

## City of Fort Worth, Texas Code Enforcement

Several years ago my mother was terminally ill with kidney failure. To help her pass the time my dad would take a chair and put it on the front porch for her to sit a while and feed the birds. It was a dying woman's small pleasure. After a couple of hours mom would get tired and dad would help her into the house and bring in the chair.

One day a City of Fort Worth Code Inspector, after driving by the house several times that week, decided to stop and enforce the city code. He demanded that mom get herself into the house and take the chair with her. He said that no indoor furniture could be stored on the porch. Dad tried to reason with him at first explaining that she would only be there a short time and that he would be sure and carry the chair inside as always. The Code Enforcement Officer kept insisting that it was against city code for indoor furniture to be placed on the front porch. Dad further explained that it was a dying woman's wish to feed the birds and she would not last long anyway. The City Code Inspector was very rude and resolute. Mom and the chair had to go inside the house that very minute or he would issue a ticket that could carry a \$2,000.00 fine.

To this day my 90 year old dad still gets tears in his eyes when he remembers that day. His regret is that he didn't have the \$2,000.00 per day for his wife to enjoy her last days here on this earth.

This year another house, located at 3428 E. Kellis Street, Fort Worth, Texas, in this neighborhood put the furniture from the living room on the front porch. A love seat and an easy chair. We are not talking about having this furniture on the porch for a couple of hours, we are talking 24/7. Several people have reported this to the Fort Worth Code Enforcement. Mostly those that knew my mom and dad are the ones that are upset. To this day the Fort Worth City Code Enforcement has yet to require this person to comply with city code and move the furniture indoors where it belongs.

Several of us have discussed this matter for hours on end. We compare the two families to reconcile why one has to comply with city code and the other does not. We have concluded that furniture is furniture and it does not matter which house it is in, it is still furniture. We examined the location at 3428 E. Kellis Street, Fort Worth, Texas of the violation and discovered that the two houses are in the same neighborhood. We have looked at the income of the two families and they are both about the same. We also looked at what each family drives or parks on their driveway and discovered that there is no difference there. The ages of the respective couples that live in the homes are near the same. The only real difference we could find is that one family is Hispanic and other is Anglo.

The race card. I know. It's a difficult subject to introduce into a discussion. I for one, detest the thought that this might be the case. But someone once said, "when all else is eliminated, however improbable, whatever is left has to be it". As noted above we have tried to eliminate all reasonable interpretations. Unfortunately all that is left is the race card.

Does the City of Fort Worth, Texas have double standards for the enforcement of code violations? Or does the City of Fort Worth encourage Code Enforcement Officers to apply "selective enforcement". Or God forbid, is there one city code for minorities and another for white anglo citizens? If the code is the same for everyone then why does this one white citizen not have to remove his indoor furniture from his front porch while minorities are issued citations for not complying?

The first question is: Does the City of Fort Worth, Texas have double standards for the enforcement of code violations? This would not be a first for a city in Texas. Off the record or unspoken policies are common in most institutions. Moreover, the city does encourage a most dangerous policy of giving Code Enforcement Officers the power to "selectively enforce" the codes. This power is dangerous because some, not all, officers will abuse that power.

Does the City have one set of codes for white people and another for minorities? If one cares to do the research and tabulate the race of all the tickets given out by code enforcement AND tabulate the area of where the violations occurred I do not think the NAACP or LULAC would be surprised.

Should we have a code enforcement department? ABSOLUTELY. It's not so much the officer on the street that becomes a problem but the system itself. For example, in a small city, a suburb of Dallas, the mayor hates sunflowers. Therefore, a law was passed and city code enforcement officers must enforce it that makes it illegal for anyone to grow sunflowers in this small city.

Of greater importance is the fact that the Codes must be enforced uniformly. If you get a ticket for high grass when your grass is only 6 inches high and your neighbor with weeds and grass 36 inches high does not then your respect for the law quickly diminishes. Codes that are selectively enforced quickly generate a general mistrust of the agency charged with enforcement.

For the good of the community let us hope that the City of Fort Worth Texas has, for the time being, over looked its duty and obligation at 3428 E.

Kellis Street, Fort Worth, Texas.

### About the Author

Pancho Villa - a bleeding heart liberal Revolutionary.

Work with nature - plant a tree for more oxygen and less pollution.

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