



# Mendocino County

## Legislation Text

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File #: 16-1287, Version: 1

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**To:** Board of Supervisors

**From:** County Counsel and Planning and Building Services

**Meeting Date:** January 10, 2017

**Department Contact:** Michael Makdisi

**Phone:** 234-6885

**Department Contact:** Steve Dunncliff

**Phone:** 234-6650

**Item Type:** Consent Agenda

**Time Allocated for Item:** N/A

**Agenda Title:**

Adoption of Ordinance Creating New Chapter of County Code Establishing Administrative Citation and Penalty Procedures to be used by Multiple Departments and Applicable to Any Violation of County Code (Sponsors: County Counsel and Planning and Building Services)

**Recommended Action/Motion:**

Adopt the ordinance creating Chapter 1.08, establishing administrative citation and penalty procedures; and authorize Chair to sign same.

**Previous Board/Board Committee Actions:**

Board of Supervisors referred this matter to the General Government Committee on November 14, 2016; General Government Committee referred this matter to Board of Supervisors on December 12, 2016. The Board of Supervisors introduced and waived reading of the ordinance on December 19, 2016.

**Summary of Request:**

County Counsel and PBS propose this code enforcement ordinance to provide more efficient and effective code enforcement procedures. While administrative penalties are not new to the County Code, this ordinance establishes a citation and penalty procedure applicable after any violation of any provision of the County Code. This is an alternative enforcement mechanism when others are inappropriate, insufficient or ineffective. It provides for an authorized enforcement officer to issue administrative citations, providing increasing penalties for repeat or uncorrected violations; provides for an appeal process, heard by a hearing officer, to challenge the citation/penalty; provides specific rules regarding the appeal hearing, hearing officer, and administrative order; and recognizes the right to judicial review of the administrative decision and provides enforcement mechanisms if the penalties are not paid.

This ordinance is based on the approval of the proposed ordinance creating Office of County Hearing Officer. County Counsel recommends alternative action, below, if such ordinance is not approved.

**Alternative Action/Motion:**

Provide further direction to staff or take no action.

**Supplemental Information Available Online at:** N/A

**Fiscal Impact:**

**Source of Funding:** N/A

**Current F/Y Cost:** N/A

**Budgeted in Current F/Y:** No

**Annual Recurring Cost:** N/A

**Supervisory District:** All

**Vote Requirement:** Majority

**Agreement/Resolution/Ordinance Approved by County Counsel:** Yes

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**CEO Liaison:** Alan D. Flora, Assistant CEO

**CEO Review:** Yes

**Comments:**