



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: AUGUST 26, 2013

ITEM NUMBER: NB 2

SUBJECT: CITATION ISSUANCE PROCEDURE

DATE: AUGUST 12, 2013

PRESENTATION CODE ENFORCEMENT OFFICER FIDEL GAMBOA

BY:

FOR FURTHER INFORMATION CONTACT: WILLA BOUWENS-KILLEEN, AICP 714.754.5153
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BACKGROUND/DESCRIPTION/ANALYSIS

Planning Commission requested staff input regarding how Code Enforcement citations are issued, especially as concerns "fix-it" citations.

In 2010, a "fix-it" citation process was established to try and gain more rapid compliance, thereby allowing more time for the Code Enforcement Officers to follow up on other properties in the neighborhood. At the time, it was determined that "fix-it" citations would be issued for first time violators. If compliance was gained in a timely manner, the "fix-it" citation would then be voided. However, lack of compliance would result in a "regular" citation.

Recently, residents as well business owners expressed concern with the initial impact of a "fix-it" citation, feeling that it was too severe of an approach in some cases. Consequently, in an effort to reduce the impact of the "fix-it citation", while continuing to educate the public and achieving more rapid compliance, staff suggests modifying our current procedure by replacing the "fix-it" citation with a two group category for enforcement and application of citations.

The procedure would be modified as follows:

Group A: Property owners and business owners who have never been contacted by Code Enforcement or have not been contacted within the last year would receive:

1. A Notice of Violation including the following language:

"If the violation is not corrected within the allotted time, a three step citation procedure maybe initiated, starting with a \$150.00 fine. It is our intent to work with you to gain compliance with the law and not issue a citation for a violation you may have not known existed on your property."

2. A Code Enforcement pamphlet outlining High Priority violations and containing informational links to the City's web page describing other violations the City enforces.

Group B: Repeat offenders with the same violation(s) and/or High Priority violations would receive:

1. A Notice of Violation is sent with a "regular" citation containing the following language:

"Citation No. xxxxx in the amount \$150.00 has been issued to you. If the violation is not corrected within the allotted time, step two of the citation procedure will be activated, which is to issue you a second citation in the amount of \$300.00. It is our intent to work with you to gain compliance with the law."

2. Code Enforcement Pamphlet is sent outlining **High Priority** violations and containing informational links to the City's web page describing other violations the City enforces.

As a note, Code provides the ability for the Chief of Code Enforcement to void the citation through an Administrative Review process when justification is provided warranting such an action.

It is staff's belief that these changes would lessen the impact of the initial contact with the first time violator, while educating them as to the City's procedure. In addition, it will strengthen the seriousness of the City's intent to achieve compliance with repeat violators.

Any suggestions or direction Planning Commission would like to suggest would be most appreciated.


FIDEL GAMBOA, JR.
Code Enforcement Officer


WILLA BOUWENS-KILLEEN, AICP
Principal Planner

Attachment: High priority violations

Distribution: Director of Economic & Development/Deputy CEO
Assistant Development Services Director
Sr. Deputy City Attorney
Public Services Director
City Engineer
Transportation Services Manager
Fire Protection Analyst
Staff (6)
File (2)

Code Enforcement High Priorities

<u>Residential</u>	<u>Commercial/Industrial</u>
<ul style="list-style-type: none">✓ Inoperable vehicles✓ Illegal storage✓ Deteriorated landscape✓ Deteriorated building exterior/paint✓ Garage living✓ Illegal structures✓ Illegal business✓ Deteriorated fencing	<ul style="list-style-type: none">✓ Signage/banners✓ Deteriorated landscape✓ Deteriorated building exterior/paint✓ Deteriorated parking lots✓ Overflowing dumpsters✓ Living in non-residential units✓ Illegal business/No business license