CONSOLIDATED CITY OF INDIANAPOLIS
COUNTY OF MARION
STATE OF INDIANA

EXECUTIVE ORDER NO. 1, 2009

CREATION OF OFFICE OF CODE ENFORCEMENT

WHEREAS, like other large cities across our nation, the City is challenged by abandoned homes, unsafe buildings, brownfields, air pollution concerns, abandoned and inoperable vehicles, weeds, illegal dumping, animal care violations, and other environmental and quality of life issues that, if left unabated, impede economic development and can lead to increased criminal activity;

WHEREAS, over the course of 2008, this administration has made considerable strides forward to more effectively enforce the standards set in our civil code to improve the quality of life in our city; however a fundamental problem remains: multiple departments are responsible for various aspects of inspection, licensing, permitting, and abatement;

WHEREAS, this decentralized structure is confusing for our citizens and makes the strategic use of our limited resources more difficult and less effective; and,

WHEREAS, the City should streamline our code enforcement functions into one department whose mission is to improve the quality of life in our city through strategic and effective code enforcement.

NOW, THEREFORE, by virtue of the authority vested in me as the Mayor of the City of Indianapolis and successor-in-interest to the Board of Commissioners of Marion County, Indiana, it is hereby ordered as follows:

1. The Office of Code Enforcement is hereby established to strategically and effectively enforce our civil code to improve the quality of life in our city. The Director of the Office of Code Enforcement shall be the current Administrator of the Division of Compliance within the Department of Metropolitan Development and the Director shall report directly to the Mayor.

2. The following entities, including their personnel, contracted resources, and supporting funding, are now subject to the direction of the Director of the Office of Code Enforcement:

    a. The Division of Compliance and the Contract Monitor and Nuisance Abatement Sections from the Department of Metropolitan Development;

b. The Division of Licensing from the Office of Finance and Management; and,

c. The Division of Weights and Measures from the Department of Public Safety.

3. The following functions, including the personnel, contracted resources, and funding that directly support them, are subject to the direction of the Director of the Office of Code Enforcement:

   a. Towing from the departments of Public Safety and Public Works;

   b. Illegal trash and mowing from the Department of Public Works; and,

   c. The enforcement of the Indiana Unsafe Building Law currently performed via Interlocal Cooperation Agreement by the Department of Metropolitan Development to the Health and Hospital Corporation (HHC).

4. The following shall coordinate with the Director of the Office of Code Enforcement to determine whether functions of these entities should also be transferred to the Office of Code Enforcement:

   a. The Director of Public Safety, regarding the Field Enforcement Section of the Division of Animal Care and Control;

   b. The Director of the Department of Parks and Recreation (DPR), regarding DPR's civil code enforcement functions;

   c. The Fire Marshall and the Director of Public Safety regarding the civil code enforcement functions in the Division of Fire Prevention and Compliance; and,

   d. The Director of the Department of Public Works and the Director of the Office of Environment Services (OES), regarding OES's civil code enforcement functions.

5. The Director of the Office of Code Enforcement shall regularly coordinate with a designee of the Director of HHC to find additional efficiencies with respect to property and housing inspection, licensing, permitting, abatement, and prosecution of violations.

6. The Director of the Office of Code Enforcement shall meet in open public meetings with the boards that oversee the entities and functions included in this Executive Order, including the Metropolitan Development Committee of the City-County Council, to advise them of this Executive Order and to seek their feedback and recommendations.

7. So that the aforementioned efficiencies to be gained are not delayed, this Executive Order shall be effective upon the signature of the Mayor.

8. To establish a Department of Code Enforcement pursuant to IC 36-3-4-23 and to further improve from input of the Council and the public, the Corporation Counsel shall submit to the City-County Council a proposal consistent with this Executive Order. The proposal shall include the creation of a Board of Code Enforcement to oversee the Department of Code Enforcement in a manner similar to that of other departmental oversight boards.

9. This Executive Order shall expire upon the adoption of said proposal.

DATED this 6th day of February, 2009.

CONSOLIDATED CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA

By: _____
Gregory A. Ballard, Mayor

APPROVED AS TO FORM AND LEGALITY:

By: _____
Chris W. Cotterill, Corporation Counsel