Gila County Code Enforcement Program

The Code Enforcement Program started in 2006 holding hearings monthly and then went to quarterly in order to give individuals more time to clean properties and we didn't have enough cases for monthly meetings. Most people did not need to go to a hearing because they cleaned up their property. We now have an average of four to six cases at each hearing. Some of these cases are repeat violators due to the lack of funds to enforce the Clean and Lien Ordinance. We are spinning our wheels trying to get them to comply and spending more time and money to accomplish the goal. The number of cases we opened and close vary from 17 to 30 a month, depending on the time of the year.

In June 2008, the Code Enforcement Program had a $50,000 budget to work with and was able to enforce the Clean and Lien program. It was helpful to have that available in order for the hearing officer to have some teeth to enforce the rules. It worked great until July 2012 then the funds were removed and we no longer had the means to enforce. Since 2012, it has made it very difficult to get certain properties cleaned up because we do not have the funding or the teeth to enforce. We are back to square one from where we started in 2007.

We do record Judgments that are not in compliance and/or fines were not paid. We have approximately four (4) Judgments recorded that are worth approximately $28,646.48.

What the Code Enforcement Program needs to accomplish the goals of not only Gila County but the Ordinance itself is:

1) Property owner that makes no effort to pay after 30 days from the hearing date, automatically go to a collection agency, as stated in the Clean and Lien Ordinance.
2) All fines/civil sanctions and built without permit investigation fees go to a Code Enforcement fund.
   Note: See attachment stating the amount of money that has been collected and is now placed in a general fund from fines and investigation fees that have been paid since 2006, are in the amount of $53,876.25.

After the Code Enforcement Program reaches $60,000, the funds could go back to being deposited into the general fund.

Margie Chapman

Margie Chapman
Code Enforcement Supervisor

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Onsite septic systems enable development to occur in unincorporated Gila County. Parcels developed before 1965 are most likely served by cesspools, the use of which has been prohibited since 1976. Parcels developed between 1965 and the late 1980's are likely served by septic systems in which the tanks leak profusely and the leaching component is likely a pit or very inadequate leach lines, both "designed" by the property owner or a friend based on folk lore. These cesspools and old septic systems are the largest single contributor to groundwater pollution in Arizona (and Gila County) according to ADEQ Rulemaking Documents.

When these cesspools and systems cease to function or there is a desire to expand the living accommodations, the owners of these properties will be faced with the reality of securing financing for a new septic or alternative system. Because many of these properties are small, close to streams and have poor, rocky, shallow soils and steep slopes, the onsite solutions often require the more expensive alternative systems. The magnitude will range from $8,000 to $10,000 for a conventional septic system to one of the many alternative systems ranging in cost from $15,000 to $30,000 or more.

In addition to the magnitude of the financing, it is extremely difficult for most rural homeowners to secure low interest rates and long loan terms. This dilemma is the single biggest obstacle to be overcome as Gila County grows and endeavors to protect the groundwater quality for its residents. To that end it is recommended that Gila County establish a funding pool, managed by Community Services, for the expressed purpose of providing long term, low interest funding for residents needing to upgrade their old septic systems and cesspools. It is recommended that some incentives or breaks be given based on financial need and that loan payments be collected through the tax rolls and returned to the "pool".

Funding for the "pool" can come from two existing revenue streams:

- $50.00 Transfer of Ownership fees collected at the time of sale for all onsite systems in Gila County, and
- Any fines collected through the Hearing Officer Process in excess of the amount determined to be held for property cleanup.

Thank you for your consideration.

	2009	2010	2011	2012	2013	2014	Jan-15
Opened	330	266	306	375	307	325	17
Closed	360	309	286	365	316	285	30

Current Active cases 131

FINES	2006	2007	2008	2009	2010	2011	2012	2013	2014
JANUARY	$300.00		$200.00	$100.00	$50.00	$200.00			
FEBRUARY	$100.00	$300.00	$150.00			$50.00	$150.00	$50.00	$1,000.00
MARCH	$200.00		$100.00	$50.00	$300.00			$100.00	$250.00
APRIL	$150.00		$50.00		$50.00	$100.00	$200.00	$400.00	
MAY	$50.00		$300.00	$100.00			$200.00	$150.00	$100.00
JUNE	$300.00		$200.00	$150.00	$200.00	$4,287.63	$150.00	$300.00	
JULY	$200.00		$160.00	$525.00	$50.00	$100.00		$390.00	$200.00
AUGUST	$150.00		$150.00	$200.00	$1,100.00		$100.00	$200.00	
SEPTEMBER	$250.00	$300.00		$100.00	$100.00			$250.00	$50.00
OCTOBER	$150.00	$100.00	$50.00		$450.00			$450.00	$200.00
NOVEMBER		$250.00	$350.00	$100.00	$100.00	$150.00	$150.00	$100.00	$100.00
DECEMBER	$50.00	$50.00	$150.00		$100.00		$500.00	$700.00	
Total	$1,900.00	$1,000.00	$1,860.00	$1,325.00	$2,500.00	$4,887.63	$1,450.00	$3,090.00	$1,900.00
Account funds went into	X105.01.108.00.4267	X105.01.108.00.4267	1005-108-3510.30	1005-108-3510.30	1005-108-3510.30	1005-108-3510.30	1005-108-3900.60	1005-108-3900.60	1005-108-3900.60
BWOP FEES COLLECTED	2006	2007	2008	2009	2010	2011	2012	2013	2014
	$7.114.88	$3,505.81	$3,132.38	$7,528.05	$1.239.55	$1,360.70	$4,123.11	$2,202.44	$3,746.70
TOTAL FOR FEES 2006 TO 2014		$19,912.63	TOTAL FOR BWOPS 2006 TO 2014		$33,963.62	TOTALS FOR BWOPS & FEES 2006 TO 2014			$53,876.25