

To: Humboldt County Board of Supervisors
From: Bonnie Blackberry
Civil Liberties Monitoring Project
Date: June 26, 2017
For: June 27, 2017 Board of Supervisors Meeting

RE: CODE ENFORCEMENT REORGANIZATION

Members, of the Board,

I have read the staff recommendations and have the following comments and concerns.

Some of the proposed changes to the referral and case initiation process would radically change the Code Enforcement Unit. A lot of problems arose in the past with CEU initiated raids going beyond their mandate. If the CEU Task Force had not been appointed, there was a high probability that the County would of ended up in more than one lawsuit. Please read the 2008 Code Enforcement Task Force Report and unanimous recommendations.

Referral Process; The referral process is working. Any confusion amongst the public and others trying to make or track complaints can be remedied by more outreach to the public. Outreach and information to the general public regarding code enforcement has been minimal.

The anonymous complaint process needs to be changed to have a process that is truly anonymous, not where your name etc is on the complaint form which could be revealed. People have been complaining without seeing any action being taken, in many cases, numerous times without any results.

It seems the lack of code enforcement personnel to carry out enforcement has been the problem, not the referral process.

DEH and Building & Planning know more and are better qualified to take initial complaints and investigate violations specific to their departments, and then if there are problems with compliance, the CEU gets the case. If all complaints go to the CEU, there will continue to be the need for communication with Building & Planning and DHS, so changing the process may not really be more effective.

Relocating the CEU in the Planning and Building Department would better facilitate a more efficient process as most complaints involve planning and building. Also Planning & Building is a more appropriate location for CEU as evidenced throughout the state.

Case Initiation: Staff recognizes that "the citizens of Humboldt County have repeatedly demonstrated that they wish code enforcement to be a complaint driven process." Now there is a request for exceptions for " certain enforcement activities involving commercial marijuana cultivation and abandoned vehicle on public property.

Currently complaints come from the public and other agencies or departments.

Authorizing CEU to initiate enforcement actions on private property, without receiving a complaint, anonymous or otherwise is in direct opposition to what the people of Humboldt County have repeatedly expressed to keep the CEU as a complaint driven process.

Abandoned vehicles on public property is another matter, where code enforcement could be more involved and initiate removal with the support and encouragement of the citizenry.

Focused enforcement activities without having received a complaint from the public or other agency or department: The CEU already "participates in an informal, multi agency task force", including "involvement in inspections initiated by other members of the task force".

The citizens of Humboldt County have repeatedly requested that the County focus on the most egregious violations first, in every impacted watershed throughout the county. Focusing resources on one targeted watershed, such as what happened in Sprowl Creek, leaves everywhere else with little or no enforcement. To be an effective deterrent the enforcement needs to be county wide.

Support:

1. More code enforcement personnel.
2. Moving Unit to Planning and Building Department.
3. More public outreach regarding code enforcement and the complaint process.
4. Improving anonymous complaint process to be truly anonymous.
5. Authorize CEU to deal with abandoned vehicles on public property.

Do Not Support:

1. Change to referral process, other than improving anonymous complaint to be truly anonymous,
2. Change to initiation process exceptions, except for abandoned vehicles on public property.

Respectfully submitted,

Bonnie Blackberry

In behalf of the Civil Liberties Monitoring Project
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