

The Responses:

CHARLES CARTER

- 1.
 - 2.
 3. "You should check. The A-CC Manager & U.G.A. President meets on a regular basis"
 - 4.
 - 5.
 6. a. "My vote is on record."
b. "I will need to see next years budget before I can give tell you how I will vote."
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RICHARD DEROSE

4. "The current courts just needs correcting."
5. "Something needs to be done to improve the situation. I would like to see the Marshall's Office work like it is supposed to work."

"Enjoyed reading the report. As a resident of 5 Points, I already had the same conclusions. That's one reason I am in this race."

HEIDI DAVISON

1. "Obviously the current policy isn't working, and we need to come up with a better set of solutions to this problem. It strikes me that the first step we need to take on this issue has to do with information. We ought to begin with our landlords, by requiring them to register their properties with the city – I write more about this in my response to the second question, below – and as part of that registration they should be given materials that clarify their responsibilities as rental-property owners, including summaries of the appropriate neighborhood-nuisance laws. Next, the renters themselves need to be better informed about their responsibilities to the communities in which they have chosen to live. We might, for instance, require renters to sign a statement as part of a standard rental agreement saying that they understand the laws and penalties associated with neighborhood-nuisance issues. We also ought to work with the University's housing office to require students living off campus to complete an orientation workshop on their obligations as renters.

With better information the number of neighborhood complaints will drop, but clearly we need to step up the issuance of citations as well. I think it's reasonable to give one warning for violations of neighborhood ordinances, but after that we should fine violators – with increased fines for repeat offenses – until they get the message. We also may want to consider a system of penalizing landlords whose properties are involved in a consistent pattern of violating neighborhood ordinances.

However we choose to confront this problem, we need to do so with good, solid input from our law enforcement agencies, who are going to be the ones out there enforcing these laws. Again, clarity is the issue here: the laws themselves must be crystal-clear so that our officers can act with confidence and precision in issuing citations, and so that our courts can subsequently rule on these cases quickly and easily. We cannot create a system that overburdens our law enforcement officers and courts with nuisance complaints."

2. "As part of my campaign for mayor I recently accompanied an Athens police officer on his shift, and as we drove through the various neighborhoods he covered that day, one of the issues he talked about was the need to register landlords in Athens so that they could be held more accountable for what occurs on their property. For me, that is the fulcrum of the rental-property issue. On one side are neighborhood homeowners who are often plagued by noise, trash, parking and other issues associated with rental property. On the other side are renters who feel little responsibility to the neighborhood; in Athens these renters are often students, but the officer I rode with made it clear that these problems happen throughout Clarke County, not just in student-heavy neighborhoods. And in the middle is the absentee property owner, who in the end is the one making a profit on the relationship.

So I would start by requiring more commitment on the part of Athens landlords to ensuring that their properties aren't nuisances in our neighborhoods. First, we should require our landlords to register their rental-property business with the city. Other businesses consider it perfectly normal to purchase a business license from the city, and I don't see any reason why those in the rental-property business shouldn't have to obtain a license, too. Beyond that, we may want to tighten our property maintenance codes and establish a system of routine inspections of rental property. We need to be careful about inspections, because we are dealing with people's homes, after all, and we don't want to be any more intrusive than necessary. We also have to consider the expense of a large expansion of our inspections department. Instead, we might offer landlords a timeframe: say, an inspection of the property every two years, with a three-month window in which the inspection can occur. What we want to encourage among our landlords is a sense of involvement in and responsibility to the community as part of their business, and our efforts should first emphasize compliance."

3. "We are not alone in this predicament. In other college towns around the country – places like Boulder, Colorado, and Durham, North Carolina – university and city officials have realized that they have no choice but to work together to resolve the problem of increasing student populations spilling into neighborhoods near the schools. Otherwise, the university winds up with declining neighborhoods adjacent to its campus, and the city loses some of its most vital places to live. So a working partnership between the city and the university is mutually beneficial. In Athens we should include a third component to that relationship in the form of our proactive neighborhood groups, and in doing so ensure that everyone involved has a voice at the negotiating table.

In fact, the ACC Neighborhood Relations Roundtable has already been established to promote the kind of dialogue we need, and it may well be sufficient for our purposes. I hope the Roundtable will promote thorough discussions and interactions among the three groups represented so that we can see some movement toward resolution of the problems right away. Once everyone is comfortable that progress is being made, it's possible that the group could decide to retain its formal structure but meet less often, or even conclude that its goals have been met and that it is therefore no longer necessary to continue meeting. It could be, in other words, a committee that works to put itself out of business. We should also look at other models of city-university cooperation."

4 "My hope would be that such a court would only be used minimally, because if we do a good job of defining and communicating our neighborhood ordinances, then the number of violations should decrease dramatically. But I like the idea of a separate, so-called "livability" court – such as the one being used in Charleston – because it is based on simple forms and doesn't put any extra burdens on the current court system, police and attorneys, and yet provides the punitive tool our current system of complaints and warnings is lacking."

5. "My hat is off to the Friends of Five Points, whose members obviously spent countless hours putting this report together. It presents the facts with utter clarity and makes a compelling case for decisive action. I hope it will be used by the city government, our law enforcement agencies, and the University as a way of better understanding what is happening in neighborhoods around Athens.

As I have tried to make clear in my answers to the preceding questions, my actions in response to the crisis outlined in *Decline of Neighborhoods in Five Points* would be the following:

- Clarify the ordinances for everyone involved: landlords, renters, law enforcement, and neighborhood residents
- Require landlords to register with the city
- Establish a balanced system of rental-property inspection
- Work with the University to sensitize students to their responsibilities as residents of Athens neighborhoods
- Cite both renters and landlords for violations
- Establish a special court to deal fairly, consistently, and quickly with violations

It is time for Athens to confront this issue head-on. Like many other college towns around the country, we are being forced by rising enrollments to address a series of questions that we can no longer ignore. As mayor I will bring together everyone involved in this issue and see to it that we take action – and not somewhere in the ill-defined future, but NOW."

6.

JAMES GARLAND

1. "No. Warnings are appropriate for inadvertent violations, but repeat or intentional violations should be cited and prosecuted. The marshal's service and the courts are the proper venue for such citations and prosecutions. As I see it, the problem we face is not a lack of ordinances, but that the marshal's service and courts are overwhelmed. We should expand the marshal's service and the court system accordingly."

2. "No. Ownership of properties can be determined through the tax assessor's office. While I am sympathetic to complaints concerning ordinance violations, I feel that the proper response is to enforce existing ordinances, not simply expand the bureaucracy."

3. "Yes. Clarke County faces unique challenges in its relationship with UGA. Aside from being the geographically smallest county in the state, a significant portion of the county's land is not included in the local tax digest by virtue of being owned by the state. Additionally, UGA is the area's largest employer. Thus, the county government is in a 'symbiotic' relationship with UGA, regardless of whether either party likes it. That being the case, the county government should maintain a standing liaison with the UGA administration for issues that involve both governments."

4. Yes, Reallocating resources to the marshal's service and establishing a separate court for ordinance violations would seem to be an idea worth consideration. Such a move would also free up the police to concentrate on violent criminals."

5. Yes. I feel that this survey makes the case for enforcing existing ordinances even stronger.

6. While I certainly support raising the salaries of those who staff our protective services, it would be irresponsible of me to commit to voting for a future budget without knowing what other provisions it may contain. Our police and fire departments, marshal's service, and courts are our community's first lines of defense. As such, they should be our top priorities when allocating public funds."

KATHY HOARD

1. " I feel there are two distinct types of problems that need to be assessed:

Violations that are obvious to any prudent individual; i.e, parking on the sidewalk, parking on the yellow curb, blocking driveways, etc. primarily traffic code offenses C should be cited (ticketed) immediately and vehicles towed, if they are adjudged to be a threat to public safety.

Other offenses such as front yard parking, noise, improper placement or disposal of trash, too many unrelated people residing in a structure, etc., in which tenants/property owners may legitimately be unaware of local codes, should require ONE visit to the offending site by the appropriate agency representative. This individual should be charged with (1) assessing whether the residents of a property or the subject property itself is in violation of our ordinances, (2) informing the affected individuals of the pertinent law governing the offense and (3) performing any follow-up that is needed with the property owner, if this individual is off-site. If the problem is not resolved after one contact visit (or letter), no additional warnings should be made. On a second trip to a residence to deal with the same problem, a citation should be issued.

Repeated warnings to the same offenders, who have been made aware they are in violation of our laws, are a waste of government resources and an affront to those citizens who are negatively affected by the violation(s)."

2. "I feel strongly that a rental registration program for single family neighborhoods could serve as a mechanism to educate landlords on our local ordinances and prove to be a valuable tool to our beleaguered Zoning Code Officials. An effective program should be administered on a yearly basis and should provide local ordinance information to property owners each time they register. The program should require that a landlord live within a certain distance of our community or have an registered agent who does. Other communities, much like our own, have discovered that landlords attempting to manage their properties from a lengthy distance often times cannot be readily contacted and, when they ultimately are, appear not involved or interested in the problems occurring at the structure(s) they own. Registration should require the names of all tenants who are occupying a residence. A registration program should require a fee to make the program self-sustaining; so as not to be a burden to other taxpayers. It should be a part of the cost of doing business to those investing in rental property and not absorbed by other property owners. The program should also provide a mechanism in which property owners proven through the court system to be in violation of our ordinances would be fined an amount appropriate for the offense and, in severe circumstances (repeat violations), licensing revoked, negating the individuals right to rent the property adjudged to be in violation for a certain time frame.

Our community already has laws in place to deal with many of the structural and health problems associated with structures that are not up to code standards. These laws should be enforced before any

new programs are added. I am not suggesting that periodic inspection of rental properties would not be positive for our community. However, the cost for such a program could prove to be exorbitant, when enforcement of existing codes for all properties may achieve the same goal."

3 "At present, we are fortunate that our community has embarked on a new town-gown relationship known as the Neighborhood Roundtable. This group consists of representatives from the highest levels of UGA, our County Manager/Assistant Manager and a member of the County Commission, as well as representatives of the Neighborhood Coalition. Though in its infancy, this group has the potential to achieve what has already been accomplished in communities more progressive than our own ... a true partnership between the University and the community in which it is located. I feel that our government and UGA should make available whatever resources the Roundtable needs to accomplish this partnership and proposals brought forward by this group should be thoughtfully reviewed by our government and UGA. "

4. "I believe our community can learn much from other communities where Livability Courts have been established and that we should review how their system is structured. Such courts are normally in session only one day a week or, in some instances, one day every other week; and I believe we could follow this prototype. It is my understanding that in most Livability Courts set fines are established for various offenses; and, if found guilty by the Judge of the Court, this fine is levied. I feel that our current court system in which I have witnessed fines being assessed individuals and then immediately waived does little to create respect for the system by the convicted violator. This is also a manpower and financial drain on the community when many hours of police and other enforcement officials have been exhausted in a laborious process where an individual has been warned, rewarned and then found guilty but no punitive action against the violator ever taken. It is my understanding that in a number of Livability Courts the judge is not empowered to reduce set fines or waive them, if a individual is deemed guilty of an offense. This is a concept that should be explored. Again, I think we should look at what has been successful for other communities and use their hard work and experience to tailor a program of our own."

5." I feel that the photographs and accompanying documentation clearly reflect many of the ordinances that are in place to protect and promote the quality of life in our neighborhoods are not being enforced. If elected to represent District 7, I would initiate a meeting with other Commissioners who represent the documented area (one other Commissioner and two Super District representatives), the leadership of FOFP and ACC Zoning Enforcement Officials to determine what steps can be taken to resolve the problems associated with these properties. Moreover, I think this collective group should look beyond the 38 streets profiled. What is shown is reflective of a larger problem. I feel this study can be a catalyst for positive change and that we should take advantage of the effort put into it to benefit not only Five Points but our community as a whole."

6.

ERIC KRASLE

1. "While the ordinance and policy have some deterrence effect as compared to nothing, the policy is not working. I believe a candidate's commitment to ordinance enforcement can be judged by their adherence to the political sign ordinance which prohibits signs at the entry to neighborhoods, abandoned properties, and public property where no specific permission is available, or where the 4' by 4' sign restriction is ignored. This is especially true with a sitting mayor: 'do as we say, not as we do'. See A below."

"A. While I would not expect a citation for every complaint, I would expect a citation for every violation which is not quickly cured after notice. There may be a problem with the positioning of the Marshall's Office under the Mayoral appointee.

2. " I would support a complaint driven inspection system which respects privacy rights."

3." We should discourage expansion of the University into taxable properties which further reduces our tax base. We should encourage alternative transportation including locating of student living on campus rather than be automobile connection. I would not want to see development of Oconee Woods but much of the campus could be infilled in what is current parking area, some with low level built in parking"

4. "As a lawyer in practice for 15 years, as well as a family man with two kids who owns property and has dealt with these neighborhood issues (I wish my kids had the same secure and respectful neighborhood environment I did) I am sensitive to these issues and would like to see an efficient streamlined way of dealing with citations. I do want to see avoidance of duplication and use of existing machinery where savings will result."

5. "The material underscores the abuses which now serve as a cancer in our neighborhoods (see other responses)."

6. "All other things being the same I would choose such a budget (with inclusion of this item) over it without. We are losing good officers to places with better compensation benefit packages like Commerce GA. We need quality, not quantity. Too often officers refuse to take fingerprints in property crimes, escalate situations or take constitutional shortcuts which thwart prosecutors."

DAVID LYNN

1. "While the policy of warning violators is a fair attempt to encourage compliance, I strongly believe that repeated and gross violations warrant citations and court action. Not all violations need to become citations and a number of these issues will be resolved without the added expense on ACCs behalf of following up with a citation and court action. However, in the past, our enforcement of neighborhood ordinances has been lax, which had the effect of perpetuating these violations. The neighborhood coalition formed to address these issues has been very effective in bringing about changes in ACC attitudes toward these violations. Now that the government has realized its responsibility, we must continue to take the action necessary to ensure compliance."

2. "The cat and mouse game Athens plays with its rental housing community must end. The ordinances that regulate this growing market, especially those that determine legal numbers of un-related residents, are well known and are a mystery to no one. Therefore, landlords should be required to register rental housing with Athens-Clarke County for a fee that covers administrative costs, inspections and enforcement. Repeated violations to quality of life ordinances would result in a loss of a rental license for a period of time.

The rental housing market in Athens is lucrative and healthy. Just as home occupations and other businesses require a license, so should the rental community. "

3. "I believe all our institutions, both large and small, would benefit from community relations committees. The establishment of the Citizens Advisory Committee between neighborhood organizations and Athens Regional Medical Center, for example, is an excellent model for settling and avoiding conflict. In that format, citizens are allowed to direct concerns to appropriate representatives of the hospital in a formal, organized and recognized setting. I truly believe that this arrangement has been beneficial to both the neighborhoods and the hospital.

The University of Georgia must recognize the large burden it places on the surrounding community. UGA is the economic and cultural heart of Athens, but it's growth has strained the quality of life in many neighborhoods. It is in the University's interest to help promote a sense of commitment and responsibility to Athens in these students who will be future alumni. The University's image will certainly suffer if the neighborhoods that make up its front door are allowed to diminish any further.

I would propose a UGA Community Advisory Community that would be comprised of representatives from the University of Georgia, Athens-Clarke County and the Federation of Neighborhoods".

4. "I would support and work for the establishment of a "livability court" similar to the program established in Charleston, S.C. In that city cases involving quality of life ordinances have been segregated into a court of their own. We have the necessary ordinances to protect the health of our neighborhoods. What we have lacked is a mechanism to insure the enforcement of those ordinances. Aggressive pursuit of violations by staff means little if the courts assigned to punish violators do little more than slap the guilty party on the wrist. A livability court that handles cases such as noise, parking and definition of family violations would finally give these ordinances the attention they deserve. A special court with a dedicated police officer whose sole task is to ensure compliance of our quality of life ordinances is a necessary step towards keeping our neighborhoods healthy and livable."

5. "I found the report quite shocking. There is evidence to suggest that doing nothing about code violations, such as those presented in the FOFP report, nurtures an atmosphere of lawlessness. The "policy" of doing nothing about quality of life violations in our neighborhoods must end. Finding new ways to ensure their compliance will become one of my top priorities.

- The University of Georgia should be encouraged to take some responsibility for off campus students. It's in the interest of both the University and the community to make sure that students are an asset to their neighborhoods and not a source of conflict.
- A problem solving or livability court should be established to ensure that violations to quality of life ordinances get the attention they deserve.
- Landlords must be responsible for maintenance and operation of their properties. Rental housing, especially, in single family neighborhoods, should require a license. Repeated violations of quality of life ordinances would result in the loss of a license for a period of time.
- The Marshal's Office should get the resources it needs for the proper enforcement of our quality of life ordinances.
- A community relations committee should be established between the University, Athens-Clarke County and neighborhood organizations."

6. "Our community must do a better job of compensating our public safety personnel. Underpaid police officers will move on to better paying communities as soon as possible. If we want consistency and commitment from our police department we must pay a competitive salary. Community oriented policing is impossible with a police force that has no long term commitment to Athens."

GEORGE MAXWELL

1. " 1. Charter Sec. 3-9-3 = Notice shall be served upon owner or occupant.

" 2. Sec. 1-12-1 Athens-Clarke County Marshal. (D) 1."
2. "We have something in place, but not enforcing them."
3. "The Mayor or Commission should work with or appoint someone to work with UGA. We need to work together for the Good of Athens."
4. "Will have to give further study about the court system. This is a judicial matter."
5. "I said on WGAU John B.s show that the police need better pay. Why train them for Athens Police Department."
- 6.

JIM PONSOLDT

1. "Housing A. Require owners of rental 'properties' in single-family and other limited occupancy housing neighborhoods to include a clause in the lease notifying tenants regarding applicable ordinances.

B. Change ordinance so that it applies to tenants as well as landlords.

C. Create mandatory minimum fine of 3 months rent.

D. Create 'first to disclose' immunity from fine, creating incentive for 'innocent' landlord or tenant to testify against others.

E. Add enforcement person to Marshall's Office.

F. Create 'hotline' (like we have done for the schools system) to report likely violations—either anonymous or not. Provide 'reward' pf 25% of any fine collected to tipster (this will reinforce policing by landlord – no more turning of heads."

Noise and Parking. Additional enforcement personnel and hotline, discussed above, should help. Also, however, significantly increase fines for repeat violator, and empower neighborhood organizations to distribute printed 'notices' on unlawfully parked cars, and on front doors of houses offending noise ordinances. The concept of using 'private attorneys general' has long worked in the federal court system. Consider creating a private cause of action (in tort, with statutory damages and attorneys fees) for neighbors to use in magistrate's court, for landlords who fail to take corrective action after notification."

2. "But I may use another term than 'registration'. See below. The term 'registration' sounds overly bureaucratic. I would require all landlords to submit, for placemen in a central location (not just in title reader), the name, address, and telephone number of owners and manager of rental property, to simplify notification and responsibility for code violations. I might also require (as do N.Y.C. Co-ops) submission of names and telephone numbers of lessees in single-family neighborhoods. Finally, I would require all lessors to sign a form acknowledging that they have read and will comply with all applicable ordinances – including notice to tenants (see 1., above)"

3. " This is one of my campaign themes, as I have urged while on the School Board. First, 'town-gown' should include 'schools'. We have begun on the School Board to initiate transforming schools (especially with Splost II money) into community centers. We have started two 'partnership' schools using UGA faculty and staff. We have recruited UGA architects and social workers to serve on advisory committees.

The missing link has been the Mayor and Commission. Additional steps: Cross-service on respective committees; creation of liaison committee to discuss mutual concerns. (i.e. traffic, parking, variable work-hours, bike paths); partnering to solve joint problems (school facilities should be used, together with [] personnel, to provide parental mentoring, pre-school and adult education; summer leisure services. University personnel should be specifically invited to serve on county programs within the areas of their expertise. (i.e., planning governance, law, vet medicine, business environmental design). Correspondingly, University administrators must be persuaded publicly to 'count' such service in determining promotions, raises etc.

Although this is long-term, I envision a bimonthly newsletter published by the Mayor and Commission, with aid from UGA, to publicize issues, achievements, activities, etc. (in competition with the [] daily newspaper."

4. "This should be put on the agenda for public discussion and debate. I want to see what has happened in those other communities. I may prefer steps listed in No. 1 above: impose liability on tenants; create mandatory minimum fines; create hotline; create private cause of action with statutory damages and attorneys fees; create 'first to disclose immunity'; increase enforcement staff at Marshall's Office."

5." If elected I will read the report before taking office.

I have not read the report, but in talking to many people I hear there are two general problems. 1. Failure to authorize and empower the Planning Commission to proactively plan, and 2. Failure to protect neighborhoods from three threats: a. incursion of student apartment complexes; b. failure to enforce ordinances; c. failure to equitably provide municipal services throughout county."

6. "I will: 1. increase homeowner exemption; 2. impose cap on property assessments for owners over age 65 (as we on the School Board just did); 3. place freeze on hiring in non-essential services; 4. designate millage rate increase for police and fire salaries. IN general, as in the schools system, there are too many people working at salary rates that are too low.

A major problem with our dysfunctional local government is that there are no specific goals, and so budgeting occurs unrelated to community goals and as a presumed 'continuation' budget. We had the same problem with the School Board but are moving to fix it. 1. I.D. goals, in priority order; revisit annually. 2. Budgeting process begins earlier, with goals in mind. 3. Department heads are asked for 'give-backs' from programs that are not as successful to pay for 'additions' thought to be needed.. Police and fire protection should be a top priority goal."

ED VAUGHAN

1. "As a Commissioner, I would consult with the County Attorney to convince her to command the Marshal's Department to begin citing tenants and landlords (especially absentee landlords) for all violations without preliminary warnings.

2. "I would require all rental property owners to obtain a business license that listed all rental properties. I would propose Marshall's inspection on a monthly basis of all rental properties cited for neighborhood violations. This would encourage landlords to avoid violations in order avoid inspections."

3. "I cannot agree with the last sentence."

"The town-gown relationship that presently exists between ACC and UGA revolves around ACC using its bond issuance capacity to improve UGA facilities. As Commissioner, I would work to stop this. UGA

needs to provide dorm space with its resources, and not the full faith and credit of ACC taxpayers. The job of the ACC government is to preserve the quality of life of ACC citizens."

4. "ACC already has a Municipal Court and a Magistrate Court that the Marshal's Office can prosecute violations through. Handling neighborhood violations efficiently in ACC involves utilizing the full capacity of the Marshal' Office to prosecute violations."

5. "Please send me a copy of this report"

"My assessment is that these documents illustrate a rapid rental gentrification of thee 38 streets. To slow this gentrification, I would advocate revising the 'family' ordinance from n more than 2 unrelated people per house to nor more than 4 unrelated people per house. This will cut the gentrification rate in half. The, The Marshal's Office must stringently cite for neighborhood ordinance violations."

1. "Our police deserve pay that is equitable with other jurisdictions."

ALVIN SHEATS

1. "I am not sure without looking at the stats, but I would like to have an administrative hearing officer to handle these cases."

2. "As of right now, I would be hesitant. Rental properties are inspected now. All one has to do is call the Building Inspection Department. This would be viewed as just another tax.

3. "It is my understanding that the Manager's Office meets with the University of Georgia on the 1st Thursday of each month.

4. "An administrative hearing officer would be feasible. To structure such a court, I would still consult.

5. "Yes. I would continue to utilize our Marshal services where applicable.

6.(a) "I cast a no vote on the budget."

(b) "As for next year's budget season, I can only wait and see what is proposed."