

Current Civil Citation Procedure Training & Administration

1. Code Enforcement currently trains all department employees who have been designated to issue civil citations.
 - Training consists of an overview of the current Civil Citation program and Administrative procedure. A written exam is administered at the end of training.
 - A list of employees who successfully pass the exam is submitted to the City Attorney and certificates of training are then signed and issued to the employee by the City Attorney.

2. Code Enforcement staff calendar the Civil Citation hearing dates.
 - The finance department notifies Code Enforcement staff of a hearing request.
 - Civil Citations hearings are held the first Tuesday of every month, 45 days after the date of violation.
 - Code Enforcement staff will notify the issuing officer of the upcoming hearing.
 - Tracking of civil citations issued is handled by the individual departments.

SCHEDULE 1

CIVIL FINES AND PENALTIES
FOR MUNICIPAL CODE VIOLATIONS

1. Fines for Violations of Costa Mesa Municipal Code:

- \$ 75 - First violation;
- \$ 200 - Second violation; and
- \$ 500 - All other violations of the same code provision within a one-year period from first violation.

2. Violations of infractions: The fine for violating a code provision that is specifically made an infraction under the Municipal Code shall not exceed the fines imposed for infractions.

3. Late payment penalties: A \$25 late payment penalty shall be added to fines not paid within 30 days of their due date.

4. Collections: Fines that are delinquent for 60 days or more and total at least \$250 shall be processed through the abatement and/or assessment procedures specified in section 1-48 of the Costa Mesa Municipal Code. All other delinquent fines may be referred to a collection agency as determined by the Director of Finance.

Back of Citation

IMPORTANT-READ CAREFULLY

The law requires you to follow these steps:

(1) TO COMPLY:

Correct the Municipal Code violation **immediately** to avoid further citations, and pay the fine within **30 days** of date of citation or be subject to late penalty. The citation and payment shall be mailed or delivered to the CITY OF COSTA MESA, Finance Department, 77 Fair Drive, Costa Mesa, CA 92628-1200. The citation number must be written on the face of the check or money order. *Do not send cash.*

(2) TO CONTEST:

Request an Administrative Hearing by filing a signed copy of the citation with the information filled out below and depositing the fine amount with the City of Costa Mesa, Finance Department, 77 Fair Drive, Costa Mesa, CA 92628-1200 within **30 days** of date of citation. You must specify the grounds for the Administrative Hearing on the form below and deposit the fine amount with the Finance Department when you request a hearing, unless you qualify and file for a financial hardship waiver. (CMMC 1-44) The date, time and location of the hearing is specified on the front of this citation. You are required to attend the hearing. (An authorized person may attend on your behalf with a signed letter of authorization from you.) Failure to appear at the hearing exhausts your options to contest the citation.

The Hearing Officer will rule on your request and notify you of the decision at the end of the hearing, or later by mail. If the Hearing Officer finds there was no code violation, you corrected it in time, or you are not the person responsible for the violation, the citation will be canceled and the fine deposit will be returned in full. If the Hearing Officer denies your request, the deposit will be kept by the city as payment of the fine. You are required to correct the violation immediately, to avoid further citations.

(3) TO APPEAL:

File an appeal of the Hearing Officer's decision with the Harbor Justice Center within 20 days of being notified of the decision. To appeal, you must pay a \$25 filing fee to the court.

IMPORTANT NOTICE: The violation of the City Municipal Code section charged in this citation constitutes a NUISANCE. Unpaid fines and other costs of abatement for property related violations may be collected by the City by an assessment and/or lien against your property pursuant to Government Code sections 38773.1 and 38773.5 and Municipal Code section 1-45. Unpaid assessments can result in the property being sold after three years by the County Tax Collector. A full description of the civil citation procedures is found in Municipal Code sections 1-34 through 1-48. For further information about this civil citation you may call the City's Code Enforcement Division at (714) 754-5623.

IMPORTANT-USE THIS FORM TO CONTEST THE CITATION

- I hereby request an administrative hearing on the following grounds and agree to attend the hearing thereon:
- The violation did not occur.
 - The violation was corrected in time.
 - I am not responsible for the violation.

- I hereby request a financial hardship hearing to waive the fine deposit. (Bring any evidence/proof of financial status.) A hearing for the violation will be set for a later date

Signature of person making the request

Date: _____

Front of Citation

CIVIL CITATION

Costa Mesa Municipal Code Violation

005288

Date _____ Time am pm Day of the Week _____ Prior Citation _____

Name (First) _____ Middle _____ Last _____

Residence Address _____

City _____ State _____ Zip Code _____

Driver License Number _____ State _____ Age _____ Birth Date _____

Sex _____ Hair _____ Eyes _____ Height _____ Weight _____ Race _____

Address Of Violation _____

City _____ State _____ Zip Code _____

Violation CMMC Sec. _____ Violation CMMC Sec. _____

Fine: \$ _____ Fine: \$ _____

OFFICER'S OBSERVATIONS: On the date specified herein, the undersigned officer observed at the specified address, the following conditions:

VIOLATION NOTICE BY:

- Personal Service
 Mail
 Property Posted
 Person Cited Refused To Sign Receipt For Citation
 Violation(s) not committed in my presence, certified on information and belief

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT. EXECUTED ON DATE SHOWN ABOVE.

X

VIOLATOR: Without admitting guilt, I acknowledge having received the citation.

Issuing Officer ID Number Department

THE LAW REQUIRES THAT YOU COMPLY WITH THIS CITATION OR CONTEST THE VIOLATION. (1) TO COMPLY with this citation, correct the violation immediately, and pay the fine within 30 days (see reverse side). (2) TO CONTEST this citation, you must pay the fine, and request a hearing within 30 days (follow procedure on reverse side).

If you have followed the procedure to contest this citation, your Administrative Hearing will be held at the Costa Mesa City Hall, 77 Fair Drive, Costa Mesa,

First Floor on the _____ day of _____, 20____, at 10:00 am. Check in at the City Clerk's office.

2624-30 White - Court: Canary - Violator: Pink - Clerk: Goldenrod - Officer:

**CODE ENFORCEMENT
CIVIL CITATION HEARING DATES
FOR 2009**

**Meetings are held in Conference Room 1B
at 1:30 p.m. on the following dates:**

January 6, 2009

February 10, 2009

March 10, 2009

April 7, 2009

May 5, 2009

June 9, 2009

July 7, 2009

August 4, 2009

September 1, 2009

October 6, 2009

November 3, 2009

December 8, 2009