in the judgment you received.