

# COUNTY OF HUMBOLDT

# Legislation Details (With Text)

File #: 20-918 Version: 1 Name:

Type: Ordinance Status: Passed

File created: 7/16/2020 In control: Planning and Building

On agenda: 7/28/2020 Final action: 7/28/2020

Title: Adoption of Ordinance Amending Section 351-6 of Chapter 1, Division 5, Title III, and Sections 352-3,

352-4, 352-5, 352-8 and 352-13 of Chapter 2, Division 5, Title III of Humboldt County Code (HCC)

Relating to Public Nuisances, Abatement and Penalties

**Sponsors:** 

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Attachment 1-Final Code Enforcement update Ordinance with code amendments,

3. Attachment 2\_CEU Post-Adoption summary.pdf, 4. Ordinance 2646

Date	Ver.	Action By	1	Action	Result
7/28/2020	1	Board of Supervisors		approved	Pass

**To:** Board of Supervisors

From: Planning and Building Department

**Agenda Section:** Consent

#### **SUBJECT:**

Adoption of Ordinance Amending Section 351-6 of Chapter 1, Division 5, Title III, and Sections 352-3, 352-4, 352-5, 352-8 and 352-13 of Chapter 2, Division 5, Title III of Humboldt County Code (HCC) Relating to Public Nuisances, Abatement and Penalties

#### RECOMMENDATION(S):

That the Board of Supervisors:

1. Adopt Ordinance No. \_\_\_\_\_\_, amending Section 351-6 of Chapter 1, Division 5, Title III, and Sections 352-3, 352-4, 352-5, 352-8 and 352-13 of Chapter 2, Division 5, Title III of Humboldt County Code (HCC) relating to public nuisances, abatement and penalties.

#### SOURCE OF FUNDING:

General Fund

#### **DISCUSSION:**

On July 7, 2020, your Board introduced the above-referenced ordinance for adoption with a directive to the Clerk of the board to publish a pre-adoption summary of the ordinance and set the ordinance for adoption at least one week away. The Board motion also included two small changes: 1) recordation of a Notice to Abate Nuisance ("NTAN") and Notice of Violation and Proposed Administrative Civil

File #: 20-918, Version: 1

Penalty ("NOV") will not occur within 10 days of posting the NTA and/or NOV and 2) removal of the reference to plumbing and electrical code from the definition of a Category 4 violation. These changes have been made and are shown in redline/stricken text. The recommended action will complete adoption of the ordinance and result in publication of a post-adoption summary.

#### FINANCIAL IMPACT:

The cost associated with adoption of the ordinance is covered by the General Fund. The ability to immediately impose administrative civil penalties will provide General Fund reimbursement upon receipt of the penalties.

# STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by creating opportunities for improved safety and health and enforcing laws and regulations to protect residents.

# OTHER AGENCY INVOLVEMENT:

None.

### ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose not to adopt the ordinance but that is not recommended because County Code would not be consistent with state law and interested parties would not have constructive notice of Code Enforcement notices against a property.

#### ATTACHMENTS:

- 1. Ordinance amending Section 351-6 of Chapter 1, Division 5, Title III, and Sections 352-3, 352-4, 352-5, 352-8 and 352-13 of Chapter 2, Division 5, Title III of Humboldt County Code (HCC) relating to public nuisances, abatement and penalties
- 2. Code Enforcement Ordinance Post-Adoption Summary.

#### PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A Meeting of: 7/7/2020 File No. 20-779: