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DATE: January 21, 2005  
TO: Chris Paszyc, Planning and Development Director  
FROM: Barbara E. McPheters, Code Enforcement Officer  
SUBJECT: Voluntary Compliance

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Whenever the City has a Code or Land Use Violation, we initiate a process to remedy the situation. We use the "Enforcement Checklist" provided by the State Planning Office in violation situations. This provides us a step-by-step, methodical procedure to ensure timely compliance within the framework of Maine law and City Code. This process affords the party in violation multiple opportunities to voluntarily comply and fix the situation before legal action is initiated. Voluntary compliance is an integral component of the legal process to remedy violations. If the City were to initiate legal proceedings without going through the checklist, the legal system would send our complaint back and instruct us to provide an opportunity for voluntary compliance.

Generally, the first step is investigation and verbal notice to the violator. The compliance period would depend on the severity of the violation. Our past practice has typically been to allow 30 days for compliance, with verbal notice and two separate written notices. This process could take up to three months before legal action is initiated. My experience has been somewhat different, and I would recommend we alter our practice slightly. I would anticipate the verbal notice would usually be between 14 days to 1 month. After that, the written notice would usually be 10 to 20 days for compliance. This usually would bring the situation under control within 2 months before legal action would be necessary. I would also attempt to work on consent agreements before asking for formal legal action.

I hope this provides the information requested. Please let me know if you have any questions.