

2.12

NEIGHBORHOOD SERVICES DEPARTMENT
Code Enforcement Division

CITY OF SACRAMENTO
CALIFORNIA

1231 I Street, Suite 400
SACRAMENTO, CA

February 6, 2002

95814-2977

City Council
Sacramento, California

PH 916-264-5001
FAX 916-264-7643

Honorable Members in Session:

SUBJECT: UPDATE RESOLUTION GRANTING CITATION AND ARREST AUTHORITY TO CERTAIN EMPLOYEES WITHIN THE CODE ENFORCEMENT DIVISION OF THE NEIGHBORHOOD SERVICES DEPARTMENT FOR THE PURPOSE OF ENFORCING CERTAIN PROVISIONS OF THE CITY CODE AND/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 Neighborhood Services Department, Code Enforcement Division.

CONTACT PERSON:

Robert Rose, Chief of Code Enforcement, 264-5947

Ron O'Connor, Chief of Housing & Dangerous Buildings, 264-8183

FOR COUNCIL MEETING OF: February 19, 2002

SUMMARY:

In accordance with Sacramento City Code, Title 2, Chapter 2.12.030 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 the Code Enforcement Division 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

City Council

RE: Update Resolution Granting Citation and Arrest Authority

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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.

This resolution will repeal and replace Section 1 of Resolution 2001-533 enacted on July 31, 2001 with the names of enforcement staff members who 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. This resolution will also repeal and replace Section 3 of Resolution 2001-533 enacted on July 31, 2001 with the names of enforcement staff members who are responsible for enforcing Sacramento City Codes related to public nuisance, substandard structures and dangerous structures.

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:

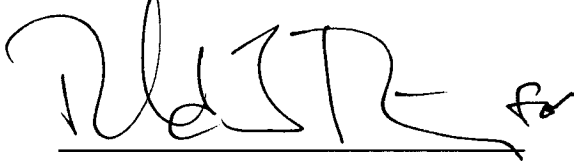
The staff recommendation is consistent with Council priorities and policies related to neighborhood revitalization, compliance with the City's Codes and cost recovery.

E/SBD CONSIDERATIONS:

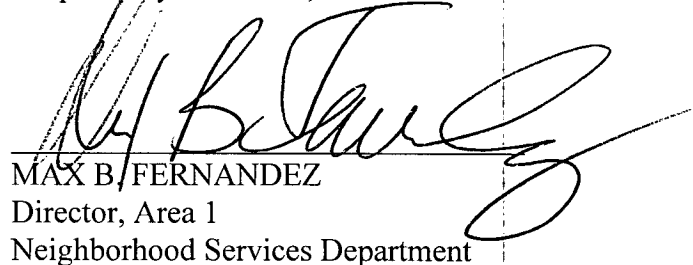
Not applicable. No goods or services are being purchased.

RECOMMENDATION APPROVED:

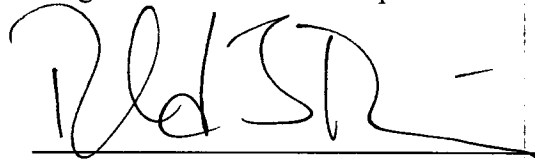
Respectfully submitted,



ROBERT P. THOMAS
City Manager



MAX B. FERNANDEZ
Director, Area 1
Neighborhood Services Department



RICHARD RAMIREZ
Deputy City Manager

APPROVED
FEB 19 2002
OFFICE OF THE
CITY CLERK

RESOLUTION NO. 2002-089

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**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 2001-533.**

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 | Principal Building Inspector |
| Robert L. Rose | Chief of Code Enforcement |
| Clark Allred | Senior Code Enforcement Officer |
| Rodney C. Arnold | Senior Code Enforcement Officer |
| Tamera J. Browning | Senior Code Enforcement Officer |
| Caroline McNorton | Senior Code Enforcement Officer |
| Brian S. Ramsey | Zoning Investigator |
| Angelina Bahner | Code Enforcement Officer |
| Donna M. Barton | Code Enforcement Officer |
| Calvin E. Coley | Code Enforcement Officer |
| Lindley Freeman | Code Enforcement Officer |
| Jean M. Frederick | Code Enforcement Officer |
| Stephen R. Grove | Code Enforcement Officer |
| James Harrison | Code Enforcement Officer |
| William J. Hutcheon | Code Enforcement Officer |
| Livio Innocenti | Code Enforcement Officer |
| Darlene Kime | Code Enforcement Officer |
| Pamela La Rue | Code Enforcement Officer |

FOR CITY CLERK USE ONLY

RESOLUTION NO. _____

DATE ADOPTED: _____

(cont.)

NAMES

Belinda Losoya	Code Enforcement Officer
Julia Mason	Code Enforcement Officer
Joe Draper	Asst. Code Enforcement Officer
Larry Eccleston	Asst. Code Enforcement Officer
Louis Fortier	Asst. Code Enforcement Officer
Janie Green	Asst. Code Enforcement Officer
Jason Khan	Asst. Code Enforcement Officer
Pamela Maestas	Asst. Code Enforcement Officer
Jose Rodriguez	Asst. Code Enforcement Officer
Benjamin Rolison	Asst. Code Enforcement Officer
Larry Cyrus	Neighborhood Resources Coordinator
Noel Eusebio	Neighborhood Resources Coordinator
Brian Strong	Program Coordinator

TO ENFORCE CITY CODES

Title 5. Permits
 Chapter 5.04 - Adult Related Establishments
 Sections 5.04.020 and 5.04.050 A-C

Auctions and Other Sales
 Chapter 5.88 - Street and Sidewalk Vending
 Sections 5.88.010 through 5.88.030
 Chapter 5.88 - Old Sacramento Third of July Celebration
 Sections 5.88.040 and 5.88.050
 Chapter 5.88 - Vendor's Permit Requirements
 Section 5.88.080
 Chapter 5.88 - Outdoor Sales and Display of Merchandise
 Sections 5.88.190 through 5.88.210

Title 8. Housing Code
 Chapter 8.100
 Sections 8.100.550 and 8.100.560 (L) (O) and
 Section 8.100.650

Nuisance Code
 Chapters 8.04, 8.16, 8.20, 8.24, 8.28, 8.52, 8.76, 8.56 - All Sections

Noise
 Chapter 8.68 - Noise Standards
 Sections 8.68.060 through 8.68.110, 8.68.130, 8.68.150 through 8.68.210

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RESOLUTION NO. _____

DATE ADOPTED: _____

Smoking Ordinance
Chapter 8.80
Sections 8.80.020 through 8.80.270 A through F

Title 10. Motor Vehicles and Traffic
Chapter 10.36 - Stopping, Standing and Parking on Street
Section 10.36.080 (A) 1 through 5, (B) & (C) and
Section 10.36.120 (A)(B)(C)
Chapter 10.44 - Off Street Parking and Loading Facilities
Sections 10.44.010 (A)(B)(C) and 10.44.020 (A)(B)(C-1 through 6) (D)(E)
Chapter 10.52 - Vehicle Repair in Residential Zones
Sections 10.52.010 through 10.52.050

Title 12. Streets and Sidewalks
Chapter 12.24 - Sidewalk Obstructions; Pedestrian and Vehicle Interference
Sections 12.24.020, 12.24.030, 12.24.100
Chapter 12.28 - Obstructions to Visibility at Intersections
Sections 12.28.010, 12.28.020, 12.28.030 and 12.28.040

Title 13 Garbage, Rubbish, Weeds, and Waste Matter
Chapter 13.10
All Sections

Title 15 Trailer Camps and Public Camps
Chapter 15.140 - General
Sections 15.140.010 and 15.140.050
Chapter 15.144 - Trailer and Trailer Camps
Sections 15.144.010 through 15.144.050
Chapter 15.148 - Signs
All Sections

Building Code
Chapter 15.64 - Swimming Pools
Section 15.64.070

Title 17 Comprehensive Zoning Ordinance
All Chapters
All Sections

CALIFORNIA LABOR CODE
Section 6404.5

FOR CITY CLERK USE ONLY

RESOLUTION NO. _____

DATE ADOPTED: _____

CALIFORNIA VEHICLE CODE

Section 4000 - Registration Required.

Section 5204 - Registration tabs shall indicate year and month of expiration.

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.
- (e) Illegally parked blocking fire hydrant.
- (j) When any vehicle is found illegally parked and there are no license plates or other evidence of registration displayed, vehicle may be impounded.
- (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 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.

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RESOLUTION NO. _____

DATE ADOPTED: _____

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 2.12.030 of Title 2 of the Sacramento City Code and Section 836.5 of the California Penal Code. This resolution shall repeal and replace Resolution 2001-533 adopted on July 31, 2001. 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.

SECTION 3

In order to enforce certain provisions of the City 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 limited purposes only.

NAMES

Josh Pino	Principal Building Inspector
Ron O'Connor	Chief of Housing and Dangerous Buildings Div.
Greg Johnson	Supervisory Building Inspector
Edmund Swasey	Supervisory Building Inspector
Jim Zimmerman	Supervisory Building Inspector
Arthur Cosley	Building Inspector III
Heath Immer	Building Inspector III
Elia Kentera	Building Inspector III
Don Marcheschi	Building Inspector III
Pat Melanson	Building Inspector III
Steven Reed	Building Inspector III
Juan Trevino	Building Inspector III
John Vanella	Building Inspector III
Jeffery Evans	Building Inspector II

TO ENFORCE CITY CODES:

Title 8 Health and Safety
 All Chapters
 All Sections

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RESOLUTION NO. _____

DATE ADOPTED: _____

- Title 9 Public Peace, Morals and Welfare
Chapter 9.16.090 - Swimming pools - Fence or cover required.

- Title 12 Streets, Sidewalks and Public Places
Chapter 12.08.110 - Use of streets for storage of building material
Chapter 12.24.020 - Signs, posts, structures, etc.

- Title 13 Public Services
Article II - Water Meters
Article III - Construction of Water Mains - Subdivision Within City Limits
Chapter 13.04.950 - Substandard water fixtures prohibited
Chapter 13.08.280 - Penalties

- Title 15 Buildings and Construction
All Chapters
 All Sections

- Title 17 Zoning
Chapter 17.232.050 - Penalty

SECTION 4

This resolution is adopted pursuant to Chapter 2.12.030 of Title 2 of the Sacramento City Code and Section 836.5 of the California Penal Code. This resolution shall repeal and replace Resolution 2001-533 enacted on July 31, 2001. 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 heretofore set forth.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____