

CODE COMPLIANCE AND ENFORCEMENT PROCESS

CITY COUNCIL SPECIAL MEETING
JANUARY 23, 2023 – ITEM 2.1



CODE ENFORCEMENT OVERVIEW



PETE ROQUE

DIRECTOR OF CODE ENFORCEMENT



PURPOSE



- Receive Information
 - Code Compliance – Functions
 - Code Compliance – Tools
 - Code Compliance – Current Process

- City Council discussion

- Council to provide direction to staff on Code Compliance and Enforcement Procedures

CODE COMPLIANCE FUNCTIONS



Police



Building
& Safety



Public
Works



Licensing



Code
Enforcement



Planning / Zoning



Fire



City
Administrator

- City Manager / City Attorney



Other

- Parks and Recreation
- Animal Control
- Environmental Health
- Vector Control
- Community Development

CITY OF LATHROP CODE ENFORCEMENT



- Calls for Service (Reactive)
- Rules and Regulations
- Applicable and Adopted Codes
- Animal Code
- California Vehicle Code
- Local Codes



CITY OF LATHROP CODE ENFORCEMENT



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MECHANICAL DEFECTS:

IDENTIFICATION NUMBER:

VEHICLE TYPE

DESCRIBE VEHICLE DAMAGE

UNK. NONE

MOD. MAJOR ROLL

DOT _____ MC/MX _____

TCP/PSC _____

MAKE/MODEL/COLOR _____

YEAR _____

NAME AS DRIVEN _____



BUILDING SUPPORT



- Complaint Based
- Construction Type Calls
- Applicable and Adopted Codes
- CA Building Code
- IPMC
- Local Codes



PUBLIC WORKS SUPPORT



- Reactive / Proactive
- Encroachments
- Illicit Discharges / Connections
- Local Municipal Codes
- Storm Water Regulations



BUSINESS LICENSE SUPPORT



- Complaint / Scheduled
- Processes
- Applicable And Adopted Codes



PLANNING SUPPORT



- Complaint Driven
- Land Use Violations
- Signage
- Municipal Code



FIRE SUPPORT



- Reactive / Proactive
- Housing Inspections
- Annual Inspections
- Local Codes
- Weed Abatement
- IPMC / CBC / CFC



ADMINISTRATION SUPPORT



- Reactive
- Administrative Direction
- Adopted Codes
- Local Codes



ANCILLARY SUPPORT



- Parks and Recreation
- Animal Control
- Environmental Health
- Vector Control
- Community Development



CODE COMPLIANCE



FRIENDS REMEMBER TO BE THE

SWISS-ARMY KNIFE

OF YOUR JURISDICTION TODAY



CODE ENFORCEMENT

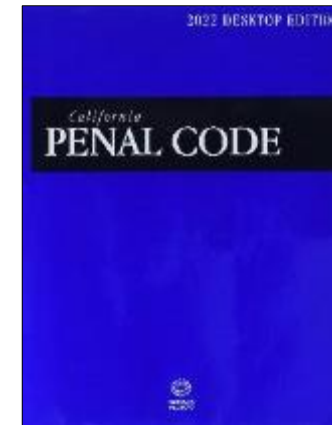
WHEREVER YOU ARE: JUST CONTINUE TO SHARPEN YOUR SKILLS AND CONTINUE TO LEARN YOUR CRAFT.
USE YOUR TOOLS WHEN NEEDED AND APPROPRIATE.
YOU ARE THE ALL-IN-ONE TOOL OF A JURISDICTION.

LEARN | TRAIN | USE | REPEAT | SHARE

TOOLS OF THE TRADE



Relevant Tools for Code Compliance to Address Common Violations



TOOLS OF THE TRADE (CONT.)



- ADMINISTRATIVE CITATIONS LMC 1.12.130
- CRIMINAL CITATIONS LMC 1.16.010 (A)(I)
- CIVIL ACTION..... LMC 1.04.200
- INSPECTION WARRANTS..... LMC 1.12.030
- PUBLIC NUISANCE DECLARATION HEARING..... LMC 8.24.060
- SUMMARY ABATEMENT..... LMC 1.12.240 & LMC 1.16.010 (B)
- ABATEMENT WARRANTS..... LMC 1.12.210
- RECEIVERSHIPS.....California Health & Safety Code section 17980.7

COUNCIL DISCUSSION & DIRECTION



Industry Standard

- **Complaint:** A resident or business owner submits a complaint about a potential code violation to the city's code compliance department.
- **Investigation:** The complaint is assigned to an inspector who investigates the issue and determines whether a violation has occurred.
- **Notice of Violation:** If a violation is found, the inspector issues a notice of violation to the property owner, outlining the specific violation and the steps that need to be taken to bring the property into compliance.
- **Compliance Deadline:** The property owner is given a deadline to bring the property into compliance.
- **Compliance Check:** The inspector follows up on the compliance deadline and verifies that the property is now in compliance.
- **Reinspection:** If the property is not in compliance, the inspector will schedule a reinspection.
- **Compliance:** If the property is brought into compliance, the case is closed.
- **Enforcement:** If the property owner does not bring the property into compliance, the city may take enforcement action, such as fines or legal action.

COUNCIL DISCUSSION & DIRECTION



Historical Approach

- Step 1 – Complaint received (Reactive approach)
- Step 2 – Staff conducts inspection and assesses the complaint
- Step 3 – If required, staff issues a “Notice of Violation” with citation language and a timeline for compliance
- Step 4 – Staff creates a follow-up inspection for compliance
- Step 5 – Staff will conduct a follow-up inspection and issue citations for non-compliance (∞) (\$100, \$200, \$500)
- Step 6 – Staff conducts recordation

COUNCIL DISCUSSION & DIRECTION



Alternative Approach (Education to Further Enforcement)

* Key differences from historical approach

- Step 1 – Complaint received (Reactive approach)
- Step 2 – Staff conducts inspection and assesses the complaint
- Step 3 – If required, staff issues *courtesy notice and/or provides in-person education and solutions (non-punitive)*
- Step 4 – Staff creates a follow-up inspection for compliance (the timeframe varies)
- Step 5 – Staff will conduct a follow-up. *If needed, staff will send a “Notice of Violation” with citation language and a timeline for compliance*
- Step 6 – Staff will conduct a follow-up inspection and issue citations for non-compliance (x3) (\$100, \$200, \$500)
- *Step 7 – Staff will have an office conference prior to initiating further enforcement action*
- *Step 8 – Staff pursues appropriate legal tools (abatement, recordation, criminal, civil)*

COUNCIL DISCUSSION & DIRECTION



** Key differences from historical approach*

Alternative Approach (Notice, Fine, Criminal Filing)

- Step 1 – Complaint received (Reactive approach)
- Step 2 – Staff conducts inspection and assesses the complaint
- Step 3 – Staff creates a follow-up inspection for compliance
- Step 4 – Staff will conduct a follow-up. If needed, staff will send a “Notice of Violation” with citation language and a timeline for compliance
- Step 5 – Staff will conduct a follow-up inspection and issue citations for non-compliance (x3) (\$100, \$200, \$500)
- *Step 6 – Staff will request a criminal filing for non-compliance, where a judge may issue legal order to comply or apply criminal penalties such as fines, probation, or jail.*

COUNCIL DISCUSSION & DIRECTION



** Key differences from historical approach*

Alternative Approach (Notice, Fine, Abatement)

- Step 1 – Complaint received (Reactive approach)
- Step 2 – Staff conducts inspection and assesses the complaint
- Step 3 – Staff creates a follow-up inspection for compliance
- Step 4 – Staff will conduct a follow-up. If needed, staff will send a “Notice of Violation” with citation language and a timeline for compliance
- Step 5 – Staff will conduct a follow-up inspection and issue citations for non-compliance (x3) (\$100, \$200, \$500)
- *Step 6 – Staff will request an abatement hearing to pursue city abatement of the nuisance*
- *Step 7 – Cost Recovery (Tax Lien)*

COUNCIL DISCUSSION & DIRECTION



QUESTIONS?