



Mendocino County

Legislation Text

File #: 16-1289, **Version:** 1

To: Board of Supervisors

From: County Counsel and Planning and Building Services

Meeting Date: January 10, 2017

Department Contact: Michael Makdisi

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Department Contact: Steve Dunnicliff

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Item Type: Consent Agenda

Time Allocated for Item: N/A

Agenda Title:

Adoption of Ordinance Revising County Code Chapter 8.75, Revising Public Nuisance Abatement Procedures Applicable to Multiple Departments (Sponsors: County Counsel and Planning and Building Services)

Recommended Action/Motion:

Adopt the ordinance revising Chapter 8.75, revising public nuisance abatement 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, which revises Chapter 8.75, to simplify and clarify the existing public nuisance abatement process. It creates a more efficient and workable procedural framework with a retained core focus on code compliance through actual abatement by County. Key provisions: describes administrative abatement procedure; provides alternate service procedures and new procedural timelines; removes administrative penalties provisions; clarifies appeal procedure; removes referral to hearing board and refers only to hearing officers; clarifies hearing officer position and role; allows attorney representation at hearings; clarifies hearing procedures and determination after hearing; clarifies abatement procedure by County; clarifies procedure to recover County's costs of abatement; clarifies procedure to request hearing and subsequent determination after hearing regarding cost recovery; clarifies County's remedies to collect costs through special assessment and abatement lien, and requires a resolution by the Board; reorganizes chapter for clarity and flow. 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 was 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

CEO Liaison: Alan D. Flora, Assistant CEO

CEO Review: Yes

Comments: