



COUNTY OF MENDOCINO

DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482
120 WEST FIR STREET · FORT BRAGG · CALIFORNIA · 95437

IGNACIO GONZALEZ, INTERIM DIRECTOR
PHONE: 707-234-6650
FAX: 707-463-5709
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

MEMORANDUM

DATE: MAY 22, 2018
TO: MENDOCINO COUNTY BOARD OF SUPERVISORS
FROM: TRENT TAYLOR, INTERIM CODE ENFORCEMENT MANAGER
SUBJECT: CODE ENFORCEMENT PROGRAM UPDATE TO BOARD OF SUPERVISORS

Code Enforcement Program Overview - January 2017 to Present

1. Significant Program Changes:
 - a. New Complaint and Case Management strategy created and implemented.
 - b. Ordinances modified/created and adopted for Administrative Citations, Improved General Nuisance Abatement and Accelerated Cannabis Abatement.
 - c. Code Enforcement changed from a Unit under the Building Division to a stand-alone Division in Planning and Building Services.
 - d. Code Enforcement Officer Staffing increased by 2 FTE with the implementation of the Cannabis Regulations.
 - e. County Counsel assignment of a full-time attorney to support Code Enforcement Efforts.
2. Types of Cases and Complaints CE is Dealing with Regularly:
 - a. Unpermitted Construction & Grading.
 - b. Development in the Coastal Zone without a CDP.
 - c. Abandoned Vehicle Abatement.
 - d. All Cannabis Complaint for the County (Cannabis Hotline).
 - e. Unpermitted Cannabis Cultivation.
 - f. Fielding, Responding to and referring out all Cannabis Complaints received by the County.
 - g. General Refuse and Nuisance Conditions.
 - h. Uninhabitable and/or substandard structures and Living Conditions.
 - i. Fire Disaster Recovery Efforts.
3. Methods used to gain Code Compliance:
 - a. Outreach to Complaining Parties and Violators to determine the nature of the problem and begin the process of compliance. Many cases resolve themselves at this level.
 - b. Notice of Violation – this is a non-punitive Formal Notice of specific violations and their remedy (sometimes required by statute).
 - c. Notice of Violations recorded on title.
 - d. Administrative Citation - \$100/\$200/\$500 progressive fines per day until the violation is corrected.
 - e. Administrative Abatement – for violations that can be remedied by the County or its contractors.... Some nuisances are too costly to remedy and cost recovery can take many years.
 - f. Civil Law Suits to compel a solution (Injunctive Orders and Receiverships).

4. How Code Enforcement numbers are trending:

- a. Total Code Enforcement complaints received since new case management system was implemented in January 2017: **766**
- b. Percentage of complaints for Cannabis: **55%** vs. Other Code Issues: **45%**
- c. 25% of all complaints were related to Cannabis Permit Applicants.
- d. 39 % of all complaints were resolved without opening a case by way of CE intervention.
- e. 26% of all complaints required a case to be open and formal enforcement action to begin.
- f. The division is carrying a case load of about 200 open cases.
- g. On average 6% of complaints are currently under investigation.
- h. 4% of all complaints were referred to other regulatory agencies, mostly Law Enforcement.
- i. 103 Notice of Violations Issued 2017 and 2018 YTD.
- j. 34 Administrative Citations were issued and \$6500 in fines have been collected of \$114,900 imposed.

5. Future Needs:

- a. Continued full time support from County Counsel to complete updates and revisions to ordinances, seek civil remedies through the courts for enforcement issues and the collection of fines, penalties and cost recovery efforts.
- b. Updated MOU with Mendo Recycle for Administrative Solid Waste Cleanup.
- c. Staff Training and Equipment or Contract Labor for Administrative Nuisance Abatement of Cannabis.
- d. Updates to Abatement Ordinance and Ordinances granting enforcement authority.
- e. Authority to file Civil Court Actions on unique code compliance issues and collections.

Previous consensus direction from the Board provided priorities for Code Enforcement activities that included: (1) ponds, land clearance, environmental crimes; (2) red-tagging [stop work orders] of active unpermitted construction; (3) highly visible nuisance cases; (4) working with the Contractors State Licensing Board to strengthen the "culture of compliance" in Mendocino County. Additionally, the Code Enforcement Division has given many reports to the Board since the Cannabis Ordinance was adopted on Code Enforcement activities related the processing and response to Cannabis Complaints and the Divisions involvement in the implementation of the County's Cannabis Program.

The Code Enforcement Division has continued to focus our case prioritization, in addition to Cannabis Enforcement, using the direction given by the Board. Because of that prioritization and our improved case management practices we have been successful in strengthening the culture of compliance which has been evidenced by numbers of issues that has been resolved because the public is more aware of the strategy, ability and legal support Code Enforcement has to follow through with punitive enforcement if necessary.