

# The Code Enforcement Strategy Guide



The Guide for Preventing, Resolving and Enforcing Violations of the San Bruno Municipal Code

August 2011

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# Introduction

## Purpose

The Code Enforcement Strategy Guide was created with three primary objectives in mind:

- To ensure that all property owners are treated equally by creating a predictable path to resolution for code violations.
- To first try to prevent code violations, then resolve and only use the enforcement tools such as fines when absolutely necessary.
- To create an efficient and easily manageable database of all existing code violations within the City.

This is primarily achieved by outlining the City's expectations for resolving specific types of code enforcement cases. The Strategy Guide also details practical strategies to prevent code violations, tools the City may use in order to achieve compliance and policies that direct day-to-day decision making within the Code Enforcement Division. Overall, the Strategy Guide aims to create a predictable path for property owners, protect neighborhoods for longstanding code violations and improve the efficiency of the code enforcement program.

## Contents of Strategy Guide

The Strategy Guide is broken down into five sections: Framework Documents, Practical Strategies, Resolutions Schedules, Enforcement Schedule and Enforcement Tools.

### Section 1: Framework Documents

The Framework documents include the case tree and the status table. The case tree is an easy to read chart, which displays the various types of Municipal Code Violations. The Status Table outlines the different stages of code enforcement cases. Both documents allow the Code Enforcement Officers to sort all code cases in a manageable database.

### Section 2: Practical Strategies

This section outlines several practical steps the City will take to prevent code enforcement cases and/or increase the likelihood the cases will be resolved in a timely manner. Strategies include a property manager outreach program, a new homebuyer tool kit and outreach programs.

### Section 3: Resolution Plans

The Resolution Plans represent the largest section in the document. For each type of violation found within the Case Tree, a plan to resolution has been

created. This resolution plan creates an overall timeline for resolving the code enforcement case, as well as the timeline for each step towards resolution. As long as the property owners sticks to the plan, they can avoid fines and other code enforcement tools.

#### Section 4: The Enforcement Schedules

The enforcement schedule outlines the timing of enforcement for all Municipal Code violations. This includes when the homeowners will receive notice of violation, when they will receive a fine and when they should expect further action. It is important to note that when a property owner sticks to the schedule outlined in the resolution plan, the enforcement schedule will not be necessary.

#### Section 5: The Enforcement Tools

It is always the goal of the City to resolve a Municipal Code violation as quickly and simply as possible, and the quickest way to resolve a code violation is immediate removal of the violation or following a resolution plan. In the event a property owner chooses not to go that route, the City must have the tools necessary to enforce the Municipal Code. This section outlines what those tools are, and what the process is to use those tools. Examples of tools are fines, notices of dangerous building and property liens.

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## The Framework Documents

The Framework documents include the case tree and the status table. The case tree is an easy to read chart, which displays the various types of Municipal Code Violations. The Status Table outlines the different stages of code enforcement cases. Both documents allow the Code Enforcement Officers to sort all code cases in a manageable database.

# Code Enforcement Case Tree



## Case Sub-Types



# Status Table

Status Type	Description
Complaint	When the Department receives a complaint the case will be entered into database tracking system.
Notice of Violation (N.O.V.)	When a Code Enforcement Officer conducts a site inspection and confirms a violation exists a Notice of Violation (N.O.V.) will be posted on the site and mailed to the property owner and/or responsible party.
Resolution Plan	A majority of non-nuisance cases are resolved through resolution plans, which allow for a reasonable amount of time to bring a property into compliance with the Municipal Code.
Citation	When a property owner does not respond to the NOV, does not comply with the resolution plan or has a repeat violation a citation will be issued.
City Attorney	For certain cases, the advice of the city Attorney is required. Other cases require City Attorney action because the property owner is not responding to Code Enforcement staff.
Planning Division	Certain cases require that the property owner apply to Planning Division or the Planning Commission in order for the case to be resolved. Please note that Building Division approval will typically be required after Planning Division approval.

Status Type	Description
Building Division	A majority of non-nuisance related code enforcement cases require the property owner to obtain a building permit in order to achieve compliance. Please note the code enforcement case will not be closed until the building permit has received final approval and all other aspects of the case are resolved.
Outside Agency	There are certain types of code enforcement cases that require the assistance of agencies outside the City of San Bruno (e.g., San Mateo county Health). The database tracking system will indicate when the code enforcement case is awaiting a determination from an outside agency.
Notice Filed	As the tools section indicates, the City may record notices against property with the County of San Mateo. This will allow lenders or potential buyers of the property to be aware of the violation. For some less serious violations, no further action may be taken once a notice is recorded. However, the property owner must correct the violation in order for the notice to be rescinded.
Case Closed - No Merit	For cases where the City receives a complaint and the code enforcement officer can not verify the violation or finds the violations does not exist.
Case Closed - Resolved	For cases where the property has taken all the necessary steps and the violation no longer exists onsite.

## Practical Strategies

This section outlines several practical steps the City will take to prevent code violations from occurring and/or increase the likelihood the cases will be resolved in a timely manner.

# Practical Strategies

## Property Manager Outreach Program

Professional property managers manage a majority of the rental properties in San Bruno. This is especially true for properties whose owners live outside the County or State. Unfortunately, a disproportionate amount of code enforcement cases involve rental properties. While most cases do get resolved, resolution often lags because the notice of violation is ignored by the tenant and mailed to the out-of-town property owner. While the notice may eventually be sent to the property manager to resolve, they are the sometimes last to know, even though they are the most capable of quickly resolving the case.

The property manager outreach program allows property managers to be the first point of contact for code enforcement violations. This will be accomplished by contacting all the local property managers, informing them of this program and requesting a list the properties they manage. We will also provide them with a consent form for the property owners to sign, which allows the property manager to act of the owner's behalf.

When a code enforcement officer observes a violation, a call will be placed to the property manager. The notice of violation will also be mailed to the property manager. If a property manager fails to respond to the notice, or does not resolve the violation within an agreed upon timeframe, the property owner will then be notified that there continues to be a violation. The property owner will then be the primary point of contact from that point on.

## New Homeowners Toolkit

Many new homebuyers purchase their homes "as-is". Unfortunately, this sometimes means they are buying a home with unpermitted construction and/or a home which is in involved in an active code enforcement case. While it is not the new homeowner's fault this violation exists, it is both their responsibility and in their best interest to get the matter resolved. Unfortunately, many times new property owners feel they are being unfairly targeted, or are simply confused about the resolution process. Buying a home is a complicated process, and an existing code enforcement violation only complicates the matter further.

The new homeowners toolkit will be made available to those who have recently purchased a home or are in escrow. While nuisance and immediate life-safety violations must be taken care of immediately, resolution of other types of violations may be postponed until after the escrow period and the home actually changes hands. In addition, new homeowners will receive a packet, which clearly explains what violation exists, what the city's expectations are and what the expected timeline for resolution is. In addition, the new homeowner will be

assigned a code enforcement officer and a planner to guide them through the process. At the Community Development Director's discretion, additional time (beyond that given in the resolution plans) may be given to new homeowners to resolve violations.

### **The Commercial Block by Block Program**

Due to the current uncertainty surrounding Redevelopment, and the fact that the Transit Corridor Plan is still in a draft stage, staff recommends that this program not begin until the Redevelopment situation is resolved and the Transit Corridor Plan is adopted. In the meantime, and if the status of Redevelopment changes, staff will continue to find ways to improve the commercial building stock, while respecting the budgetary constraints of small business and property owners.

San Bruno's primary street-fronting commercial areas are located on San Bruno Avenue, San Mateo Avenue and El Camino Real. Buildings located within these districts are older and many of the storefronts lack upkeep. While the nuisance ordinance already specifies minimum upkeep for commercial buildings, the Transit Corridor Plan will set new expectations for the commercial areas. In addition, the Commercial Façade Improvement Program (FIP) can assist property owners in meeting these expectations. However, the sheer number of storefronts, which need minor or major repair, can be daunting, therefore an incremental approach to storefront revitalization may be the most effective strategy.

The Block-by-Block program would take an incremental approach to commercial revitalization by focusing on one commercial block at a time, beginning in the downtown area. A code enforcement officer and a planner would identify storefronts on a given block that are in violation of the nuisance code, as well as those which appear to be headed that way. Staff would then contact the business owner and property owner and inform them that improvements must be made and that there is a redevelopment program that can assist in making these improvements. Typical improvements would consist of new paint, a new sign and awning. However, some property owners may wish to install new windows, a new entry and/or exterior materials

To be the most effective, the Agency should consider modifying the FIP to provide architectural services, and establish a forgivable loan program that offers lower loan amounts. The modified FIP is included in the 5-Year Redevelopment Implementation Plan and similar facade improvement programs have worked well in nearby cities.

### **Residential Block by Block Program**

Certain neighborhood within the City suffer from higher rates of nuisance violations. As the broken window theory stipulates, as nuisance conditions become the norm for a neighborhood, nuisance conditions will become even more widespread. Conversely, when property owners have a high standard for

property upkeep, property values rise, and these high standards become the neighborhood norm.

With that in mind, staff will utilize the City's GIS system to identify neighborhoods that suffer from high rates of nuisance violations. In addition to public outreach and education, staff will also focus on cleaning up these neighborhoods, one block at a time. This will be accomplished by code enforcement officers issuing notices of violations and potentially utilizing the other code enforcement tools noted the CESG if necessary.

### **Neighborhood Improvement PSAs & Outreach**

A significant amount of code enforcement cases begin because a property owner does not understand the City expectations for property maintenance or is unaware of building code requirements for construction. The Community Development Department and San Bruno Cable would team up to create a series of Public Service Announcements which would cover specific topics related to property maintenance and building codes. Examples could include front yard landscaping and weed control requirements, examples of nuisance activities and when you need a building permit. The City can also use the GIS system to identify the areas of the City that have a disproportionate amount of code enforcement activity and focus neighborhood outreach in those areas (direct mailers, door hangers, neighborhood meetings, etc).

## Resolutions Plans

The Resolution Plans represent the largest section in the document. For each type of violation found within the Case Tree, a plan to resolve the case has been created. This resolution plan creates an overall timeline for resolving the code enforcement case, as well as the timeline for each step towards resolution. As long as the property owner sticks to the plan, they can avoid fines and other code enforcement tools.

# Building Code Violations

<b>Violation Type</b>	<b>Maximum Timeframe</b>
Basement/Garage Conversion	7 months
Illegal Construction	10 months
Illegal Dwelling Unit	10 months
Illegal Occupancy	60 days
Unsafe Structure	7 months

The timeframes shown above are maximum timeframes, which may be shortened by the Building Official or Community Development Director for less complex situations. Please see the following pages for timeframe details as immediate steps towards resolution may be necessary.

## Basement/Garage Conversion - Resolution Plan

**Maximum Time Allotted: 7 months**

**Overall Note: Garage conversions by nature create an unsafe condition due to lack of inspections. Therefore, for all garage conversions, no person shall occupy the subject area during the resolution schedule process.**

<u>Timeline</u>	<u>Task</u>
Within 10 days of receiving Notice of Violation	Contact Code Enforcement Officer to enter into Voluntary Resolution Schedule.
Within 10 days of entering into the Resolution Plan	<p>Schedule a meeting with the Code Enforcement and Planning Divisions to determine whether the conversion must be:</p> <ol style="list-style-type: none"> <li>1. Demolished.</li> <li>2. Legalized.</li> </ol> <p>Please note permits will be required in both cases.</p>

### 1. Demolition Schedule

<u>Days Since Previous Action</u>	<u>Task</u>	<u>Payment</u>
Within 10 days of meeting with Code Enforcement and Planning Division	Submit plans to the Building Division to obtain a demolition permit	Plan Check fees, outstanding code enforcement fees, and building permit fees are due at the time of issuance.
Within 30 days of issuance of the building permit	Applicant shall complete work associated with demolition permit and receive final approval from the Community Development Department. Please note: Property	

	owner is responsible for scheduling all necessary inspections in order to receive final approval.	
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<b>2. Legalization Schedule</b>		
<u>Days Since Previous Action</u>	<u>Task</u>	<u>Payment</u>
Within 30 days of meeting with Code Enforcement and Planning Division	Submit professional quality, to-scale building plans to legalize the garage or basement conversion.  City shall review plans and provide plan check comments to applicant within 15 days.	Plan Check Fees and outstanding Code Enforcement Fees due at the time of building permit submittal.
Within 15 days of receiving plan check comments	Applicant shall resubmit plans addressing all comments. Please note that 2 resubmittals (a total of 3 submittals) will be allowed.	
5 days	Once all comments are addressed obtain a Building Permit.	Building permit fees are due at the time of issuance. (The building permit fee is doubled for all code enforcement cases.)
60 days from permit issuance	Applicant shall complete work associated with permit and receive final approval from the Community Development Department. The applicant shall also provide status updates to the Code Enforcement Officer every 30 days. Please note: Property owner is responsible for scheduling all necessary	

	inspections in order to receive final approval.	
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If the applicant does not complete the work within this timeframe, or provide code enforcement staff with updates, citations will be issued and the City will proceed with an enforcement schedule. Please sign below to signify your acceptance of this timeline.

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Applicant

Date

## Illegal Construction - Resolution Plan

**Maximum Time Allotted: 10 months**

**Overall Note: Illegal Construction by nature creates an unsafe condition due to lack of inspections. No person shall occupy the subject area during the resolution schedule process. Please also note the overall timeline may be reduced by the Community Development Director for smaller projects.**

<u>Timeline</u>	<u>Property Owner Task</u>
Within 10 days of receiving Notice of Violation	Contact Code Enforcement Officer to enter into Voluntary Resolution Schedule.
Within 10 days of entering into the Resolution Plan	<p>Schedule a meeting with the Code Enforcement and Planning Divisions to determine whether the illegal construction must be:</p> <ol style="list-style-type: none"> <li>1. Demolished</li> <li>2. Legalized</li> <li>3. Legalized through the Architectural Review and/or Planning Commission Process</li> </ol> <p>Plans may be required at this time.</p>

### **1. Demolition Schedule**

<u>Days Since Previous Action</u>	<u>Property Owner Task</u>	<u>Payment</u>
Within 10 days of meeting with Code Enforcement and Planning Division	Submit plans to the Building Division to obtain a demolition permit	Plan Check fees, outstanding code enforcement fees, and building permit fees are due at the time of issuance.

<p>Within 30 days of issuance of demolition permit</p>	<p>Applicant shall complete work associated with demolition permit and receive final approval from the Community Development Department. Please note: Property owner is responsible for scheduling all necessary inspections in order to receive final approval.</p>	
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<p><b>2. Legalization Schedule:</b></p>		
<p><u>Days Since Previous Action</u></p>	<p><u>Property Owner Task</u></p>	<p><u>Payment</u></p>
<p>Within 30 days of meeting with Code Enforcement and Planning Division</p>	<p>Submit professional quality, to-scale building plans to legalize illegal construction.</p> <p>City shall review plans and provide plan check comments to applicant within 15 days.</p>	<p>Plan Check Fees and outstanding Code Enforcement Fees due at the time of building permit submittal.</p>
<p>Within 15 days of receiving plan check comments</p>	<p>Applicant shall resubmit plans addressing all comments. Please note that 2 resubmittals (a total of 3 submittals) will be allowed.</p>	
<p>5 days</p>	<p>Once all comments are addressed a Building Permit is issued.</p>	<p>Building Permit fees are due at the time of issuance. (The Building Permit fee is doubled for all code enforcement cases.</p>

60 days from permit issuance	Applicant shall complete work associated with permit and receive final approval from the Community Development Department. The applicant shall also provide status updates to the Code Enforcement Officer every 30 days. Please note: Property owner is responsible for scheduling all necessary inspections in order to receive final approval.	
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<b>3. Legalization Schedule if Architectural Review and/or Planning Commission Review is Required:</b>		
<u>Days Since Previous Action</u>	<u>Property Owner Task</u>	<u>Payment</u>
Within 30 Days of receiving notice that the project requires Architectural Review Committee and/or Planning Commission approval.	Applicant shall submit a complete application to the Planning Division to legalize the illegal construction.  Within 30 days the Planning Division will provide comments to the applicant.	Planning Fees will be due at this time. Different projects have different fees. Please Consult with the Planning Division
Within 15 days of receiving comments	Applicant shall resubmit plans addressing all comments.  Once the application has been deemed complete, the project will be scheduled for an Architectural Review Committee Meeting.	

<p>Within 10 days of the Architectural Review Committee Meeting</p>	<p>Applicant shall submit plans with changes as recommended by the Architectural Review Committee.</p> <p>Once revised plans have been submitted the project will be scheduled for the Planning Commission meeting. The Planning Commission may approve, approve with changes, or deny the project.</p>	
<p>Within 30 days of Planning Commission approval</p>	<p>If approved the applicant shall submit professional quality, to-scale plans to the Building Division for plan check and Building Permit issuance.</p> <p>City shall review plans and provide plan check comments to applicant within 15 days.</p>	<p>Plan Check Fees and outstanding Code Enforcement Fees due at the time of Building Permit submittal.</p>
<p>Within 15 days of receiving plan check comments</p>	<p>Applicant shall resubmit plans addressing all comments. Please note that 2 resubmittals (a total of 3 submittals) will be allowed.</p>	
<p>5 days</p>	<p>Once all comments are addressed a Building Permit is issued.</p>	<p>Building Permit fees are due at the time of issuance. (The Building Permit fee is doubled for all code enforcement cases.)</p>
<p>60 days from permit issuance</p>	<p>Applicant shall complete work associated with permit and receive final approval from the Community Development Department. The applicant shall also</p>	

	provide status updates to the Code Enforcement Officer every 30 days. Please note: Property owner is responsible for scheduling all necessary inspections in order to receive final approval.	
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If the applicant does not complete the work within this timeframe, or provide code enforcement staff with updates, citations will be issued and the City will proceed with an enforcement schedule. Please sign below to signify your acceptance of this timeline.

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Applicant

Date

## Illegal Dwelling Unit - Resolution Plan

**Maximum Time Allotted: 10 months**

**Overall Note: Illegal dwelling units by nature create an unsafe condition due to lack of inspections. No person shall occupy the subject area during the resolution schedule process. Please also note the overall timeline may be reduced by the Community Development Director for smaller projects.**

<u>Timeline</u>	<u>Property Owner Task</u>
Within 10 days of receiving Notice of Violation	Contact Code Enforcement Officer to enter into the Resolution Plan.
Within 10 days of entering into the Resolution Plan	<p>Schedule a meeting with the Code Enforcement and Planning Division to determine whether the illegal dwelling unit must be:</p> <ol style="list-style-type: none"> <li>1. Demolished</li> <li>2. Legalized as an excess housekeeping unit</li> <li>3. Legalized as a second dwelling unit.</li> </ol> <p>Please note: Permits will be required in all cases.</p>

<b>1. Demolition Schedule</b>		
<u>Days Since Previous Action</u>	<u>Property Owner Task</u>	<u>Payment</u>
Within 10 days of meeting with Code Enforcement and Planning Division	Submit plans to the Building Division to obtain a demolition permit	Plan Check fees, outstanding code enforcement fees, and building permit fees are due at the time of issuance.

<p>Within 30 days of issuance of demolition permit</p>	<p>Applicant shall complete work associated with demolition permit and receive final approval from the Community Development Department. Please note: Property owner is responsible for scheduling all necessary inspections in order to receive final approval.</p>	
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**2. Excess Housekeeping Unit:**

<u>Days Since Previous Action</u>	<u>Task</u>	<u>Payment</u>
<p>Within 30 days of meeting with Code Enforcement and Planning Division</p>	<p>Applicant shall submit plans and proof that the illegal dwelling unit was constructed prior to June 30, 1977, as described in Section 12.92.030 of the Municipal Code.</p> <p>Planning staff will review the application within 30 days. The application will be approved, approved with conditions, or denied. If denied follow demolition schedule #1.</p> <p>Often times approval of the application requires building permit submittal</p>	<p>An excess housekeeping unit application fee is due at the time of submittal.</p>
<p>Within 30 days of receiving Excess Housekeeping Unit approval</p>	<p>Submit professional quality, to-scale building plans to legalize illegal dwelling unit.</p>	<p>Plan Check Fees and outstanding Code Enforcement Fees due at the time of building</p>

	City shall review plans and provide plan check comments to applicant within 15 days.	permit submittal.
Within 15 days of receiving plan check comments	Applicant shall resubmit plans addressing all comments. Please note that 2 resubmittals (a total of 3 submittals) will be allowed.	
5 days	Once all comments are addressed a Building Permit is issued.	Building permit fees are due at the time of issuance. (The building permit fee is doubled for all code enforcement cases.
Within 60 days of receiving demolition permit	Applicant shall complete work associated with permit and receive final approval from the Community Development Department. The applicant shall also provide status updates to the Code Enforcement Officer every 30 days. Please note: Property owner is responsible for scheduling all necessary inspections in order to receive final approval.	

## 2. Second Dwelling Unit:

<u>Days Since Previous Action</u>	<u>Property Owner Task</u>	<u>Payment</u>
Within 30 days of meeting with Code Enforcement and Planning Division	Applicant shall submit a complete application to the Planning Division.  Within 30 days the Planning	A second dwelling unit application fee is due at the time of submittal

	Division will provide comments to the applicant.	
Within 15 days of receiving comments	<p>Applicant shall resubmit plans addressing all comments.</p> <p>Once the application has been deemed complete, the project will be approved with conditions or denied. If denied follow demolition schedule #1.</p>	
Within 30 days of approval	<p>Submit professional quality, to-scale plans to the Building Division for plan check and Building Permit issuance.</p> <p>City shall review plans and provide plan check comments to applicant within 15 days.</p>	Plan Check Fees and outstanding Code Enforcement Fees due at the time of Building Permit submittal.
Within 15 days of receiving comments	Applicant shall resubmit plans addressing all comments. Please note that 2 resubmittals (a total of 3 submittals) will be allowed.	
5 days	Once all comments are addressed a Building Permit is issued.	Building permit fees are due at the time of issuance. (The Building Permit fee is doubled for all code enforcement cases.
Within 60 days of permit issuance	<p>Applicant shall complete work associated with permit and receive final approval from the Community Development Department.</p> <p>The applicant shall also provide status updates to the Code Enforcement Officer every 30 days.</p> <p>Please note: Property owner is responsible for</p>	

	scheduling all necessary inspections in order to receive final approval.	
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If the applicant does not complete the work within this timeframe, or provide code enforcement staff with updates, citations will be issued and the City will proceed with an enforcement schedule. Please sign below to signify your acceptance of this timeline.

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Applicant

Date

## Unsafe Structure - Resolution Plan

**Maximum Time Allotted: 7 months**

**Overall Note: Unsafe structures by nature creates an unsafe condition due to lack of inspections. No person shall occupy the subject area during the resolution plan process. Unsafe structures may include buildings which were original permitted, but are now dilapidated to the point that they are unsafe.**

<u>Timeline</u>	<u>Task</u>
Within 10 days of receiving Notice of Violation	Contact Code Enforcement Officer to enter into a Resolution Plan. If people are occupying the unsafe structure, they must leave immediately.
Within 10 days of entering into the Resolution Plan	<p>Schedule a meeting with the Code Enforcement and Planning Divisions to determine whether the unsafe structure must be:</p> <ol style="list-style-type: none"> <li>1. Demolished</li> <li>2. Legalized</li> </ol> <p>Please note permits will be required in both cases.</p>

<b>1. Demolition Schedule</b>		
<u>Days Since Previous Action</u>	<u>Property Owner Task</u>	<u>Payment</u>
Within 10 days of meeting with Code Enforcement and Planning Division	Submit plans to the Building Division to obtain a demolition permit	Plan Check fees, outstanding code enforcement fees, and building permit fees are due at the time of issuance.

Within 30 days of issuance of demolition permit	Applicant shall complete work associated with demolition permit and receive final approval from the Community Development Department. Please note: Property owner is responsible for scheduling all necessary inspections in order to receive final approval.	
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<b>2. Legalization Schedule</b>		
<b><u>Days Since Previous Action</u></b>	<b><u>Property Owner Task</u></b>	<b><u>Payment</u></b>
Within 30 days of meeting with Code Enforcement and Planning Division	Submit professional quality, to-scale building plans to legalize the unsafe structure.  City shall review plans and provide plan check comments to applicant within 15 days.	Plan Check Fees and outstanding Code Enforcement Fees due at the time of building permit submittal.
Within 15 days of receiving comments	Applicant shall resubmit plans addressing all comments. Please note that 2 resubmittals (a total of 3 submittals) will be allowed.	
5 days	Once all comments are addressed obtain a Building Permit.	Building Permit fees are due at the time of issuance. (The Building Permit fee is doubled for all code enforcement cases.)
Within 60 days of permit issuance	Applicant shall complete work associated with permit and receive final approval from the Community	

	Development Department. The applicant shall also provide status updates to the Code Enforcement Officer every 30 days. Please note: Property owner is responsible for scheduling all necessary inspections in order to receive final approval.	
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If the applicant does not complete the work within this timeframe, or provide code enforcement staff with updates, citations will be issued and the City will proceed with an enforcement schedule. Please sign below to signify your acceptance of this timeline.

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Applicant

Date

**Illegal Occupancy - Resolution Plan**

**Maximum Time Allotted: 60 days**

**Overall Note: An example of an illegal occupancy would be if someone were living in a commercial or industrial building. No person shall occupy the subject area during the resolution schedule process.**

<u>Timeline</u>	<u>Task</u>
Within 10 days of receiving Notice of Violation	Contact Code Enforcement Officer to enter into Resolution. If the area is deemed unsafe for occupancy, all occupants must leave immediately.
Within 10 days of entering into the Voluntary Resolution Schedule	Schedule a meeting with the Code Enforcement and Planning Divisions to verify the permitted uses at your location.  Structures associated with the illegal occupancy may have to be demolished. A permit is required for any demolition work.

<b>If Demolition Permit is required</b>		
<u>Days Since Previous Action</u>	<u>Task</u>	<u>Payment</u>
Within 10 days of meeting with Code Enforcement and Planning Division	Submit plans to the Building Division to obtain a demolition permit	Plan Check fees, outstanding code enforcement fees, and building permit fees are due at the time of issuance.
30 days	Applicant shall complete work associated with demolition permit and receive final approval from the Community	

	Development Department. Please note: Property owner is responsible for scheduling all necessary inspections in order to receive final approval.	
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If the applicant does not complete the work within this timeframe, or provide code enforcement staff with updates, citations will be issued and the City will proceed with an enforcement schedule. Please sign below to signify your acceptance of this timeline.

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Applicant

Date

# Housing Code Violations

<b>Violation Type</b>	<b>Maximum Timeframe</b>
Broken Window (Hazardous)	72 Hours
Broken Window (Non-Hazardous)	10 Days
Hoarding (Hazardous)	72 Hours
Hoarding (Non-Hazardous)	30 Days
Substandard Housing (Hazardous)	72 Hours
Substandard Housing (Non-Hazardous)	10 Days
Unsafe Driveway/Walkway (Hazardous)	72 Hours
Unsafe Driveway/Walkway (Non-Hazardous)	30 Days
Weather Protection (Hazardous)	72 Hours
Weather Protection (Non-Hazardous)	30 Days

The timeframes shown above are maximum timeframes, which may be shortened by the Building Official or Community Development Director for less complex situations. Please see the following pages for timeframe details as immediate steps towards resolution may be necessary.

## Housing, Broken Window - Resolution Plan

**Maximum Time Allotted: 72 Hours for Hazardous Conditions  
10 Days for Non-Hazardous Conditions**

**Overall Note: Broken glass may present a hazardous condition. Broken windows may also allow heat to escape out of a living unit. Broken egress windows pose a danger during an emergency.**

<b>If your notice states that the conditions is Hazardous:</b>	
<u>Timeline</u>	<u>Task</u>
Within 72 hours of receiving a notice of hazardous condition	Repair window. Contact Code Enforcement Officer to schedule an inspection when work is complete.

<b>If your notice does NOT state that the condition is Hazardous:</b>	
<u>Timeline</u>	<u>Task</u>
Within 10 Days of receiving a notice	Repair window. Contact Code Enforcement Officer to schedule an inspection when work is complete.

## Hoarding - Resolution Plan

**Maximum Time Allotted: 72 Hours for Hazardous Conditions  
30 Days for Non-Hazardous Conditions**

**Overall Note: Hoarding is the accumulation of debris, garbage, junk, combustible material, rat harborage, etc., to such a degree that the premises constitutes a fire, health, or safety hazard. Hoarding is a violation of the Uniform Housing Code.**

<b>If your notice states that the condition is Hazardous:</b>	
<u>Timeline</u>	<u>Task</u>
Within 72 hours of receiving a notice of hazardous condition	Remove hazardous materials. Occupants may be ordered to immediately vacate the premises if there is an imminent danger. Contact Code Enforcement Officer to schedule an inspection when work is complete.
Within 30 days of receiving a notice	Remove remaining materials that were deemed to be non-hazardous. Contact Code Enforcement Officer to schedule an inspection when work is complete.

<b>If your notice does NOT state that the condition is Hazardous:</b>	
<u>Timeline</u>	<u>Task</u>
Within 30 Days of receiving a notice	Remove materials. Contact Code Enforcement Officer to schedule an inspection when work is complete.

If the applicant does not complete the work within this timeframe, or provide code enforcement staff with updates, citations will be issued and the City will proceed

with an enforcement schedule. Please sign below to signify your acceptance of this timeline.

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Applicant

Date

## Substandard Housing - Resolution Plan

**Maximum Time Allotted: 72 Hours for Hazardous Conditions  
10 Days for Non-Hazardous Conditions**

**Overall Note: These are violations of the Uniform Housing Code rendering a living unit unfit to live in. Violations may include a gas leak, no heat, no water, no electricity, sewer leaks, exposed wiring, etc.**

<b>If your notice states that the condition is Hazardous:</b>		
<u>Timeline</u>	<u>Property Owner Task</u>	<u>Payment</u>
Within 72 hours of receiving a notice of hazardous condition	Repair hazardous conditions. Check with the Code Enforcement Officer to see if a Building Permit is required for the work. Occupants may be ordered to vacate the premises if there is an imminent danger. Contact Code Enforcement Officer to schedule an inspection when work is complete.	<p>If a Building Permit is required, payment will be due when the permit is issued.</p> <p>A fee may be due before the Code Enforcement Case can be closed.</p>

<b>If your notice does NOT state that the condition is Hazardous:</b>		
<u>Timeline</u>	<u>Task</u>	<u>Payment</u>
Within 10 Days of receiving a notice	Repair violations. Check with the Code Enforcement Officer to see if a Building Permit is required for the work. Contact Code Enforcement Officer to schedule an inspection when work is complete.	<p>If a Building Permit is required, payment will be due when the permit is issued.</p> <p>A fee may be due before the Code Enforcement Case can be closed.</p>

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If the applicant does not complete the work within this timeframe, or provide code enforcement staff with updates, citations will be issued and the City will proceed with an enforcement schedule. Please sign below to signify your acceptance of this timeline.

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Applicant

Date

## Unsafe Driveway / Walkway - Resolution Plan

**Maximum Time Allotted: 72 Hours for Hazardous Conditions  
30 Days for Non-Hazardous Conditions**

**Overall Note: These are violations of the Uniform Housing Code due to dilapidation or improper maintenance of paved areas. This includes conditions such as broken, uplifted, or missing paving in areas used for driving, parking, or walking.**

<b>If your notice states that the condition is Hazardous:</b>		
<u>Timeline</u>	<u>Task</u>	<u>Payment</u>
Within 72 hours of receiving a notice of hazardous condition	Repair hazardous conditions. If the work is in the public right-of-way, an Encroachment is required from the Public Services Department. Contact Code Enforcement Officer to schedule an inspection when work is complete.	<p>If an Encroachment Permit is required, payment will be due when the permit is issued.</p> <p>A fee may be due before the Code Enforcement Case can be closed.</p>

<b>If your notice does NOT state that the condition is Hazardous:</b>		
<u>Timeline</u>	<u>Task</u>	<u>Payment</u>
Within 30 Days of receiving a notice	Repair violations. If the work is in the public right-of-way, an Encroachment is required from the Public Services Department. Contact Code Enforcement Officer to schedule an inspection when work is complete.	<p>If an Encroachment Permit is required, payment will be due when the permit is issued.</p> <p>A fee may be due before the Code Enforcement Case can be closed.</p>

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If the applicant does not complete the work within this timeframe, citations will be issued and the City will proceed with an enforcement schedule. Please sign below to signify your acceptance of this timeline.

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Applicant

Date

## Housing, Weather Protection - Resolution Plan

**Maximum Time Allotted: 72 Hours for Hazardous Conditions  
30 Days for Non-Hazardous Conditions**

**Overall Note: These are violations of the Uniform Housing Code due to dilapidation or improper maintenance of weather protection materials. This may include lack of paint, buckled walls, roof leaks, or crumbling plaster.**

<b>If your notice states that the condition is Hazardous:</b>		
<u>Timeline</u>	<u>Property Owner Task</u>	<u>Payment</u>
Within 72 hours of receiving a notice of hazardous condition	Repair hazardous conditions. Check with the Code Enforcement Officer to see if a Building Permit is required for the work. Occupants may be ordered to vacate the premises if there is an imminent danger. Contact Code Enforcement Officer to schedule an inspection when work is complete.	If a Building Permit is required, payment will be due when the permit is issued.  A fee will be due before the Code Enforcement Case can be closed.
Within 30 days of receiving notice	Repair any remaining violations that were deemed non-hazardous. Check with the Code Enforcement Officer to see if a Building Permit is required for the work. Contact Code Enforcement Officer to schedule an inspection when work is complete.	

**If your notice does NOT state that the condition is Hazardous:**

<u>Timeline</u>	<u>Task</u>	<u>Payment</u>
Within 30 Days of receiving a notice	Repair violations. Check with the Code Enforcement Officer to see if a Building Permit is required for the work. Contact Code Enforcement Officer to schedule an inspection when work is complete.	If a Building Permit is required, payment will be due when the permit is issued.  A fee will be due before the Code Enforcement Case can be closed.

If the applicant does not complete the work within this timeframe, citations will be issued and the City will proceed with an enforcement schedule. Please sign below to signify your acceptance of this timeline.

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Applicant

Date

# Municipal Code Violations

<b>Violation Type</b>	<b>Maximum Timeframe</b>
Animal Control	60 days
Noise	Immediate
Permanent Encroachment (Hazardous)	6 days
Permanent Encroachment (Non-Hazardous)	40 days
Sidewalk (Hazardous)	6 days
Sidewalk (Non-Hazardous)	40 days
Heritage Tree Ordinance	40 Days

The timeframes shown above are maximum timeframes, which may be shortened by the Building Official or Community Development Director for less complex situations. Please see the following pages for timeframe details as immediate steps towards resolution may be necessary.

## Animal Control, Resolution Plan

**Maximum Time Allotted: 60 Days**

**Overall Note: These are violations of Chapter 6.36 of the Municipal Code, which regulates animal control within the City.**

<u>Days Since Previous Action</u>	<u>Task</u>	<u>Payment</u>
Within 72 hours of receiving a notice of violation	Find a new home for the animal(s) or schedule a meeting with a Code Enforcement officer to determine whether the animals can be kept in their current location. Contact Code Enforcement Officer to re-inspect when violations are corrected.	No Payment is required if the violation is resolved within 10 days.
10 Days	If you elect to apply for a permit to keep the animals, you must submit an application to the City Clerk. The City will then make a determination to support or deny the permit within 15 days.	An application fee will be required at the time of permit submittal. If the permit is approved an annual permit renewal fee is required.
30 days	If the permit is denied, the animal will need to find a new home.	

If the applicant does not follow all steps within this timeframe, citations will be issued and the City will proceed with an enforcement schedule. Please sign below to signify your acceptance of this timeline.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Date

## Noise, Resolution Plan

**Maximum Time Allotted: Immediately**

**Overall Note: These are violations of Chapter 6 of the Municipal Code for exceeding noise levels set forth in that chapter.**

<u>Timeline</u>	<u>Task</u>
Immediate action is required when notice is issued.	Cease noise violation and inform the Code Enforcement Officer what measures will be taken to prevent future noise violations.

## Permanent Encroachment - Resolution Plan

**Maximum Time Allotted: 6 Days for Hazardous Conditions  
40 Days for Non-Hazardous Conditions**

**Overall Note: These are violations of the Municipal Code by erecting or maintaining a structure, pipe, fence, etc, in the public right of way without a permit (Chapter 8), and is a public nuisance (Chapter 5.04).**

<b>If your notice states that the condition is Hazardous:</b>		
<u>Timeline</u>	<u>Task</u>	<u>Payment</u>
Within 72 hours of receiving a notice of hazardous condition	Apply for and receive an Encroachment Permit from the Department of Public Works	An Encroachment Permit Fee is due at the time of submittal.
Within 72 Hours of obtaining Encroachment Permit	Repair or remove encroachment violations. Contact Code Enforcement Officer and Public Works Department to re-inspect when work is complete. If the applicant does not complete the work within this timeframe, citations will be issued and City will proceed with enforcement schedule. Please note: Property owner is responsible for scheduling all necessary inspections in order to receive final approval.	Additional fees may be required, including inspection fees.

<b>If your notice does NOT state that the condition is Hazardous:</b>		
<b><u>Timeline</u></b>	<b><u>Task</u></b>	<b><u>Payment</u></b>
Within 10 Days of receiving a notice	Apply for and receive an Encroachment Permit from the Public Works Department.	An Encroachment Permit Fee is due at the time of submittal.
Within 30 Days of obtaining Encroachment Permit	Repair or remove encroachment violations. Contact Code Enforcement Officer and Public Works Department to re-inspect when work is complete. If the applicant does not complete the work within this timeframe, citations will be issued and City will proceed with enforcement schedule. Please note: Property owner is responsible for scheduling all necessary inspections in order to receive final approval.	Additional fees may be required, including inspection fees.

If the applicant does not complete the work within this timeframe, citations will be issued and City will proceed with enforcement schedule. Please sign below to signify your acceptance of this timeline.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Date

## Sidewalk Encroachment - Resolution Plan

**Maximum Time Allotted: 6 Days for Hazardous Conditions  
40 Days for Non-Hazardous Conditions**

**Overall Note: These are violations of Chapter 8.12 of the Municipal Code, which requires homeowner to maintain and repair the sidewalks, curbs and gutters (other than for damage caused by street trees), which constitute a tripping hazard.**

<b>If your notice states that the condition is Hazardous:</b>		
<u>Timeline</u>	<u>Property Owner Task</u>	<u>Payment</u>
Within 72 hours of receiving a notice of hazardous condition	Apply for and receive an Encroachment Permit from the Department of Public Works	An Encroachment Permit Fee is due at the time of submittal.
Within 72 Hours of obtaining Encroachment Permit	Repair or remove violations. Contact Code Enforcement Officer and Public Works Department to re-inspect when work is complete. If the applicant does not complete the work within this timeframe, citations will be issued and City will proceed with enforcement schedule. Please note: Property owner is responsible for scheduling all necessary inspections in order to receive final approval.	Additional fees may be required, including inspection fees

**If your notice does NOT state that the condition is Hazardous:**

<u>Timeline</u>	<u>Property Owner Task</u>	<u>Payment</u>
Within 10 Days of receiving a notice	Apply for an receive an Encroachment Permit from the Public Works Department.	An Encroachment Permit Fee is due at the time of submittal.
Within 72 Hours of obtaining Encroachment Permit	Repair or remove violations. Contact Code Enforcement Officer and Public Works Department to re-inspect when work is complete. If the applicant does not complete the work within this timeframe, citations will be issued and City will proceed with enforcement schedule. Please note: Property owner is responsible for scheduling all necessary inspections in order to receive final approval.	Additional fees may be required, including inspection fees

If the applicant does not complete the work within this timeframe, citations will be issued and City will proceed with enforcement schedule. Please sign below to signify your acceptance of this timeline.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Date

## Sidewalk Encroachment - Resolution Plan

**Maximum Time Allotted: 6 Days for Hazardous Conditions  
40 Days for Non-Hazardous Conditions**

**Overall Note: These are violations of Chapter 8.12 of the Municipal Code, which requires homeowner to maintain and repair the sidewalks, curbs and gutters (other than for damage caused by street trees), which constitute a tripping hazard.**

<b>If your notice states that the condition is Hazardous:</b>		
<u>Timeline</u>	<u>Property Owner Task</u>	<u>Payment</u>
Within 72 hours of receiving a notice of hazardous condition	Apply for and receive an Encroachment Permit from the Department of Public Works	An Encroachment Permit Fee is due at the time of submittal.
Within 72 Hours of obtaining Encroachment Permit	Repair or remove violations. Contact Code Enforcement Officer and Public Works Department to re-inspect when work is complete. If the applicant does not complete the work within this timeframe, citations will be issued and City will proceed with enforcement schedule. Please note: Property owner is responsible for scheduling all necessary inspections in order to receive final approval.	Additional fees may be required, including inspection fees

**If your notice does NOT state that the condition is Hazardous:**

<u>Timeline</u>	<u>Property Owner Task</u>	<u>Payment</u>
Within 10 Days of receiving a notice	Apply for an receive an Encroachment Permit from the Public Works Department.	An Encroachment Permit Fee is due at the time of submittal.
Within 72 Hours of obtaining Encroachment Permit	Repair or remove violations. Contact Code Enforcement Officer and Public Works Department to re-inspect when work is complete. If the applicant does not complete the work within this timeframe, citations will be issued and City will proceed with enforcement schedule. Please note: Property owner is responsible for scheduling all necessary inspections in order to receive final approval.	Additional fees may be required, including inspection fees

If the applicant does not complete the work within this timeframe, citations will be issued and City will proceed with enforcement schedule. Please sign below to signify your acceptance of this timeline.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Date

## Heritage Tree Ordinance, Resolution Plan

**Maximum Time Allotted: 40 Days**

**Overall Note: These are violations of Chapter 8.25 of the Municipal Code, which requires a permit to prune or remove heritage trees.**

<u>Days Since Previous Action</u>	<u>Property Owner Task</u>	<u>Payment</u>
Within 10 days of receiving a notice to acquire permit to prune or remove heritage trees.	Contact the Parks Division and acquire a permit. After you have contacted Parks Division please also update the Code Enforcement Officer.	If you are removing or pruning a tree, a fee will be due at the time of permit submittal.
Within 30 days	Comply with conditions of Heritage Tree permit. Contact Code Enforcement Officer and Parks Department to re-inspect when work is complete. Please note: Property owner is responsible for scheduling all necessary inspections in order to receive final approval.	

If the applicant does not complete the work within this timeframe, citations will be issued and City will proceed with enforcement schedule. Please sign below to signify your acceptance of this timeline.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Date

# Nuisance Violations

All violations listed in the nuisance section of the case tree must be resolved within 10 days or less in order to avoid fines or legal action.

## Nuisance, Resolution Plan

**Maximum Time Allotted: 10 Days or less**

**Overall Note: These are violations of Chapter 5 of the Municipal Code, which regulate a number of different nuisances, including, but not limited to: drainage, dumping, dilapidated fences, graffiti, inoperable vehicles, junk, outdoor storage, parking of boats and trailer, recycling bins/trash cans, and weeds.**

<u>Timeline</u>	<u>Task</u>
Within 10 days or less of receiving notice	Remove or repair violation. Contact Code Enforcement Officer to schedule an inspection when work is complete.

No Payment is required if the violation is resolved within 10 days, or a shorter amount of time if specified on the notice. If the applicant does not complete the work within this timeframe, citations will be issued and the City will proceed with an enforcement schedule. "Repeat Offenders" may be fined immediately for a second violation.

# Zoning Violations

<b>Violation Type</b>	<b>Maximum Timeframe</b>
Business License	30 days
Conditions of Approval	48 days
Fence Height	30 days
Home Based Business	30 days
Illegal Use	30 days
Residential Auto Repair	10 days
Signs	65 days

The timeframes shown above are maximum timeframes, which may be shortened by the Building Official or Community Development Director for less complex situations. Please see the following pages for timeframe details as immediate steps towards resolution may be necessary.

## Business License - Resolution Plan

**Maximum Time Allotted: 30 Days**

**Overall Note: These are violations of the Municipal Code by operating a business without first acquiring a business license (Title 3).**

<u>Timeline</u>	<u>Business Owner Task</u>	<u>Payment</u>
Within 72 hours of receiving a notice	Contact the Planning Division to verify that the use is permitted by the zoning district and that all parking requirements have been met. Apply for business license from the Finance Department.	A fee will be due to the Finance Department for the Business License and associated inspections.
Within 30 days of receiving a notice	Request inspections from Building Division and Fire Department and pass these inspections. Acquire business license. Notify Code Enforcement Officer of compliance.	

If the applicant does not complete the work within this timeframe, citations will be issued and the City will proceed with an enforcement schedule. Please sign below to signify your acceptance of this timeline.

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Applicant

Date

## Conditions of Approval - Resolution Plan

**Maximum Time Allotted: 48 Days**

**Overall Note: If a project has been approved by the Architectural Review Committee, Planning Commission, or City Council, there are Conditions of Approval that must be followed for the life of the project, even if the owner changes (“conditions run with the land”). If the owner or operator does not comply with the Conditions, it is a violation of the Zoning Ordinance of the Municipal Code.**

<u>Days Since Previous Action</u>	<u>Property Owner Task</u>
Within 72 hours of receiving a notice	Contact the Planning Division to review the specific Conditions of Approval for your site and determine how to bring the project into compliance.
Within 15 days of receiving notice	Submit any required plans or description of changes to the operation.
Within 30 days of receiving notice	Implement required changes so that project is in compliance with Conditions of Approval. Notify Code Enforcement Officer of compliance.

If the applicant does not complete the work within this timeframe, citations will be issued and the City will proceed with an enforcement schedule. Please sign below to signify your acceptance of this timeline.

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Applicant

Date

## Fence Height - Resolution Plan

**Maximum Time Allotted: 30 Days**

**Overall Note: All fences and walls must comply with height restrictions that are based on the fence's location on the property. These rules also apply to hedges and screen plantings that form a solid visual barrier.**

<u>Timeline</u>	<u>Property Owner Task</u>
Within 72 hours of receiving a notice	Contact the Planning Division to review the fence requirements and determine how to bring your fence into compliance.
Within 30 days of receiving a notice	Make the required changes to bring your fence into compliance with the fence regulations. Notify Code Enforcement Officer of compliance.

If the applicant does not complete the work within this timeframe, citations will be issued and the City will proceed with an enforcement schedule. Please sign below to signify your acceptance of this timeline.

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Applicant

Date

## Home Based Business - Resolution Plan

**Maximum Time Allotted: 30 Days**

**Overall Note: All home-based businesses require a business license and must be operated as described in Municipal Code Title 12. Violations may include business signs on the property, employing people that do not live at the residence, using the required parking area for the business, or generating excessive traffic.**

<b>If your notice states that you need a business license:</b>		
<u>Timeline</u>	<u>Business Owner Task</u>	<u>Payment</u>
Within 72 hours of receiving a notice	Contact the Planning Division to verify that your specific business can be operated from a home. Apply for business license from the Finance Department.	A fee will be due to the Finance Department for the Business License.
Within 30 days of receiving a notice	Acquire business license. Notify Code Enforcement Officer of compliance.	

<b>If your notice states that you have violated your license:</b>		
<u>Timeline</u>	<u>Business Owner Task</u>	<u>Payment</u>
Within 72 hours of receiving a notice	Contact the Planning Division to review the Conditions of Approval for home based-businesses. All "illegal" home based business activities must cease immediately.	

<p>Within 30 days of receiving a notice</p>	<p>Bring business into full compliance with requirements. Notify Code Enforcement Officer of compliance.</p>	

If the applicant does not complete the work within this timeframe, citations will be issued and the City will proceed with an enforcement schedule. Please sign below to signify your acceptance of this timeline.

---

Applicant

Date

## Illegal Use - Resolution Plan

**Maximum Time Allotted: 30 Days**

**Overall Note: The City is divided into zoning districts, with a specific list of permitted uses within each district. It is a violation of the Municipal Code to carry out a use in a district where it is not permitted.**

<u>Timeline</u>	<u>Business Owner Task</u>
Within 72 hours of receiving a notice	Contact the Planning Division to verify the permitted uses at your location.
Within 30 days of receiving notice.	All operations associated with the illegal use must cease. The applicant may wish to obtain proper approvals outside the code enforcement process.

If the applicant does not complete the work within this timeframe, citations will be issued and the City will proceed with an enforcement schedule. Please sign below to signify your acceptance of this timeline.

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Applicant

Date

## Residential Auto Repair - Resolution Plan

**Maximum Time Allotted: 10 Days**

**Overall Note: Municipal Code Title 12 restricts the type of repair that can be performed at residences and where on the property that work can be done. Violations may include doing work that is not allowed, doing work in locations or times that are not allowed, storing excessive auto parts, or not cleaning up the site.**

<u>Timeline</u>	<u>Task</u>
Within 24 hours of receiving a notice	Immediately stop doing work that is not allowed as described in the notice. Clean up the site of all tools, equipment, and fluids. Properly store all parts.
Within 10 days of receiving a notice	Fully comply with all aspects of the Municipal Code, including removing inoperable vehicles if necessary. Notify Code Enforcement Officer of compliance.

If the applicant does not complete the work within this timeframe, citations will be issued and the City will proceed with an enforcement schedule. Please sign below to signify your acceptance of this timeline.

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Applicant

Date

## Signs - Resolution Plan

Maximum Time Allotted: 65 days

**Overall Note: All signs must be approved by the Planning Division before they are installed.**

<u>Timeline</u>	<u>Business Owner Task</u>	<u>Payment</u>
Within 72 hours of receiving a notice	Contact the Planning Division to review the sign regulations. Illegal signs must be removed within 10 days.	
Within 30 days of receiving a notice	Submit a complete set of plans to the Planning Division. If approved, a Building Permit is required.	A sign permit fee is due at the time of submittal.
Within 5 days of sign permit approval	Obtain a Building Permit.	A Building Permit fee will be due at the time of permit issuance.
Within 30 days of building permit issuance	Applicant shall complete all work associated with permit and receive final approval from the Community Development Department. Applicant is responsible for scheduling all necessary inspections in order to receive final approval.	

If the applicant does not complete the work within this timeframe, citations will be issued and the City will proceed with an enforcement schedule. Please sign below to signify your acceptance of this timeline.

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Applicant

Date

## The Enforcement Schedule

The enforcement schedule outlines the timing of enforcement for the typical code violation. This includes when the property owners will receive notice of violation, when they will receive a fine and when they should expect further action. It is important to note that when a property owner sticks to the schedule outlined in the resolution plan the enforcement schedule will not be necessary.

## Typical Enforcement Schedule

<u>Days Since Previous Action</u>	<u>Action</u>	<u>Description</u>
---	Complaint Reported	Complaint reported to or observed by Code Enforcement Officer (CEO).
1-2	Case Creation and Assignment	Complaint entered into CRW by the CD Tech or CEO. Based on the location of the complaint, the case will be assigned to a CEO.
2-3	Notice to Violation Issued	The Code Enforcement Officer will post a 10-day notice of violation to comply on a property (if violation is confirmed). For tenant occupied buildings, the property owner and/or manager will also be notified by US Mail, and will become the City's primary point of contact. Within the timeframe, the responsible party should contact staff and agree upon a resolution plan, which includes the initial site inspection.
10	Citation Issued	If the property owner does not contact staff within the 10-day period, a citation will be issued. If the property owner does contact staff and enter into a resolution plan, no citation will be issued. However, if the property owner does not comply with the resolution plan schedule, a citation will be issued immediately.

<b>Days Since Previous Action</b>	<b>Action</b>	<b>Description</b>
10	Citation 2+	If the property owner does not respond to the 1 <sup>st</sup> citation, a 2nd citation will issued as allowed by SBMC. Although this will typically occur in the timeline set forth in this Enforcement Schedule, the City reserves the right to cite daily as allowed by the SBMC.
10	Letter from City Attorney	When the property owner does not respond to the 1 <sup>st</sup> or 2 <sup>nd</sup> citation, he/she will receive a letter from the city Attorney outlining possible legal action.
10	Notice Recorded	If the property owner does not respond to citations or the letter from the City Attorney, a Notice of Code Enforcement Action, Dangerous Building or Substandard Property will be recorded against the property. The cost of the recordation shall be incurred by the property owner.
---	Additional Legal Solutions	If the above actions do not result in resolution of the code enforcement violations, the City reserves the right to take further legal action, including, but not limited to, abatement and civil mandatory injunctions.
—	Preparation of Lien	The Code Enforcement Officer will prepare the necessary paperwork and forward it to the Finance Department.

Overall Notes: (1) Timeframes will be shortened for hazardous situations. (2) If the Department receives a complaint but can not observe the violation, a Notice of Complaint will be posted and mailed and the Code Enforcement Officer will request a site inspection.

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# The Enforcement Tool Kit

It is always the goal of the City to resolve a Municipal Code violation as quickly and simply as possible, and the quickest way to resolve a code violation is immediate removal of the violation or follow a resolution plan. In the event a property owner chooses not to go that route, the City must have the tools necessary to enforce the Municipal Code. This section outlines what those tools are, and what the process is to use those tools. Examples of tools are fines, notices of dangerous building and property liens.

# Tools

## **Notice of Complaint**

Almost all code enforcement cases begin when the Community Development Department receives a complaint about a property. Typically this is complaint comes from a neighbor who is concerned that the subject property owner is doing work without a building permit or is involved in prohibited activity. While some of these cases can be visually confirmed by a Code Enforcement Officer, other cases can not. In the cases where Municipal Code violation cannot be confirmed by a drive-by inspection or evidence provided by the complainant, the Code Enforcement Officer will issue a Notice of Complaint.

This notice will require that the property owner contact the Community Development Department and provide evidence that all activities currently being conducted on the subject property are in compliance with the Municipal Code. In most cases, this will be a site inspection. If the complaint is without merit, the case will be closed immediately. If unpermitted work or an illegal activity is being conducted on the property, the Code Enforcement Officer will inform the property owner of the legalization process. If the property owner refuses to respond to the notice or provide evidence, the case may be forwarded to the City Attorney for action if warranted.

## **Notice of Violation**

When a code enforcement officer confirms that a violation exists on a property, a Notice of Violation (NOV) will be issued. The NOV will be posted onsite and mailed to the property owner and/or property manager. The notice will include the subject property's address, type of violation and Municipal Code reference, appeal rights, code enforcement officer contact information, the initial timeframe to contact or resolve the case and other related information. Typically the notice will require that the resolution process begin within a 10-day period. However, hazardous situations must be corrected in a shorter timeframe. In addition, nuisance cases will require the entire nuisance be abated within that 10-day period. Please see the Resolution Plan section of the Code Enforcement Strategy Guide for the expected resolution timeframes for each type of violation.

## **Citations (Fines)**

The goal of the code enforcement program is to resolve code violations, not to collect fines. However, there are times when a property owner chooses not to comply with a Notice of Violation, or whose property has been the subject of past code enforcement actions, and fining the property owner is another way to achieve compliance. Per the Nuisance Ordinance and Building Code, property owners can be fined on a daily basis for non-compliance with the code. Typical fines start at \$100 per day and can reach \$1000 per day for serious violations. The property owner may appeal a fine after paying the full amount. If a property owner does not pay the fine the full amount, further action will be taken to collect

the debt, including using a collections agency or through a lien process or special assessment.

### **Letter from City Attorney**

Although most property owners do respond after receiving a Notice of Violation or a fine, there are some property owners that still choose to not to respond or correct the violation. In those cases, a letter from the City Attorney will then be sent to the property owner outlining possible legal action against the property owner. In all cases, the goal is to resolve the code enforcement case, not to spend City resources on legal action. However, when a property owners chooses to ignore a code enforcement action, they must be made aware of all legal recourse.

### **Recording Notices**

In certain situations, where a dangerous or substandard building exists, or when a property chooses not to remove a violation or enter is a resolution plan, a notice will be recorded against the property with the County recorder. Examples of notices are “Notice of Code Enforcement Violation, Notice of Substandard Building” or “Notice of Dangerous Building”. This will ensure that future property owners understand the risks involved in purchasing the home and will further encourage current property owner to resolve the code enforcement action. Once the action is fully resolved, the notice will be removed from the property. The property owner will be responsible for the costs associated with recording and removing the notice.

### **Civil Mandatory Injunction**

If at anytime in the code enforcement process, a violation of the Code is determined by the Community Development Director to be a health, safety, or welfare matter that should be remedied by obtaining a civil mandatory injunction, the matter may then be referred by the Director to the City Attorney to take the necessary civil legal action to enforce the Code. Cases will typically be referred to the City Attorney’s office for legal action when a property owner ignores the Notice of Violation and two fines. For serious cases they may be referred sooner in the process, if not immediately. In any legal action filed by the City to enforce the Code through civil litigation, the City shall seek to recover its reasonable attorneys fees and court cost incurred in the action or proceeding.

### **Abatement**

When a property owner ignores notices and fines, and opts not to clean up their property or obtain the necessary permits, the City has the option to abate the nuisance. Due to the time and cost associated with abatement, the City will only utilize this process for the most serious violations. The abatement process will usually be used for visual nuisance violations and life-safety hazards. The process is outlined in the Municipal Code and the property owner will be responsible for all city costs incurred during the abatement process. Abatement costs may be collected through a lien or special assessment process.

**Special Assessments and Liens**

When a property owner chooses not to resolve a code enforcement violation, nor to pay the associated fines and fees, the City has the ability to record a lien or special assessment against a property. This authority is already granted in the City's Municipal Code and is standard practice within the code enforcement field.

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