



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2006-05

Supersedes:

Effective: Immediately

Initiator: Tim Alvine

Manager:

Director: Joy Rich

PURPOSE: To address special circumstances to allow for the issuance and inspection of building permits with open violation cases.

REFERENCE: Maricopa County Zoning Ordinance

Chapter 15, Section 1504, Article 1504.1

POLICY/PROCEDURE:

In certain circumstances, building permits may be issued and inspections conducted on parcels/lots with open violation cases when the issuance and inspection are a requirement for compliance with the violation.

In order to facilitate mandated orders submitted by an administrative hearing officer or as a requirement for compliance, it may be necessary to circumvent the current policy of withholding the issuance of building permits on parcels/lots with open violation cases. Normally, in administratively ordered compliance cases, the applicant has an ordered compliance deadline in which to submit all required documentation to the department in order to obtain an entitlement, such as a building/zoning permit. Failure on the part of the applicant to comply within the ordered time limit may result in escalating daily non-compliance fees. Accordingly, it is imperative that the department not impede or withhold the processing, review, payment, issuance or inspection on hearing officer ordered entitlement cases.

In cases where the issuance of the permit is paramount to resolving a violation, such as ordered by an administrative hearing officer, the following text shall be added as a "NOTICE" in the permit special alert screen.

"THIS PERMIT IS THE RESULT OF A VIOLATION CASE. ITS ISSUANCE MAY BE AS A RESULT OF A HEARING OFFICER'S ORDER. ACCORDINGLY, THE PROCESSING, REVIEW, PAYMENT, ISSUANCE AND INSPECTION SHOULD NOT BE IMPEDED OR WITHHELD BECAUSE OF THE VIOLATION STATUS. ANY QUESTIONS PLEASE CONTACT THE CODE ENFORCEMENT SUPERVISOR."

This procedure shall not apply to parcels/lots that have open violation cases and pending building permits, zoning and/or drainage clearances, or other entitlements that are unrelated to or are not a requirement for compliance to the violation. In these instances, this policy will not apply and the issuance of the permit should be delayed until the violation has been resolved.