Sandy City Council Office

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Memorandum

June 4, 2024

To: City Council

CC: Dustin Fratto – City Council Executive Director
        Brian Kelley – Administrative Services Director

From: Alison Stroud – Council District 2

Subject: Council Member Stroud proposed amendment to the FY 2025 Tentative Budget
        Administrative Law Judge

Description: Appropriation of funding for an Administrative Law Judge (ALJ) to handle code enforcement violations.

Proposal Summary:

This amendment proposes the appropriation of $25,000 to fund an Administrative Law Judge (ALJ) position. The ALJ will be responsible for handling code enforcement violations, streamlining the enforcement process and ensuring timely resolution of cases. During the research process for this proposal, I was able to attend, view and learn about the process used by Taylorsville. In addition, Council Staff gathered information from West Valley City, West Jordan, and South Salt Lake on their use of an ALJ. It is anticipated that some if not all of the cost of this proposal could be offset by increases in Code Enforcement fines. It is possible that once an ALJ is hired and the process is fully ramped up that costs could exceed $25,000 for a full year. It's also possible that this program become self-sufficient once it has been established and is operating at capacity.

Detailed Proposed Expenditures:

Department 1900 – 412470 - NEW – Administrative Law Enforcement Program $25,000

Department 1300 – 412470 – 91010 – Youth City Council $5,500

Proposed Revenue Source:

The funding for the Administrative Law Judge Program will be sourced from a reduction of existing projects within the Non-Departmental Special Programs line item. Which projects ultimately receive reductions will be left up to administrative staff to determine and recommend prior to adoption of the final budget.

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This proposal also requires that the Youth City Council Line item, found in Non-Departmental, be relocated to the City Council Office Budget. To accomplish that, the following reduction shall be included:

Department 1900 – 412470 Special Programs $672,678 (Reduced from $678,178)

Justification:

Sandy City Code Enforcement has had prior difficulty in pursuing enforcement efforts when citations are issued. Currently prosecuting these citations following a criminal process has not achieved desired results. An alternative that has been research and vetted is to transition to an administrative method of enforcement which would be more effective. Section 1-4-8 of the Sandy City Code the process for appointing an Administrative Hearing Officer has been clearly outlined and stipulates specific qualifications for the appointee. Section 1-4-8(a)-(b) states:

> The Mayor, with the consent of the City Council, shall appoint an administrative hearing officer to preside at administrative hearings and issue administrative orders. A person appointed to serve as an administrative hearing officer shall either be law trained or have significant experience with the requirements and operation of administrative hearing processes. The person shall be free from any bias or conflict of interest that might affect impartiality of decisions.

The community impact of pursuing an administrative method of code enforcement would give Sandy City an additional method to increase compliance with our code, increase the speed in which violations are resolved and with time raising the appearance and safety of the community.

Conclusion:

In reallocating $25,000 from existing projects within Non-Departmental to establish an Administrative Law Judge function, the city will improve its code enforcement process, benefiting both the community and city professional staff. This strategic investment, supported by data from neighboring cities, aligns with our commitment to continuing a well-maintained and compliant city environment.