



CITY OF SURPRISE
Regular City Council Work Session
16000 N. Civic Center Plaza
Surprise, AZ 85374
Tuesday, February 1, 2022 @ 4:00 PM
COUNCIL CHAMBERS

- A. Call To Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Proclamation and Community Acknowledgements
- E. City Manager Report
- F. City Clerk Report
- G. Call To The Public

INSTRUCTIONS: In order to address the City Council, you will need to fill out a Call to the Public Form available at the front counter, and then turn it in to the City Clerk before the meeting begins. [Download the Call to the Public form](#) (PDF download requires Adobe Acrobat Reader) [Fill out the Call to the Public form online](#) If submitting form electronically, please submit to City Clerk at least one hour before the meeting start time. The Call to the Public form is also available at the front counter.

Note: A.R.S. 38-431.01(H)- During this time members of the public may address City Council only on issues within the jurisdiction of the City Council which are not an item on the agenda. At the conclusion of the open call, City Council may respond to criticism, may ask staff to review the matter or may ask that the matter be put on a future agenda. No discussion or action shall take place on any item raised.

Approval of items on the Consent Agenda – all items with an asterisk (*) are considered to be routine matters and will be enacted by one motion and one roll call vote to the City Council. There will be no separate discussion on these items unless a Councilmember requests, in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda.

Please be aware that Council Members may not discuss or respond to matters raised during call to the public that are not specifically identified on the agenda. Council Members may however, in their discretion, discuss or respond to relevant matters raised during a noticed public hearing or agenda item.

H. Regular City Council Work Session Agenda

CONSENT AGENDA:

REGULAR AGENDA ITEM - PUBLIC HEARING:

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- | | | | |
|----|----------|---|--|
| 1. | Citywide | Presentation and discussion pertaining to the proposed City of Surprise Property Maintenance Ordinance. | None

Tiffany Copp
Community
Development |
| 2. | Internal | Presentation and discussion pertaining to the Surprise Community Outreach Program funding. | Councilmembers
Judd and Remley
Human Svcs and
Comm Vitality |

3. Internal Presentation and discussion pertaining to Ambulance Service. None

Fire - Medical

I. Other Business and Future Agenda Items

J. City Council Reports

K. Executive Session

For information Purposes; Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, but for only the following purposes:

- discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));
- discussion or consideration of records exempt by law from public inspection (A.R.S. §38-401.03 (A)(2));

L. Adjournment

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: January 27, 2022 at 11:25 AM

SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.



CITY OF SURPRISE Regular City Council Work Session

Council Meeting Date: February 1, 2022

Contact Person: Tiffany Copp, Assistant Director

Submitting Department: Community Development District: Citywide

Staff Recommendations: None

Consent: No

Regular: Yes

Public Hearing: No

Report/Discussion: No

Agenda Wording:

Presentation and discussion pertaining to the proposed City of Surprise Property Maintenance Ordinance.

Motion:

None, presentation and discussion only.

Background:

In 2007 City Council adopted by reference the 2006 International Property Maintenance Code (IPMC), as published by the International Code Council (Ordinance 07-38), governing the appearance and safety of all residential and non-residential structures and premises within the City. The Property Maintenance Ordinance (PMO) is intended to facilitate the community's access to the ordinance that guides the City's expectations regarding property maintenance and enforcement, as well as to replace the 2006 IPMC. Following the Council Work Session held on March 2, 2021, the PMO was open for public comment from March 3, 2021 through May 2, 2021. Staff presented updates to the PMO at work session on June 15th, 2021 and received additional public input. Staff will address the additional public input and proposed changes to the PMO.

Objective Analysis:

Upon adoption, the PMO will become part of the Surprise Municipal Code. Adopting a local ordinance gives the City content and publication authority over the document. Currently, the IPMC cannot be published by the City but is made available in hard copy for residents to review at City Hall upon request. The intent and spirit of the PMO remains consistent with the IPMC. Changes which have been made to the PMO include streamlining redundant or overstated content and adding content specific to the processes and property maintenance expectations of the City of Surprise.

Policy Compliant:

The adoption of the Property Maintenance Ordinance is consistent with City and Council Policy.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development and Code

Enforcement activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

The budget impact associated with the adoption of this ordinance will be the cost to convert the ordinance to MuniCode for inclusion with the other Surprise Municipal Codes. The actual cost for conversion will be determined once the final document length is known.

FTE Impact:

This item does not have an impact on current staffing levels.

ATTACHMENTS:

1. PMO Presentation 2
 2. PMO DRAFT
 3. Capitol Consulting Comments
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PROPERTY MAINTENANCE ORDINANCE

Mayor and Council
February 1, 2022

BACKGROUND

A Property Maintenance Ordinance (PMO):

- Establishes minimum standards for all property maintenance
- Promotes and maintains a clean, healthy and safe community
- Guide for residents and Code Enforcement

BACKGROUND

In 2007 the 2006 International Property Maintenance Code (IPMC) was adopted

- Limitations: Lack of transparency/publication control
- Adopting a local PMO improves transparency and publication control

TIMELINE

03/02:
Work Session

03/03:
Begin 60-day Public
Comment Period

- Letters to HOA Boards
- Media & Video Presentation Release
- PMO Webpage

03/30:
First Public Meeting

04/13:
Second Public Meeting

05/02:
Close Public Comment
Period

06/11:
District 1 Meeting - AZ
Traditions

06/15:
Council Work Session

June:
Resident follow up and
research.

July:
Additional resident
follow up and research.

07/28:
Email from Capitol
Consulting, LLC

Aug-Nov: Evaluated
feedback and research
with internal
stakeholders.

Nov/Dec: Final follow up
with residents.

02/01:
Council Work Session

March 2021

Apr 2021

May 2021

June 2021

July - Dec
2021

Feb 2022

INITIAL CODES EVALUATED

- Avondale
- Chandler
- Gilbert
- Glendale
- Goodyear
- Mesa
- Peoria
- Phoenix
- Scottsdale
- Tempe

ADDITIONAL CODES EVALUATED

- Apache Junction, AZ
- Casa Grande, AZ
- Lake Havasu, AZ
- Payson, AZ
- Sierra Vista, AZ
- Tucson, AZ
- Tombstone, AZ
- Wickenburg, AZ
- Yuma, AZ
- Albuquerque, NM
- Santa Fe, NM
- El Paso, TX
- Midland, TX
- Sherwood, OR (RV's Only)
- Tigard, OR (RV's Only)

PMO UPDATES

In General:

- Text: **Red**= initial changes, **Blue**= new changes
- Changed from Ch. 22, Health and Safety, to Ch. 34, Offenses and Miscellaneous Provisions
- Uniformly refer to PMO as “PM code” or Surprise Municipal Code
- Correction of typographical/ grammatical errors
- Additions/deletions based on ongoing discussions

PMO UPDATES

Section 34-404, Definitions:

- “Accumulation of Inoperable Vehicles” – removed
- “Blight” - no change
- “Graffiti” – added “etched”
- “Vehicle Cover” – no change

PMO & PM-10

“PM”: particulate matter (mixture of solids and liquids found in the air)

“10”: standard of inhalable particles (10 micrometers or smaller)

<https://www.surpriseaz.gov/1951/Air-Quality>

Section 34-404, Definitions (continued):

- “Driveway”- removed the word “paved”
- “Dust Proof Surface” – no change

PMO UPDATES

Section 34-405(A)(1), Authority and Enforcement:

- Removed for redundancy

Section 34-407(C), Violation Notice:

- No change

Section 34-415(B)(13), Exterior Maintenance:

- Clarified the type of screening that can be used on fencing

PMO UPDATES

Section 34-416, Exterior Premises & Land Maintenance:

- (B) removed “such as manure and droppings”
- (D) clarified neat/safe storage on side and rear yards

Section 34-417, Landscape Maintenance:

- (A)(2) Weeds 6 inches- no change

Section 34-4187, Vehicles

- (C) removed for redundancy
- (F) & (G) language clean up
- (H) removed

COMMENTS CAPITOL CONSULTING

Section 34-413, Building Systems:

Why is the phrase “as approved” added as a qualifier?

Definition of “Hazard” should match state statute. Check for consistency in use of term through the document.

No changes resulted.

NEXT STEPS

For Action: February 15, 2022 Regular Council Meeting





Questions/ Comments?

Surprise Municipal Code
Chapter 34, Offenses and Miscellaneous Provisions
~~Article IX - 22, Health and Safety~~
~~Article IV~~
PROPERTY MAINTENANCE CODE

~~Article 1—GENERAL PROVISIONS~~

~~Sec. 22-54~~ [34-401](#) - Title

~~Sec. 22-55~~ [34-402](#) - Intent and Scope

~~Sec. 22-56~~ [34-403](#) – Conflict of Ordinances and Severability

~~Sec. 22-57~~ [34-404](#) – Definitions

~~Article II—ADMINISTRATION AND ENFORCEMENT~~

~~Sec. 22-58~~ [34-405](#) – Authority and Enforcement

~~Sec. 22-59~~ [34-406](#) - Liability

~~Sec. 22-60~~ [34-407](#) – Violation Notice

~~Sec. 22-61~~ [34-408](#) – Civil Citation

~~Sec. 22-62~~ [34-409](#) – Criminal Complaint

~~Sec. 22-63~~ [34-410](#) – Inspection Warrants

~~Sec. 22-64~~ [34-411](#) – Abatement and Demolition

~~Sec. 22-65~~ [34-412](#) - Condemnation

~~Article III—MAINTENANCE STANDARDS~~

~~Division 1. Building and Structure Maintenance~~

~~Sec. 22-66~~ [34-413](#) – Building Systems

~~Sec. 22-67~~ [34-414](#) – Interior Maintenance

~~Sec. 22-68~~ [34-415](#) – Exterior Maintenance

~~Division 2. Land Maintenance~~

~~Sec. 22-69~~ [34-416](#) - Exterior Premises and Land Maintenance

~~Sec. 22-70~~ [34-417](#) - Landscape Maintenance

~~Sec. 22-71~~ [34-418](#) - Vehicles

~~Sec. 22-72~~ [34-419](#)- Safety

Article I General Provisions

Sec. 22-54 34-401 Title

This chapter shall be known as the “The Property Maintenance Code of the City of Surprise, Arizona.” Within this text, the following terms, whether capitalized or not, shall be synonymous with the Property Maintenance Code of the City of Surprise: “this PM code,” “Surprise Property Maintenance Code,” “this ordinance,” and “The Property Maintenance Ordinance.”

Sec. 22-55 34-402 Intent and Scope

- (A) The purpose of this PM code is to promote the health, safety, and welfare of the residents of Surprise Arizona, and to protect neighborhoods against hazardous blighting and deteriorating influences or conditions that contribute to the downgrading of neighborhood property values, by establishing minimum standards for the condition and maintenance of all residential and nonresidential buildings, structures and vacant and improved lands.
- (B) This PM code shall apply to all buildings, structures, and lands within the City of Surprise.
- (C) This PM code shall be fairly, sensibly, and reasonably applied to promote the maintenance of all existing buildings and land within the jurisdiction of the City of Surprise.
- (D) This PM code shall not require changes in existing buildings and utilities when alterations were installed and have been maintained in accordance with the City of Surprise Adopted Codes in effect at the time of construction or alteration. This section does not apply when the building has been determined to be an imminent hazard, unsafe, unhealthy, blighted or deteriorated, or when the building has been moved to another location.

Sec. 22-56 34-403 Conflict of Ordinances and Severability

- (A) In any case where a provision of this ~~chapter~~ PM code is found to be in conflict with a provision of any zoning, Adopted Codes, safety or health ordinance or code existing on the effective date of this ~~c-chapter~~ PM code, the provision of the zoning, Adopted Code, safety or health ordinance or code shall prevail.
- (B) Nothing in this ~~chapter~~ PM code shall be construed to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other laws, codes or ordinances, except those specifically repealed by this ~~chapter~~ PM code, which shall remain in full force and effect.
- (C) If any section, subsection, paragraph, sentence, clause, or phrase of this ~~chapter~~ PM code should be declared invalid for any reason whatsoever, such decision shall

not affect the remaining portions of this [chapter PM code](#), which shall remain in full force and effect; and to this end, the provisions of this [chapter PM code](#) are hereby declared to be severable.

Sec. 22-57 34-404 Definitions

Abatement: Action taken by the City Code Official or designee to correct, repair, clear, demolish or remove any blighted condition(s) or violation(s) of this [chapter PM code](#) or any of the Adopted Codes.

Abatement (Court Ordered): An order, in writing, signed by a judge of a court of competent jurisdiction, authorizing any employee, representative, or contractor of the City to enter onto any affected property to abate specified conditions.

~~**Accumulation of Inoperable Vehicles:** Two or more inoperable vehicles upon a residential lot, or upon a commercial or industrial lot where the primary business does not involve the service of vehicles or the storage of inoperable vehicles.~~

Adopted Codes: Any of the provisions of the construction codes including but not limited to the building, residential, mechanical, electrical, plumbing, residential, fuel gas, energy conservation, or fire code, as adopted and amended by the City.

Animal Waste: Household pet waste and/or waste from stables, kennels, pet pens, chicken coops, and veterinary establishments, or other establishments of a similar nature.

Architectural Pool: A constructed or excavated exterior area designed to contain a regular supply of water, other than a swimming pool.

Bathroom: A room containing plumbing fixtures including a bathtub or shower.

Blight: Unsightly conditions including but not limited to damage, tattered, faded, cracking, peeling, rusting or any other condition of disrepair, deterioration, or lack of maintenance.

Building: Any structure or dwelling having a roof that is supported by poles, columns, and/or walls, that is utilized or intended to be used for the housing and/or enclosure of persons, animals, or personal property.

Code Official: The City Manager or authorized designee in charge of the administration and enforcement of this [chapter PM code](#).

Condemn: To adjudge unfit for human occupancy.

Construction Materials: Any material commonly used in construction or landscaping including, but not limited to, asphalt, concrete, plaster, tile, rocks, bricks, sand, dirt, lumber, blocks, or other similar materials.

Debris: Substance or material of little or no apparent value including, but not limited to, deteriorated lumber, old newspapers, cardboard material, scrap metal, vehicle parts, discarded furniture parts, stoves, sinks, cabinets, household fixtures, refrigerators, abandoned, broken or neglected equipment, or the scattered remains of items.

Defendant: A person or group, company or institution, against whom a civil or criminal action is brought.

Deterioration or disrepair: The condition or appearance of a building, structure, or parts thereof be characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting, any other evidence of physical decay or neglect, excessive use or lack of maintenance, or be incapable of performing the task for which it was designed and in the manner it was intended.

Driveway: An unobstructed [paved-area private way](#) directly connecting a public or private street with vehicle parking, loading, or maneuvering areas.

Dust-Proof Surface: An area completely covered by (1) concrete, asphalt, cement, or sealed aggregate pavement; (2) crushed rock or gravel no smaller than one-quarter inch and no larger than three-quarters-inch maintained to minimum depth of two (2) inches; or (3) another stabilization material or method approved by the City. Dust-proof surface does not include areas of grass, lawn, compacted dirt, or hard-packed dirt.

Dwelling: A single unit as a whole building or portion thereof, providing complete independent living facilities for one (1) or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

Excavation: A swimming pool, architectural pool, pond, shaft, test hole, well, pit, trench, or other condition resulting from the removal or absence of earthen material resulting in a cavity or opening that is more than four (4) inches in any lateral dimension and more than three (3) feet in depth, excluding active sand or gravel mines being operated in compliance with City and State laws. City approved retention basins are not considered excavations for purposes of this [chapter PM code](#).

Exterior Surfaces: Outside walls, roofs, fixtures, fences, gates, and attachments to a building or structure, including, but not limited to, doors, windows, gutters, down spouts, lights, antennas, satellite dishes, porches, posts, railings, garages, eaves, trims, patios, and chimneys.

Exterior Property: The open space on the premises and on adjoining property under the control of the responsible party of such premises.

Fences (Includes retaining walls and screen walls): An artificially constructed barrier of wood, stone, masonry, metal or combination of materials erected to screen, separate, protect, confine, or enclose; not including landscaping or other natural growth. The term fence shall include all walls, except those as part of building.

Fixture(s): Something that is fixed or attached to a building or structure as a permanent appendage or as a structural part.

Garbage: An accumulation of spoiled, decaying, or discarded animal or vegetable material resulting from the handling, preparation, cooking, or consumption of food for humans or animals, as well as other organic waste material subject to rapid decomposition.

Graffiti: Any drawing or inscription that degrades the appearance of property which is carved, etched, drawn or painted on a surface in a place that can be seen by the public.

Hazard: Any condition that presents a risk to the safety of any person or adversely affects or jeopardizes the health or well-being of any person or endangers property. Such conditions include, but are not limited to, occupancy without adequate water or sanitation facilities, accumulation of human or animal waste, presence of medical or biological waste, sharps, gaseous or combustible materials, radioactive waste, dangerous or corrosive chemicals or liquids, flammable or explosive materials, friable asbestos, offal or decay matter.

Imminent Hazard/ Danger: A hazard on or condition of real property that creates an immediate or unreasonable risk of death or injury to any person or an immediate or unreasonable risk of loss of or damage to property.

Incongruous Materials, Colors, and Finishes: Exterior surfaces that are not matching, and are inconsistent, incompatible, and discordant with the adjacent exterior surfaces.

Infestation: A proliferation of unpleasant, damaging, or unhealthful insects, rodents, reptiles, or pests.

Inoperable Vehicle: A motor vehicle or any major portion thereof that is unlicensed and is incapable of movement under its own power and will remain so without major repair, including but not limited to repair of the differential, transmission, head, engine block, or oil pan.

Inspection Warrant: An order in writing, signed by a judge of a court of competent jurisdiction, directed to a state, county or local official, authorizing entry into private property to inspect for violations of the Surprise Municipal Code or other relevant laws and regulations.

Judge: A City of Surprise Municipal Court Judge.

Municipal Court: The City of Surprise Municipal Court.

Occupant: A person, persons, or legal entity that, through rights of ownership or tenancy, has possession or the use and enjoyment of the subject real property. Any

individual living or sleeping on premises, in a building or structure, or having possession or custody of a space on or within a premise, building or structure.

Owner: Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the property.

Persons: Includes any individual or group of individuals, corporations, partnerships, associations, or any other organized group of persons, including state and local governments and agencies thereof.

Private Property: Land owned by any person other than the United States, the State of Arizona, a county, a city, a school district, or a special district.

Premises: A lot, plot, or parcel of land including any buildings thereon.

Responsible Party: An owner, occupant, lessor, lessee, manager, licensee, or other person having control over a structure or parcel of land; and in the case where demolition of a structure is proposed as a means of abatement, an lienholder whose lien interest is recorded in the official records of the Maricopa County Recorder's Office.

Right-of-Way (ROW): A designated or otherwise legally established strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, trees, or for another special use.

Sound Condition: Free from decay or defects and capable of performing the task for which it was designed and in the manner it was intended.

Structure: That which is built or constructed, an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner.

Tenant: A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

Toilet Room: A room containing a water closet or urinal but not a bathtub or shower.

Trash/Litter: Decaying or non-decaying solid and semi-solid wastes, including, but not limited to both combustible and noncombustible wastes, such as paper, trash, cardboard, waste material, cans, yard clippings, wood, metal, glass, bedding, debris, scrap paving material, discarded appliances, discarded furniture, dry vegetation, weeds, dead trees and branches, vegetation, and trees which may harbor insect or rodent infestations or may become a fire hazard, piles of earth mixed with any of the above, or any foreign objects.

Unlawful Structure: An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under ~~this code~~ [the Surprise Municipal Code](#), or which was erected, altered or occupied contrary to law.

Unsafe Equipment: Unsafe equipment including electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure that is in such disrepair or condition that such equipment is a hazard to life, health, property, or safety of the public or occupants of the premises or structure.

Unsafe/ Unfit Structure: A structure that is found to be dangerous to the life, health, property, or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants, in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

Utility Service: Those services required for plumbing and electrical systems, heating and cooling systems, ventilation systems and fixtures, and appliances to properly operate, including water service, sewer service, electric service, and gas service.

Vehicle: Every device by which any person or property is or may be transported or drawn; including, but not limited to, automobiles, motor homes, travel trailers, utility trailers, or watercraft. Devices moved by human power or used exclusively upon stationary rails or tracks are exempt.

Vehicle Cover: A vehicle cover placed on any vehicle that is visible from any public street or sidewalk must be properly maintained and made exclusively for covering vehicles. A proper cover does not include bed linen, paper, cardboard, plastic sheeting, tarps, or any other item or material not manufactured specifically as a vehicle cover. The use of a vehicle cover on any abandoned or inoperable vehicle as defined in this [chapter PM code](#) is limited to a vehicle that is stored in a carport.

Vehicle Parts: Any part(s), component(s), or accessory of a vehicle.

Weed: A useless and troublesome plant generally accepted as having no value and frequently of uncontrolled growth. This shall include all grasses, annual plants and vegetation, other than cultivated trees, shrubs, flowers or gardens.

Yard: An open area of a residential lot that is at grade level between the dwelling and the adjoining lot lines, except as otherwise provided in this [PM](#) code.

1. **Yard, Front:** A yard extending between two (2) side lot lines and the depth of which is the distance between the street and the primary building.
2. **Yard, Rear:** A yard extending between two (2) side lot lines and the depth of which is the distance between the rear lot line and the primary building.
3. **Yard, Side:** A yard extending between the fence return or front yard and rear yard and the depth of which is the distance between the side lot line and the primary building. The required side yard area is the area of the side yard that is bound by the front and rear yards and side lot lines.
4. **Yard, Street Side:** A side yard which is along the side lot line that abuts a street.

Zoning Ordinance: The adopted Land Development Ordinance of the City of Surprise, Arizona.

~~Article II – Administration and Enforcement~~

~~Sec. 22-58~~ 34-405 Authority and Enforcement

- (A) The Code Official shall have authority, as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and procedures, to interpret and implement the provisions of this ~~chapter~~ PM code, and to secure the intent thereof.
- ~~1. For purposes of this chapter, the term Code Official shall have the meaning of City Manager or designee.~~
 2. The City's Code Enforcement Division shall be charged with the administration and enforcement of this ~~chapter~~ PM code.
 3. The Code Official shall keep official records of all enforcement actions in accordance with applicable State laws.
- (B) In determining compliance with this ~~chapter~~ PM code and the Adopted Codes, interior and exterior inspections of private property, yards, or vacant land may be conducted. Interior inspections and the inspection of fenced yards having an expectation of privacy shall be conducted in accordance with applicable law, including as follows:
1. With approval of the responsible party of the home where the violation exists or is believed to exist;
 2. From the second story of a neighboring property, with the consent of the responsible party for that property, and where the violation can be seen in plain view from a window, balcony, patio or the like;
 3. By court order;
 4. Any other method permitted by law.
- (C) The City may proceed either civilly or criminally against any person who is found to be responsible for causing, permitting, or facilitating any violation of any provision of this ~~chapter~~ PM code or for failing to perform any act or duty required by this ~~chapter~~ PM code.
1. Each day a violation of any provision of this ~~chapter~~ PM code or the failure to perform any act or duty required by this ~~chapter~~ PM code continues shall constitute a separate violation or offense.
 2. Violations of this ~~chapter~~ PM code are in addition to any other violation enumerated within the ~~Surprise Municipal City~~ Code or other applicable law and in no way limit the penalties, actions or procedures, which may be taken by the City for any violation of this ~~chapter~~ PM code, which is also a violation of any other provision of the ~~Surprise Municipal City~~ Code or any other applicable law.
 3. The remedies specified herein are cumulative and the City may proceed under these or any other remedies authorized by law.

4. When two (2) or more persons have liability to the City or are responsible for a violation of this [chapter PM code](#), their responsibility shall be joint and several.

~~Sec. 22-59~~ [34-406](#) Liability

- (A) Persons charged with the enforcement of this [PM](#) code, acting in good faith and without malice, and within the authority of their official capacity, shall be indemnified by the City in accordance with Chapter 4 of the Surprise Municipal Code.
- (B) No person shall obstruct, impede, or interfere with any officer, employee, or authorized representative of the City who is lawfully engaged in the enforcement or execution of the provisions of this [PM](#) code.
 1. Any person who violates the requirements of this provision shall be guilty of a class 1 misdemeanor and shall be subject to the penalties in ~~Ssection. 2-238 of the~~ [Surprise Municipal Code](#), or any other penalties as appropriate and authorized by law.

~~Sec. 22-60~~ [34-407](#) Violation Notice

- (A) Upon inspection, if the City finds facts or circumstances which give at least reasonable cause to believe that a violation of this [PM](#) code, or any other [section of the](#) Surprise Municipal Code or the Adopted Codes exists, the City may notify the responsible party through the issuance of a Violation Notice, that voluntary correction of the observed violations is warranted. A Violation Notice shall include:
 1. Identification of the property in violation.
 2. Statement of violations in sufficient detail to allow the responsible party to identify and correct the violation(s).
 3. Expiration date; the date by which corrections should made to bring the property into compliance.
 4. Address and phone number of a City representative to contact.
 5. If the notice includes possible abatement action, it shall also state the City's intent to abate if voluntary compliance is not achieved. The notice shall include a cost estimate to correct the violation(s), and the authority to assess a lien against the property for the costs to correct the violations, should the violation not be corrected within the time provided for voluntary compliance.
 6. If the notice includes possible removal or demolition, it shall also state the City's intent to remove or demolish the structure or equipment if voluntary compliance is not achieved. The notice shall include a cost estimate for the removal or demolition, and the authority to assess a lien against the property for the costs to correct the violations, should the violation not be corrected within the time provided for voluntary compliance. Such notice shall be recorded with the Maricopa County Recorder's Office.
 7. The potential for civil or criminal penalties for failing to correct the violation.
 8. If the violation is accompanied by a Notice of Condemnation it shall comply with ~~section XX-12Sec. 22-65~~ [34-412 of this PM code](#).

- (B) Nothing within the [chapter PM code](#) shall preclude the City from giving additional verbal or written notice at its discretion. If the City does elect to give any additional notice in any instance, it shall not be obligated to give such additional notice thereafter in the same or similar situations.
- (C) Nothing in this [chapter PM code](#) shall require the issuance of a Violation Notice prior to the commencement of civil or criminal proceedings. The Code Official shall approve commencement of any proceeding in which a Violation Notice is not issued prior to commencement.
- (D) A Violation Notice shall be deemed properly served by any of the following means:
1. Personal service.
 2. Mailing a copy by first class, certified, or registered mail, return receipt requested, to the last known address. ~~Proof of such service shall be filed with the Surprise Municipal Court upon receipt.~~
 3. Posting the Violation Notice on or about the entrance of the premises where the violations exists.
 4. Publishing the Violation Notice one-time in a newspaper of general circulation ~~in the City of Surprise, and posting for a period of thirty (30) days.~~
 5. ~~Any means provided for in the Arizona Rules of Civil Procedure.~~
- (E) The City may record a Violation Notice with the Maricopa County Recorder. A recorded Violation Notice shall run with the land and shall constitute notice, for all purposes of this [PM code](#), to all person or entities acquiring an interest in the property. Failure to record a Violation Notice shall not affect the validity of the notice as to persons who receive the notice. When the property is brought into compliance, a release of the recorded notice will be subsequently filed with the Maricopa County Recorder.
- (F) It shall be unlawful for any responsible party who has received a Violation Notice to sell, transfer, mortgage, lease or otherwise dispose of such property until the provisions of this chapter have been complied with, or until such responsible party first furnishes the grantee, transferee, mortgagee, or lessee a true copy of any notice issued by the Code Official, and furnishes to the Code Official a signed and notarized statement from the grantee, transferee, mortgagee, or lessee acknowledging the receipt of such notice and fully accepting the responsibility without condition for making the corrections or repairs required by such notice.
- (G) Nothing in this section shall prevent the City from taking immediate action to protect the public from an imminent hazard to health or safety as otherwise provided by law.

~~Sec. 22-61~~ [34-408](#) Civil Citation

- (A) Should a violation continue past the time provided for voluntary compliance in the Violation Notice, a civil citation may be issued by the Code Official, unless submission to the City of Surprise Prosecutor for criminal charging is warranted.

- (B) The civil citation shall name the responsible party or parties for the property in violation as the “defendant” and include the following information:
1. The date, time and location where the violation(s) were observed.
 2. A reference to all section(s) of this [PM code](#) or other chapters of the Surprise Municipal Code, or the Adopted Codes, which have been violated.
 3. The date and time to appear in the Surprise Municipal Court.
 4. Notice that if the defendant fails to appear in court, a default judgement may be entered against them.
- (C) The civil citation shall be deemed properly served by any of the following means:
1. Personal service.
 2. Mailing a copy by first class, certified, or registered mail, return receipt requested, to the last known address. Proof of ~~such service~~certified, registered or return receipt service shall be filed with the Surprise Municipal Court upon receipt.
 3. Any means allowed by the Arizona Rules of Civil Procedure.

~~Sec. 22-62~~ [34-409](#) Criminal Complaint

- (A) The Code Official or designee may seek the issuance of a criminal complaint by the Surprise City Prosecutor for the prosecution of any criminal offense as set forth in this [PM code](#) or any other section(s) [or chapters](#) of the Surprise Municipal Code, or the Adopted Codes.
- (B) Every criminal action or proceeding under this ~~chapter~~ [PM code](#) shall be designated a misdemeanor and commenced and prosecuted in accordance with the laws of the State of Arizona relating to misdemeanors and the Arizona Rules of Criminal Procedure.

~~Sec. 22-63~~ [34-410](#) Inspection Warrants

- (A) The Code Official or designee may seek the issuance of an inspection warrant by a judge if denied access to any property, building, or structure that the City would otherwise have the authority to inspect for public health and safety reasons.
- (B) An affidavit for an inspection warrant shall be submitted to the judge establishing probable cause that a violation of this [PM code](#) or another [section or](#) chapter of the [Surprise Municipal City](#) Code or Adopted Codes exists, and that the proposed inspection is reasonable and necessary. ~~Probable cause may be established based on any of the following~~Evidence which may establish probable cause includes:
1. Previous inspections have shown violations and the present inspection is necessary to determine whether those violations have been abated.
 2. Complaints have been received by the City’s Code Official or the Code Enforcement Division from persons who, by status or position, have personal knowledge of the violations of law occurring on the subject property, building, or structure.

- (C) Execution of inspection warrants granted under this [chapter PM code](#) shall be coordinated with a sworn peace officer and in accordance with the Arizona Revised Statutes.
- (D) In executing an inspection warrant on occupied property, the person authorized to execute the warrant shall, ~~before entry into the occupied premises, make a reasonable effort to~~ present the person's credentials, authority, and purpose to a responsible party in possession of and physically present at the property designated in the warrant and show the person the warrant or a copy thereof upon request. A copy of the warrant shall be left with the person in possession of the property and physically present at the time the property being inspected.
- (E) In executing an inspection warrant on ~~unoccupied~~ property known to be uninhabited, the person authorized to execute the warrant need not inform anyone of the person's authority and purpose, but may promptly enter the designated property if it is at the time ~~unoccupied-uninhabited~~ or not in the possession of any person, or at the time reasonably believed to be in such condition. In such case, a copy of the inspection warrant shall be conspicuously posted on the property.
- (F) Any person who willfully refuses to permit an inspection lawfully authorized pursuant to this section is guilty of a misdemeanor.
- (G) An inspection warrant must be executed and returned to the court which issued it within five (5) calendar days of its date unless there has been a showing of need for additional time and the court has ordered otherwise.

Sec. ~~22-64~~ [34-411](#) Abatement and Demolition

- (A) If a responsible party is served a Violation Notice and fails to comply with such notice by the date provided for voluntary compliance, the City may abate the condition(s) as described in the notice.
- (B) No person shall allow or cause to remain on any property any damaged or dilapidated building, structure or equipment that is unreasonable to repair, contributes to blight or constitutes a hazard to [the](#) public health or safety, or such structures may be ordered removed or demolished by the Code Official.
- (C) Notwithstanding any other provision of this [PM](#) code if, in the opinion of the Code Official, the conditions at a property constitute an imminent hazard, the Code Official may order immediate abatement of the hazard without notice. Such abatement of an imminent hazard shall be limited to the minimum work necessary to remove the hazard.
- (D) When the City has effected an abatement, removal or demolition of any violation, the actual cost of such abatement, removal or demolition, including administrative and other incidental costs in connection with the enforcement action, shall become an assessment upon the building or real property from which such violation was

corrected. The responsible party for such property shall be liable for the payment of same.

1. ~~If payment is not received within thirty (30) days of the billing date, a~~ lien or assessment shall be placed on the property until paid.
 2. Such liens or assessments shall be prior and superior to all other liens, obligations, mortgages, or other encumbrances, except liens for general taxes.
 3. The City may pursue any or all means for recovery of cost if the lien or assessment is not paid. In the event it is necessary to enforce the lien or assessment by sale, the sale shall be made from a judgment of foreclosure and order of sale. The City shall have the right to enforce the lien or assessment in the Superior Court of Maricopa County at any time after recording, but failure to enforce the lien or assessment shall not affect its validity. The recorded lien or assessment shall be prima facie evidence of the truth of all matters recited therein, and of the regularity of all proceedings prior to the recording.
 4. If the lien or assessment is paid, the lien or assessment shall be removed by the City.
 5. Prior liens or assessments, for the purposes provided for in the [PM code](#), shall not be a bar to a subsequent liens or assessments and any number of liens or assessments on the same parcel may be enforced in the same action.
 6. Any liens or assessments filed with the Maricopa County Recorder pursuant to previous provisions of this [PM code](#) or any similar code or ordinance shall remain in effect under the same terms and conditions that existed at the time of recording.
- (E) [In accordance with applicable law,](#) ~~t~~The City may dispose of any material of value resulting from an abatement, removal or demolition, in any manner, including but not limited to sale or destruction. The sale or destruction of such property shall comply with the City of Surprise Procurement Code.
- (F) In addition to any other abatement procedure provided in this [chapter PM code](#), the Code Official or designee may apply to the Surprise Municipal Court for an order permitting the City to abate any condition that constitutes a violation of this [PM code](#) and which the City has been denied access to or been otherwise unable abate, or which the owner or responsible party has demonstrated an unwillingness to abate.

~~Sec. 22-65~~ [34-412](#) Condemnation

- (A) When a structure, premises or equipment is found by the Code Official to be unfit for human occupancy, unsafe, or unlawful, such structure, equipment or premises shall be condemned pursuant to the provisions of this section and the responsible party shall be issued a Violation Notice.
- (B) If a structure, premises or equipment is vacant and unfit for human occupancy, but does not present an imminent hazard, the Code Official is authorized to post a

Notice of Condemnation on the structure, premises or equipment and order it closed up and secured by the responsible party, so as not to be a ~~nuisance~~hazard to public health or safety.

- (C) When, in the opinion of the Code Official, there is imminent danger of failure or collapse of a structure or premises which endangers life, or when any parts thereof have fallen or failed, or when there is actual or potential danger because of explosives, explosive fumes or vapors, or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the Code Official is hereby authorized to post a Notice of Condemnation at each entrance to such structure and require the occupants to vacate the premises immediately and to order it to remain vacant. The property may then be abated pursuant to the provisions of ~~section XX-11~~Sec. 22-64 34-411 of this PM code.
1. A structure condemned and ordered vacated or to remain vacant under the provisions of this section shall not be leased, rented, or occupied, until it has been inspected and deemed fit for occupancy by the City.
 2. The City ~~shall~~may pay the cost and expense for the abatement of a hazard from any appropriation made available for that purpose.
 3. A lien shall be recorded with the Maricopa County Recorder's Office and shall address the same costs and procedures identified elsewhere in this PM code.
- (D) Notices of Condemnation shall contain the following language and information:
1. **CONDEMNED Occupancy/Use Has Been Prohibited by the Code Official.**
 2. The date by which the structure or equipment is to be closed up and secured.
 3. Notice that the responsible party's failure to comply with the notice shall cause the Code Official to close up and/or secure the structure, premises or equipment through any available means and the cost thereof shall become a lien upon such real estate through the procedures identified elsewhere in this PM code, and which may be collected through any recourse as prescribed by law.
 4. Notice that any temporary securement of vacant structures must be done in accordance with City specifications.
- (E) Any person occupying or using a condemned structure, premises or equipment and/or any responsible party for the premises who knowingly or intentionally occupies or permits the occupancy or use of a condemned structure, premises or equipment, shall be guilty of a misdemeanor.
- (F) The Code Official shall remove the Notice of Condemnation whenever all the condition(s) or defect(s) upon which the condemnation action was based have been eliminated.
1. Any person who defaces or removes a Notice of Condemnation without the approval of the Code Official shall be guilty of a misdemeanor.

~~Article III Maintenance Standards~~

~~Division 1. Building and Structure Maintenance~~

- (A) All systems within the interior of every building or structure, including but not limited to plumbing, electrical, heating, cooling, ventilation and mechanical systems, fixtures, appliances and equipment, including fire detection and suppression equipment and systems, shall be properly installed in conformance to the Adopted Codes in effect at the time of installation and shall be maintained as approved, in a state of good repair, free from hazards, and capable of performing their intended function.
 - 1. Every dwelling or dwelling unit where heating systems are installed shall have heating systems capable of safely heating all habitable rooms, bathrooms and flushing toilet rooms to a temperature of at least seventy (70) degrees Fahrenheit at a distance three (3) feet above floor level in the center of the room. Required heating shall be provided by permanently installed heating facilities.
 - 2. Every dwelling or dwelling unit where cooling systems are installed shall have cooling systems capable of safely cooling all habitable rooms, bathrooms and flushing toilet rooms to a temperature no greater than eighty-six (86) degrees Fahrenheit, if cooled by evaporative cooling, or eighty-two (82) degrees Fahrenheit, if cooled by air conditioning. Temperature measurements shall be taken at a distance three (3) feet above the floor in the center of the room. Required cooling shall be provided by permanently installed cooling facilities.
- (B) Pipes, ducts, conductors, fans, or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors, or other gaseous or particulate wastes directly upon abutting or adjacent public or private property, or that of another tenant.
- (C) All utility service connections to or within every building or structure shall be of the appropriate size and use required for the building or structure and shall be maintained in good repair and functioning for the proper operation of all systems and appliances within the building or structure, in compliance with the Adopted Codes.

- (A) The interior of every building or structure shall be maintained in good repair, structurally sound, and in a safe and sanitary condition free from any accumulation of garbage, food waste, human or animal waste, infestation, or material generally considered trash, rubbish, or litter, graffiti or blight.
 - 1. The responsible party of a structure, dwelling or dwelling unit shall maintain, in a clean and sanitary condition, the shared or public areas of the structure, dwelling or dwelling unit, or the parts thereof which they occupy or control.
- (B) All interior surfaces, including but not limited to walls, doors, cabinets, windows, ceilings, stairs, railings, floors and all other appurtenances shall be maintained in good repair and in a safe and structurally sound condition.

1. Peeling, chipping, flaking, or abraded paint shall be repaired, removed, or covered.
 2. Paint applied to interior surfaces must be lead-free.
 3. Cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.
- (C) All buildings, dwellings or dwelling units shall have an adequate potable water supply in accordance with City of Surprise Land Development Ordinance 108-2.8.
- (D) All premises containing dwellings or dwelling units shall be provided with one or more bathrooms equipped with a toilet, sink, and either a bathtub or shower, as prescribed by the Adopted Codes, and maintained in a state of good repair and capable of performing their intended function.
- (E) Each sink, lavatory, bathtub, or shower or fixture shall be equipped with water from an approved water supply in amounts and pressure necessary for their normal operation, and consisting of running cold water and running heated water provided through a properly regulated mixing valve.
1. Said fixtures shall be installed and maintained to provide a supply of water sufficient in volume and pressure such that the fixtures function safely and properly, free from defects and leaks and will perform their intended functions.
- (F) When a structure is equipped with an indoor cooking area, it must be provided with a sink separate and apart from any bathroom sink or lavatory.
- (G) Water heating facilities shall be properly installed per manufacturer standards, maintained in good repair and in a hazard-free condition, and capable of providing a supply of water in sufficient volume at every required sink, lavatory, bathtub or shower, and laundry facility, if provided, at a temperature of not less than one hundred ten (110) degrees.

Sec. 22-68-34-415 Exterior Maintenance

- (A) The exterior of every building or structure, including accessory structures such as detached garages, fences and walls, shall be maintained in good repair, structurally sound, and in a safe and sanitary condition free from any accumulation of garbage, food waste, human or animal waste, or material generally considered trash, rubbish, or litter, graffiti or blight.
- (B) All exposed exterior surfaces of any building or structure shall be maintained in good repair and impervious to moisture and weather elements and shall be free of broken, rotted, split, curled, buckled or missing coverings or materials and shall not otherwise present a deteriorated appearance, including but not limited to the following:
1. All exterior surfaces shall be protected by paint or other protective treatment; except such surfaces naturally resistant to rust, rot or decay.

2. Paint applied to exterior surfaces shall be free of loose, cracked, scaling, chipping, or peeling paint in such amounts as to present a deteriorated appearance.
3. The maintenance, repair, replacement, completion or use of materials, colors, or finishes shall be consistent with the predominant materials, colors, or finishes of an exposed exterior surface and free from any incongruous materials, colors or finishes.
4. Roof drains, gutter and downspouts shall be maintained free from obstructions and shall not discharge in a manner that creates any ~~public nuisance~~hazard to public health or safety.
5. Window screens shall be free from excessive tears or holes or bent or broken frames.
6. All glazing materials shall be maintained free from cracks and holes.
7. Leaning fences or walls and/or fences or walls that are missing slats or blocks, or which exhibit rot, damage, graffiti, peeling paint, deterioration of paint or materials, or an otherwise blighted appearance are prohibited.
8. Overhang extensions including, but not limited to, tarps, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored and kept in sound condition.
9. Exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.
10. Roof coverings shall be substantially free from broken, rotted, split, or curled materials and shall not otherwise present a deteriorated or blighted appearance.
11. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure.
12. Roof water shall not be discharged in a manner that creates a ~~public nuisance~~hazard to public health or safety.
- ~~0.~~ Except for privacy windscreens manufactured specifically for chain link fences, and appropriately attached to lawfully erected chain link fences, the ~~The~~ visible use or display of tarps, plastic sheeting, or other similar materials as flexible or inflexible screening, fencing or wall covering is prohibited.

~~(D)~~(C) Permanently boarded window or door openings on an occupied structure are prohibited but the temporary boarding prior to repairs is acceptable so long as it conforms to the City's specifications.

Division 2: Land Maintenance

Sec. 22-69 34-416 Exterior Premises and Land Maintenance

- (A) All exterior premises and lands, whether improved or unimproved, shall be maintained in a safe and sanitary condition free from any accumulation of garbage, human waste, animal waste, vegetation or food waste, hazardous waste, infestation, or any material generally considered trash, rubbish, litter, graffiti or blight.

- (B) Animal waste, ~~such as manure and droppings~~, shall be removed from kennels, pens, stables, yards and other enclosures at least twice weekly and from the property at least once each week or more frequently if conditions necessitate.
- (C) No person shall cause, allow, or permit personal property which he owns, leases, rents, or controls to be abandoned on a public right-of-way, street, alley, or on any public or private real property within the City. Items placed by or approved by the City are exempt from this subsection.
1. Any person who violates this section shall be liable for all costs incurred by the City to remediate such violations in addition to any other penalties permitted by this ~~chapter~~ PM code.
- (D) No person shall place and/or store any items in public view, such as furniture, except furniture designed and placed for outdoor use, equipment, appliances, construction or landscape materials, debris, or any other similar materials which are visible from beyond the boundaries of the ~~lot~~ property, and which contribute to a blighted condition. ~~For purposes of this subsection only, the storage of personal property does not include items neatly and safely stored in the side or rear yards.~~
- (E) It is unlawful for any responsible party in charge of any construction or demolition site to cause, to maintain or permit the accumulation of any litter or debris on the site before, during, or after completion of the project, except in a designated contained area, or to allow any such litter or debris to become windblown, and carried or deposited upon any alley, street, public place, or adjacent property.
- (F) Vacant lots or lands which have been subject to dumping, trespass or the operation of vehicles on a non-dust controlled property shall be subject to the requirements of Surprise Municipal Code 34-111.
- (G) All property shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon, which may cause a hazardous or unhealthy condition, breed insects, or which is causing damage to foundations or foundation walls.
1. No person shall allow any swimming pool, architectural pool, pond, or spa to remain or be maintained in a condition that may breed insects or result in insect or other infestation, is polluted or stagnant, or creates a blighting condition.
 2. Architectural pools that contain fish must be maintained to provide for the health of the fish. Dead fish must be removed immediately.
 3. Approved retention areas and reservoirs serving their intended and constructed purpose shall be the exception.
- (H) Excavations, pits, wells, holes and other similar conditions, shall be maintained in a secure manner so as to not be a ~~nuisance and to prevent a~~ hazard to public health and safety.

Sec. 22-70 34-417 Landscape Maintenance

- (A) No person shall allow or permit to remain on any property that they own or control, any landscaping conditions which contribute to visual blight, including, but not limited to:
1. Vegetation that is substantially dead or damaged, to include palm trees with an excessive accumulation of dead or dry fronds, which could result in insect or other infestations or result in other conditions that are likely to become a hazard to public health or safety.
 2. All noxious weeds and/or weeds in excess of six (6) inches in height.
 - ~~3. Tress, plants or shrubs which impede, obstruct or interfere with the free passage upon any public street, sidewalk or alleyway;~~
 - ~~4. Trees, plants or shrubs which obstruct the visibility of drivers, interfere with any traffic control sign, device, or street light~~
 - 5-3. Any tree whose limbs hang lower than fifteen (15) feet above any public street or seven (7) feet above any public sidewalk.
- (B) Grass or yard clippings, tree trimmings, or items of a similar nature shall not be placed or deposited onto public property or onto the property of another without permission.
- (C) All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be maintained and kept in a state of good repair and free from any deteriorated, blighted or hazardous conditions.

Sec. 22-71 34-418 Vehicles

- (A) All vehicles are prohibited from parking on any surface that is not considered an improved or dust-proof surface intended for the parking of vehicles.
- (B) No person shall place or store any inoperable vehicle or vehicle parts in public view unless the following applies:
1. The vehicle is undergoing repair and is owned and titled to the owner or occupant of the residence; and
 2. The total period during which the vehicle is inoperable does not exceed fifteen days; or
 3. The vehicle is placed in a garage or carport and, if in a carport, is covered with a vehicle cover intended for the use of covering a vehicle.

~~(C) Any accumulation of inoperable vehicles is prohibited.~~

~~(D)~~(C) The painting of vehicles is prohibited except within an approved spray booth.

~~(E)~~(D) Disposal of automotive liquids on any property or in any trash container is prohibited.

~~(F)~~(E) Automotive liquids shall not be permitted to accumulate or otherwise cause a blighted appearance upon driveways or sidewalks.

1. Automotive liquids that have accumulated or caused a blighted condition shall be removed in a manner that does not causes the discharge of the automotive liquids into the City's storm drains, pursuant to Surprise Municipal Code 58-491.

~~(G)~~(F) The display of one (1) vehicle for sale is permitted at a ~~residence~~ residential property when the vehicle is titled to the owner or occupant of the property, is parked on an improved or dust-proof parking surface, and is not being sold in connection with any automobile sales business.

1. No more than three (3) vehicles may be displayed for sale at the same residence within a twelve (12) month period, and only one (1) may be for sale at a time.

~~(H)~~(G) No person shall park or permit to be parked any vehicle for the purpose of sale upon any property or vacant property, except ~~where the sale of a vehicle is customary and incidental to the primary use of the property~~ previously approved or zoned for the sale of vehicles.

~~(H)~~ No person shall utilize a vehicle or recreational vehicle as a dwelling unit.

Sec. 22-72 34-419 Safety

- (A) All buildings or structures shall have an unobstructed path of travel to allow occupants to safely egress from doors, windows or other emergency escape openings from any point within the building to a public way, in accordance with the Adopted Codes.
- (B) Any condition which could hamper or obstruct the safe and expedient access or passage of public safety personnel into, out of, or within the vicinity of any structure or premises is prohibited.
- (C) All systems, device or equipment to detect, suppress or control a fire or actuate an alarm shall be maintained in good repair and in an operable condition at all times.

From: [Tiffany Copp](#)
To: [Bastien Andruet](#)
Subject: RE: Surprise Property Maintenance Ordinance
Date: Wednesday, July 28, 2021 4:11:00 PM

Hi Bastien,

I appreciate you taking the time to review the PMO and offer feedback.

The intent behind #1 is that we anticipate systems in older homes were probably installed per a previous version of the codes and should be maintained to that original standard. As you know, modifications to those systems could require the issuance of a permit to bring them up to current code.

With regard to number two, I appreciate the through text review and will ensure the consistent use of verbiage in the final document.

Thank you,
Tiffany

From: Bastien Andruet <bastien@azcapitolconsulting.com>
Sent: Wednesday, July 28, 2021 1:24 PM
To: Tiffany Copp <Tiffany.Copp@surpriseaz.gov>
Subject: RE: Surprise Property Maintenance Ordinance

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Good afternoon Tiffany,

Regarding the PMO changes, I had a few comments/questions regarding the proposed changes.

1. On page 13 of the [ordinance](#) redline document, the phrase “**as approved**” is being added to Sec. 22-66 “Building Systems.” Is there a reason this qualifier needs to be added? The main point of concern for AMA members would be regarding something such as plumbing, wherein it may be in good working order, but not exactly as approved when it was installed.
2. Also, under Sec. 22-57 “Definitions” on page 4, Hazard should be amended to “hazard to public health or safety” for the sake of mirroring state statute, as well as uniformity throughout the ordinance. For example, it is stated on page 11 (Sec. 22-64), on pages 15-16 (Sec. 22-68), page 17, and page 12 (Sec. 22-65), however page 13 (Sec. 22-66) only states “hazard” rather than “hazard to public health or safety.”

Regards,

Bastien Y. Andruet
Capitol Consulting, LLC

P.O. Box 13116
Phoenix, AZ 85002-3116
Office: (602) 712-1121
Cell: (480) 299-5915
bastien@azcapitolconsulting.com
www.azcapitolconsulting.com

From: Tiffany Copp <Tiffany.Copp@surpriseaz.gov>
Sent: Tuesday, June 15, 2021 6:02 PM
To: Bastien Andruet <bastien@azcapitolconsulting.com>
Subject: RE: Surprise Property Maintenance Ordinance

Hi Bastien,

All of the agenda items can be downloaded [here](#).

Thank you,
Tiffany

From: Bastien Andruet <bastien@azcapitolconsulting.com>
Sent: Tuesday, June 15, 2021 5:17 PM
To: Tiffany Copp <Tiffany.Copp@surpriseaz.gov>
Subject: Surprise Property Maintenance Ordinance

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Good evening Tiffany,

Regarding the Property Maintenance Ordinance (PMO) on tonight's [agenda](#), would you please send over the ordinance text and presentation at your first available convenience? Neither were attached to the agenda online.

With many thanks,

Bastien Y. Andruet
Capitol Consulting, LLC
P.O. Box 13116
Phoenix, AZ 85002-3116
Office: (602) 712-1121
Cell: (480) 299-5915
bastien@azcapitolconsulting.com
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CITY OF SURPRISE
Regular City Council Work Session

Council Meeting Date: February 1, 2022
Submitting Department: Human Svcs and Comm
Vitality
Staff Recommendations:

Contact Person: Councilmembers Judd and Remley
District: Internal

Consent: No Regular: Yes Public Hearing: No Report/Discussion: No

Agenda Wording:

Presentation and discussion pertaining to the Surprise Community Outreach Program funding.

Motion:

Discussion only

Background:

The Surprise Community Outreach Program (SCOP) was established by the City Council to provide a supplemental funding source to organizations providing direct service to citizens of the City of Surprise. Current allocation is \$100,000 for SCOP.

Objective Analysis:

This item will give the Subcommittee on Community Outreach, Programs and Grants the opportunity to discuss a budget increase to the Fiscal Year 2023 Community Outreach Program funding.

Policy Compliant:

This item is compliant with City and Council policies.

Financial Impact:

N/A

Budget Impact:

N/A

FTE Impact:

N/A

ATTACHMENTS:

1. SCOP History
-



Community Outreach Program

February 1, 2022

PROPOSAL

The City Council Sub-Committee on Community Outreach Grants & Partnerships is proposing to increase the total funding available to the Surprise Community Outreach Grant Program (SCOP) from \$100,000/year to \$150,000

PROGRAM PURPOSE & OVERSIGHT

- To support local non-profit organizations serve the City of Surprise residents
- Surprise Sub-Committee on Community Outreach, Partnerships & Grants makes funding recommendations
- Sub-Committee Members are Councilmembers Chris Judd, Chair, Ken Remley, and Jack Hastings

PROGRAM GUIDELINES

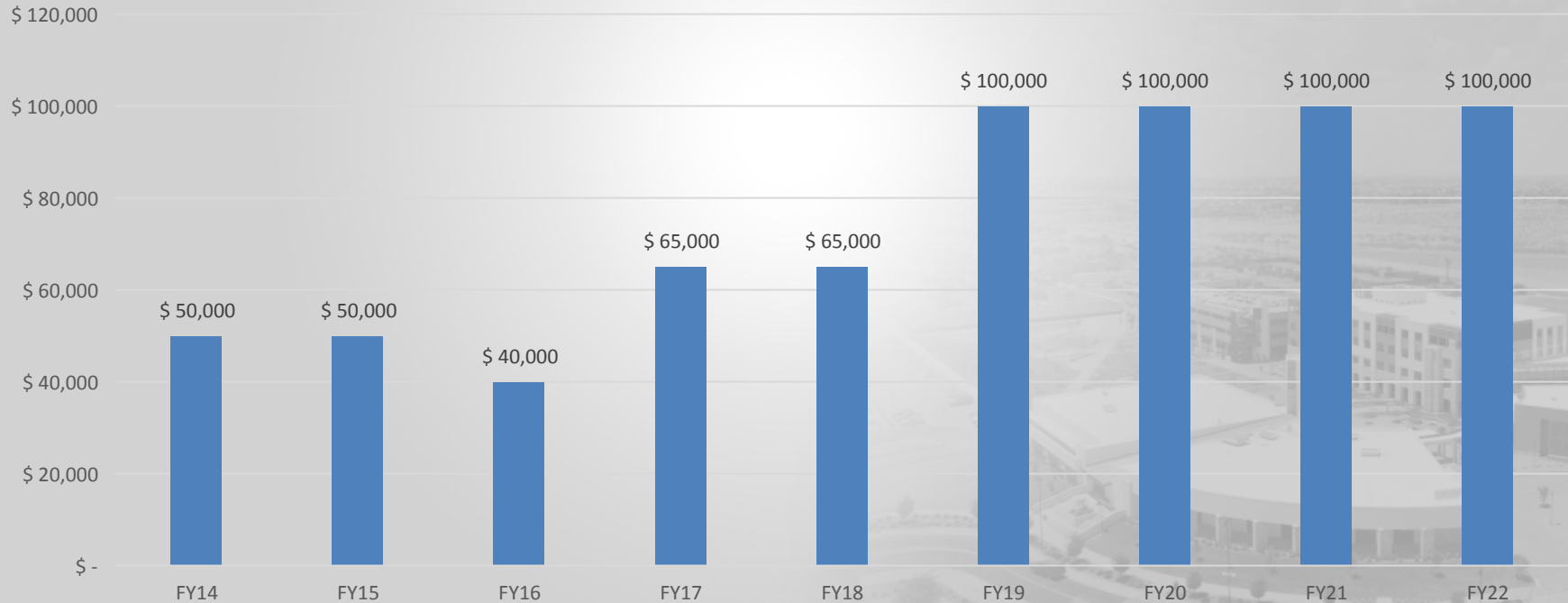
- Must provide verification of 501(c)3 status
- Must submit a new application with every program cycle
- Events, programs, activities, etc. must take place in the City of Surprise
- Must include a proposed budget for use of funds
- Reporting is required
- Recipients will acknowledge grant award in press release/marketing
- Funds are provided on a reimbursement basis
- Maximum award is \$10,000
- Current SCOP allocation is \$100,000
- Applicant must have enhancement of community lifestyle and/or provide an event, program or activity that makes Surprise better

SCOP ELIGIBILITY CRITERIA

- Applicants must provide direct services which improve the health and welfare of Surprise residents with a focus on:
 - Community building events
 - Programs and services which respond to the Surprise Community Needs Assessment high priority areas and populations:
 - Low to moderate income individuals and families/youth
 - Homeless individuals, families and youth
 - Individuals with disabilities/special needs
 - Seniors (over 62 years of age)
 - Veterans
 - Survivors of violence (domestic, sexual, hate crimes)
 - Individuals with mental health, behavioral health, substance abuse, and health care treatment needs

PROGRAM EVOLUTION

Non-Profit Grant Program Funding Available



OTHER MUNICIPAL PROGRAMS

City	GF Grant Funds Available	Max Request from Applicant	
Surprise	\$100,000	\$10,000	
Goodyear	\$114,400	No Max	Increasing to \$214,400 for next five years
Glendale*	\$96,000*	\$8,000	*Program funded by donations to 'From the Heart' program from utility bills
Buckeye	\$65,000	No Max	Request to move to \$75k next year
Peoria	\$196,500	\$10,000	Majority of applicants receive \$5k

COMMUNITY OUTREACH PROGRAM

- 52 non-profit organizations assisted through SCOP

Benevilla

Dysart Education Foundation

Homeless Youth Connection

Northwest Valley Connect

St. Vincent de Paul

Valley View Food Bank

West Valley Arts Council

West Valley Symphony

WHAM

A New Leaf

Arizona Charter Academy

Northwest Black History Committee

Banner Alzheimer's Foundation

Calvary Chapel Fourteen Six Church

Cancer Support Community of AZ

Chance Shelter

Chicanos Por la Causa

Eve's Place

Friends of the Surprise Libraries

HART Pantry

Helping Families in Need

Launch Team Robotics 6352

Lutheran Social Services of the SW

New Life Center

One Step Beyond

Radiant Church

Rotary Club of Surprise

Salvation Army NW Corps

Science the Earth

Seeds of Hope

Sojourner Center

Special Olympics of AZ

Spencer's Place

Sr. Citizen One Step Information

Center/Meals of Joy

St. Mary's Food Bank

Stage Left Productions

Stepping Up for Seniors

Sun Health Foundation

Surprise Young Life

Teen Lifeline

The Clothing Shop

Reveille Foundation

UMOM

Youngtown Community Fund

Vetlink Foundation

Sounds of Autism

Transformation Treehouse

Women4Women

Fresh Start Women's Foundation

Hospice of the Valley

Kiwanis Club of Surprise

Grand Canyon Council Scouts



SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE
Regular City Council Work Session

Council Meeting Date: February 1, 2022
Submitting Department: Fire - Medical
Staff Recommendations: None

Contact Person:
District: Internal

Consent: No Regular: Yes Public Hearing: No Report/Discussion: No

Agenda Wording:

Presentation and discussion pertaining to Ambulance Service.

Motion:

Presentation and discussion only.

Background:

At the June 1, 2021 council meeting, during a discussion of a budget amendment, it was recommended that the Finance Department and Fire-Medical Department complete a review of the Ambulance Fund operations and financials, and return to council with an update within six months. This presentation will give that update.

Objective Analysis:

This presentation will give city management and council members updated information on how the Ground Ambulance Operations is performing and an overview of the financials.

Policy Compliant:

This presentation is compliant with City and Council policy.

Financial Impact:

There is no financial impact.

Budget Impact:

There is no budget impact.

FTE Impact:

There is no FTE impact.

ATTACHMENTS:
