

Violations

The most common types of continuous enforcement violations include:

- tall grass / weeds (9" or taller)
- litter
- bags of litter/broken bags of trash
- household appliances
- demolition remains
- tires
- furniture
- auto parts
- fallen / cut limbs or brush
- broken / missing windows and / or doors
- graffiti

Contact Us!

227 W. Jefferson Blvd.
South Bend, IN 46601

Phone: 574-233-0311 (or dial 311)

Email: Neighborhoods@southbendin.gov

Website: <https://southbendin.gov/department/code-enforcement>

Why It Matters

Litter and tall grass violations:

- attract bugs and insects - like roaches, ants, ticks & mosquitoes
- provide a home for pests like mice, moles, raccoons and other rodents
- may block the line-of-sight for motorists and pedestrians
- aggravate allergies
- may spread to neighboring properties
- create unsafe situations for children playing outside or walking to school
- may cause property values to decrease over time

Take pride in your neighborhood and help keep things clean and maintained - for the benefit of us all!

General Information

If you have questions about city codes or would like to request a city service, please dial: 311 or 574-233-0311

Continuous Enforcement



Neighborhood
Services &
Enforcement

City of South Bend

Designation

If a property has numerous conditions that constitute a public nuisance (see Sec 16-53), it may be designated to be under Continuous Enforcement (CE).

A property can be designated through:

- 1) an order by the Hearing Officer at a Neighborhood Services & Enforcement hearing;
- 2) an order issued by the Director of Neighborhood Services & Enforcement under his/her enforcement authority.

To qualify for an addition by the Director, a property must have had:

- 3 completed abatements* within 12 months
- 4 violation letters** mailed within 12 months

An owner has ten (10) days to appeal a CE order.

A CE order is valid for two (2) years.

A new CE order may be issued at any time to extend the CE order.

*Any abatement combination of grass, litter, graffiti, or the board up of a property may qualify.

** Any combination of housing, environmental, vegetation, or zoning violations count.

Abatement & Fines

Abatement / Clean Up

Once designated as Continuous Enforcement, and without additional notice to the owner, the order allows for the City to:

- * Remove trash and debris
- * Mow tall grass/weeds
- * Trim vegetation
- * Board and secure the property
- * Cover graffiti
- * Other types of clean up (as needed)

Fees & Fines

In addition to receiving a bill for work performed plus administrative costs, which average \$240, Sec. 19-35 assesses a fine for each violation of the continuous enforcement property at the following rate:

- * \$500 for the 1st year
- * \$750 for the 2nd year
- * \$1,000 for the 3rd year
- * \$1,500 for the 4th year and thereafter

See www.municode.com/library/in/south_bend/codes/code_of_ordinances for full ordinances, additional ordinances, restrictions and information.

Ordinances & Codes

Applicable City Ordinance (abbreviated):

16-53 Conditions Constituting Public Nuisances

The following conditions shall be considered to constitute public nuisances:

- (1) Litter.
- (2) Fallen trees, stumps, dead trees, cut brush, fallen or cut limbs.
- (3) Boxes, appliances, household items and tires.
- (4) Demolition remains.
- (5) Accumulated garbage and trash.
- (6) Automobile parts...plumbing and piping materials ...scrap metal, etc.

Applicable Indiana Code (abbreviated):

IC 36-7-9-2 Local Government

Sec. 2. "Continuous enforcement order" means an order that:

- (1) is issued for compliance or abatement and that remains in full force and effect on a property without further requirements to seek additional:
 - (A) compliance and abatement authority; or
 - (B) orders for the same or similar violations;
- (2) authorizes specific ongoing compliance and enforcement activities if a property requires reinspection or additional periodic abatement;
- (3) can be enforced, including assessment of fees and costs, without the need for additional notice or hearing; and
- (4) authorizes the enforcement authority to assess and collect ongoing costs for continuous enforcement order activities from any party that is subject to the enforcement authority's order.