



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	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

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: