



APPROVED
BY THE CITY COUNCIL

NOV 17 1998

OFFICE OF THE
CITY CLERK

1.4

NEIGHBORHOODS, PLANNING &
DEVELOPMENT SERVICES
DEPARTMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET, SUITE 400
SACRAMENTO, CA
95814

MAX FERNANDEZ
AREA 1 DIRECTOR

November 4, 1998

PH 916 264-7940
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City Council
Sacramento, California

Honorable Members in Session:

**SUBJECT: UPDATE RESOLUTION GRANTING CITATION AND ARREST
AUTHORITY TO CERTAIN EMPLOYEES WITHIN THE CODE
ENFORCEMENT DIVISION OF THE NEIGHBORHOODS, PLANNING
AND DEVELOPMENT SERVICES DEPARTMENT FOR THE PURPOSE
OF ENFORCING CERTAIN PROVISIONS OF THE CITY CODE OR
STATE LAW**

LOCATION AND COUNCIL DISTRICT: City-wide.

RECOMMENDATION:

This report recommends that the City Council enact this resolution which updates the names of the staff members who are eligible to be granted Citation and Arrest Authority in the Neighborhoods, Planning and Development Services Department, Code Enforcement Division.

CONTACT PERSON: Max B. Fernandez, Director - Area 1, 264-7940

FOR COUNCIL MEETING OF: November 17, 1998

SUMMARY:

In accordance with Sacramento City Code, Title 30 and California Penal Code Section 836.5, the City Council is required to issue a resolution assigning specific persons the authority to enforce codes through means of citation and arrest. The attached resolution provides the names of the specific individuals in Code Enforcement who have received the required training and are recommended for Citation and Arrest Authority.

BACKGROUND INFORMATION:

On June 3, 1997, the City Council adopted resolution 97-285 which granted Citation and Arrest Authority to enforcement staff of the Neighborhood Services Department. The purpose of this authority is to allow enforcement of specified Titles of the Sacramento City Code, California

Vehicle Code and the California Penal Code. There has been a change in the staffing and it is necessary to update the list of individuals who shall be granted this authority. The individuals who enforce these codes have met additional training requirements with the City of Sacramento Police Department and are qualified to be granted Citation and Arrest Authority.

Enforcement staff members are responsible for enforcing Sacramento City Codes related to public nuisance, zoning, litter, signs, noise, swimming pool fences, abandoned vehicles, sidewalk vending, sidewalk displays, pest infestation, and commercial vehicles.

FINANCIAL CONSIDERATIONS:

The granting of Citation and Arrest Authority has no financial impact.

ENVIRONMENTAL CONSIDERATIONS:

The accompanying resolution of authorization does not constitute a project under CEQA guidelines.

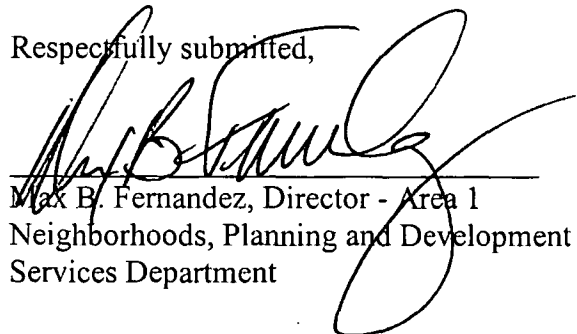
POLICY CONSIDERATIONS:

The staff recommendation is consistent with Council priorities and policies related to neighborhood revitalization, compliance with the City's Codes and cost recovery.


MBE/WBE:

Not applicable. No goods or services are being purchased.

Respectfully submitted,


Max B. Fernandez, Director - Area 1
Neighborhoods, Planning and Development
Services Department

Recommendation Approved:


William H. Edgar
City Manager

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RESOLUTION NO. 98-560

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

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**RESOLUTION GRANTING CITATION AND ARREST AUTHORITY
TO CERTAIN INDIVIDUALS FOR PURPOSES OF ENFORCING CERTAIN
CHAPTERS OF THE CITY CODE, VEHICLE CODE, PENAL CODE,
AND LABOR CODE AND REPEALING RESOLUTION 98-041**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1

In order to enforce certain provisions of the City Code, California Vehicle Code, California Penal Code, and California Labor Code, those persons hereinafter named are hereby granted Citation and Arrest Authority for the purpose of enforcing those particular provisions of the City and State codes hereinafter specified, and for those purposes only.

NAMES

Max Fernandez	Area Director
Josh Pino	Chief Building Inspector
Robert L. Rose	Chief of Code Enforcement
Brian S. Ramsey	Senior Code Enforcement Officer
Rodney C. Arnold	Senior Code Enforcement Officer
Tamera J. Browning	Senior Code Enforcement Officer
Clark W. Allred	Code Enforcement Officer
Angelina Bahner	Code Enforcement Officer
Cindy Bates	Code Enforcement Officer
Calvin E. Coley	Code Enforcement Officer
James Harrison	Code Enforcement Officer
David Hollaway	Code Enforcement Officer
Livio Innocenti	Code Enforcement Officer
Richard A. Massi	Code Enforcement Officer
Caroline McNorton	Code Enforcement Officer
Jean M. Price	Code Enforcement Officer
Joe Draper	Asst. Code Enforcement Officer
Donna M. Fillmore	Asst. Code Enforcement Officer
Violet A. Garcia	Asst. Code Enforcement Officer
William J. Hutcheon	Asst. Code Enforcement Officer

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(cont.)

NAMES

Darlene E. Kime	Asst. Code Enforcement Officer
Pamela La Rue	Asst. Code Enforcement Officer
Belinda La Soya	Asst. Code Enforcement Officer
Noel Eusebio	Neighborhood Resource Coordinator

TO ENFORCE CITY CODES

- Title 3. Advertising Signs
All Chapters
- Title 7. Auctions and Other Sales
Chapter 7.04 - Street and Sidewalk Vending
Sections 7.04.52 through 7.04.54
Chapter 7.05 - Old Sacramento Third of July Celebration
Sections 7.05.55 and 7.05.56
Chapter 7.06 - Vendor's Permit Requirements
Section 7.06.60
Chapter 7.07 - Outdoor Sales and Display of Merchandise
Sections 7.07.72 through 7.07.74
- Title 9. Building Code
Chapter 9.16 - Swimming Pools
Section 9.16.521
- Title 19. Garbage, Rubbish, Weeds, and Waste Matter
Chapter 19.01 - General
Sections 19.01.113; 19.01.121; 19.01.123
- Title 25. Motor Vehicles and Traffic
Chapter 25.07 - Stopping, Standing and Parking on Street
Sections 25.07.102(a)(5); 25.07.107(a); 25.07.111
Chapter 25.09 - Off Street Parking and Loading Facilities
Sections 25.09.150 and 25.09.150-1
Chapter 25.15 - Vehicle Repair in Residential Zones
Sections 25.15.400 through 25.15.404
- Title 28. Permits
Chapter 28.06 - Adult Related Establishments
Sections 28.06.061 and 28.06.064
- Title 37. Smoking Ordinance
All Chapters
- Title 38. Streets and Sidewalks
Chapter 38.06 - Sidewalk Obstructions; Pedestrian and Vehicle Interference
Sections 38.06.62; 38.06.63; 38.06.70

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- Title 44 Trailer Camps and Public Camps
 Chapter 44.01 - General
 Sections 44.01.001 and 44.01.001-1
 Chapter 44.02 - Trailer and Trailer Camps
- Title 49. Housing Code
 Chapter 49.10.1001; 49.10.1011
- Title 61. Nuisance Code
 All Chapters
 Comprehensive Zoning Ordinance
- Title 66. Noise
 Chapter 66.02 - Mechanical Noise
 Chapter 66.02.201; 66.02.205; 66.02.206; 66.02.208; 66.02.213; 66.03.301;
 66.03.302

CALIFORNIA LABOR CODE

Section 6404.5

CALIFORNIA VEHICLE CODE

Section 4000 - Registration Required.

Section 22500 - Prohibited Stopping, Standing or Parking

- (f) On a sidewalk except electric carts when authorized by local ordinance.

Section 22523 - Abandonment Prohibited

Section 22651 - Circumstances Permitting Removal

- (b) When any vehicle is parked or left standing upon a highway in a position so as to obstruct the normal flow of traffic upon a highway.
- (c) Illegally parked blocking fire hydrant.
- (k) When any vehicle is parked or left standing upon a highway for 72 or more consecutive hours in violation of a local ordinance authorizing removal.
- (l) Parked in highway construction, repair, or cleaning area; when notice of removal posted for 24 hours or more.
- (n) Parked or left standing where parking is prohibited, must be posted.
- (o) When any unoccupied vehicle is found upon a highway, public lands, or off-street parking facility, with a registration expiration in excess of six months before the date it is found on the highway.
- (r) When any vehicle is illegally parked and blocks the movement of a legally parked vehicle.

Section 22669 - Removal of Abandoned Vehicles

- (a) When there are reasonable grounds to believe that a vehicle has been abandoned, as determined pursuant to Section

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22523, may remove the vehicle from a highway or from public or private property.

- (d) Motor vehicles which are parked, resting, or otherwise immobilized on any highway or public right-of-way and which lack an engine, transmission, wheels, tires, doors, windshield, or any other part or equipment necessary to operate safely on the highways of this state, are hereby declared a hazard to public health, safety, and welfare and may be removed immediately upon discovery by a peace officer or other designated employee of the state, county, or city.

CALIFORNIA PENAL CODE

Section 166 - Contempts Constituting a Misdemeanor

Section 373(a) - Maintaining or Permitting a Public Nuisance After Abatement Notice.

Section 374.4 - Littering on Public or Private Property.

SECTION 2

This resolution is adopted pursuant to Chapter 30.03 of Title 30 of the Sacramento City Code and Section 836.5 of the California Penal Code. This resolution shall repeal and replace Resolution 97-568 adopted on October 7, 1997. Nothing herein shall be read to limit the power or authority of any duly appointed law enforcement officer of the City to enforce those chapters of the City Code or State law heretofore set forth.

MAYOR

ATTEST:

CITY CLERK

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