

RESOLUTION NO. 2015-0264

Adopted by the Sacramento City Council

August 18, 2015

GRANTING CITATION AND ARREST AUTHORITY TO CERTAIN EMPLOYEES OF THE COMMUNITY DEVELOPMENT AND PUBLIC WORKS DEPARTMENTS FOR THE PURPOSE OF ENFORCING CERTAIN PROVISIONS OF THE CITY CODE AND/OR STATE LAW

BACKGROUND

- A. On June 3, 1997, the City Council adopted Resolution 97-285 which granted City enforcement staff Citation and Arrest Authority for specified titles of the Sacramento City Code, and California Vehicle Code. Periodically there are changes in the staffing, and it is necessary to update the list of individuals who shall be granted this authority.
- B. In accordance with Sacramento City Code, Title 2, Chapter 2.12.030, the City Council is required to issue a resolution granting certain individuals the authority to enforce codes through mean of citation and arrest.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. In order to enforce certain provisions of the City Code, California Vehicle 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

Ryan DeVore
Carl Simpson
Joy Patterson
Robert Rose
Sandra Yope
Noel Eusebio
Julia Mason
Belinda Rogers
Jean Crippes
Stephen Grove
William Hutcheon
Donna M. Barton

JOB CLASSIFICATIONS

Director of Community Development
Chief of Housing & Dangerous Buildings
Principal Planner
Code Enforcement Manager
Senior Planner
Senior Code Enforcement Officer
Senior Code Enforcement Officer
Senior Code Enforcement Officer
Zoning Investigator
Zoning Investigator
Zoning Investigator
Code Enforcement Officer

NAMES

Shawn Bartosh
Randall Cry
Larry Eccleston
Linda Douglas
James Harrison
Bruce Lewis
Pamela Maestas
Jose Rodriguez
Benjamin Rolison
Keona Savage
Dia Siefker
Brian Strong
Ricardo Vargas
Michelle Wright
Beverly Howell
Darin Noonan

JOB CLASSIFICATIONS

Code Enforcement Officer
Code Enforcement Officer
Code Enforcement Officer
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Code Enforcement Officer
Code Enforcement Officer
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Code Enforcement Officer
Code Enforcement Officer
Code Enforcement Officer
Code Enforcement Officer

TO ENFORCE CITY CODES

Title 5.

Permits

Chapter 5.04 - Adult Related Establishments
Sections 5.04.020 and 5.04.050 A-C

Arcades

Chapter 5.12 – Amusement

All Sections

Chapter 5.16 – Astrology

All Sections

Chapter 5.20 – Billiard and Pool Parlors

All Sections

Chapter 5.24 – Bingo

All Sections

Food Vending Vehicles

Chapter 5.68

All Sections

Shopping Carts

Chapter 5.82

All Sections

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 Permit Requirements

Section 5.88.080

Chapter 5.88 - Outdoor Sales and Display of Merchandise

Sections 5.88.190 through 5.88.210

Chapter 5.94 – Pedicabs

All Sections

Chapter 5.108 - Entertainment Establishments

All Sections

Chapter 5.112 - Self-Service Tobacco Merchandising

All Sections

Chapter 5.124 – Somatic Practitioners

All Sections

Chapter 5.136 – Taxicabs

All Sections

Chapter 5.138 -Tobacco Retailers

All Sections

Chapter 5.140 - Tobacco Vending Machines

All Sections

Chapter 5.144 – Tow Vehicles

All Sections

Medical Marijuana Dispensaries

Chapter 5.150 – Medical Marijuana Dispensaries

All Sections

Title 8.

Housing Code

Chapter 8.100 – Housing Code

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, 8.76, 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

Smoking Ordinance

Chapter 8.80

Sections 8.80.020 through 8.80.270 A through F

Vector

Chapters 8.96 – Dangerous Building

Section 8.96.110 N

Section 8.96.120 through 8.96.400

Chapter 8.100 – Housing Code

Section 8.100.650

Section 8.100.700 through 8.100.910

Title 9. Public Peace, Morals and Welfare

Chapter 9.16.090 – Swimming pools – Fence or cover required.

Title 10. Motor Vehicles and Traffic

Chapter 10.36 - Stopping, Standing and Parking on Street

Section 10.36.080 (A) 1 through 6, (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); 10.44.020 (A)(B)(C - 1 through 6)

(D)(E); Section 10.44.110

Chapter 10.52 - Vehicle Repair in Residential Zones

Sections 10.52.010 through 10.52.050

Title 12. Streets and Sidewalks

Chapter 12.08.110 - Use of Streets for Storage of Building Material

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

Chapter 12.76 – Sacramento Boat Harbor

Title 13. Article XI - Outdoor Water Conservation

Chapter 13.04

All Sections

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 – Smoking in Workplace

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.

CALIFORNIA STREETS AND HIGHWAYS CODE

Section 5610 - The owners of lots or portions of lots fronting on any portion of a public street or place when that street or place is improved or if and when the area between the property line of the adjacent property and the street line is maintained as a park or parking strip, shall maintain any sidewalk in such condition that the sidewalk will not endanger persons or property and maintain it in a condition which will not interfere with the public convenience in the use of those works or areas save and except as to those conditions created or maintained in, upon, along, or in connection with such sidewalk by any person other than the owner, under and by virtue of any permit or right granted to him by law, or by the city authorities in charge thereof, and such persons shall be under a like duty in relation thereto.

Section 2. 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

Ryan DeVore
Carl Simpson
John Leno
Don Verga
Willie Harris
Elia Kentera

JOB CLASSIFICATIONS

Director of Community Development
Chief of Housing & Dangerous Buildings
Principal Building Inspector
Principal Building Inspector
Supervising Building Inspector
Supervising Building Inspector

NAMES

Patrick Melanson
Richard Leiker
Don Marcheschi
Josh Pino
John Vanella
Michael Bernino
John Briel
David Brock
Andy Chavez
Arthur Cosley
Charles Donahue
Leonard Duclos
Scott Ensor
Chad Garber
Kim Hagen
Bruce Holmes
Tim McMillan
Charles Monsen
Doug Pierson
David Salinovich
Maurice Schranz
Charles Sherman
John Souza

JOB CLASSIFICATIONS

Supervising Building Inspector
Building Inspector IV
Building Inspector IV
Building Inspector IV
Building Inspector IV
Building Inspector III
Building Inspector III
Building Inspector III
Building Inspector III
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Building Inspector III

TO ENFORCE CITY CODES:

- Title 5. **Medical Marijuana Dispensaries**
 Chapter 5.150 – Medical Marijuana Dispensaries
 All Sections
- Title 8. **Health and Safety**
 All Chapters
 All Sections
- 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 XI - Outdoor Water Conservation
 Chapter 13.04 - All Sections
 Chapter 13.04.290 – Installation of water meters on water service connections made on or after January 1, 1992
 Chapter 13.04.845 – Irrigation service for area exceeding five acres
 Chapter 13.04.850 – Substandard water fixtures prohibited
 Chapter 13.04.860 – Water runoff prohibited
 Chapter 13.04.870 – Outdoor conservation of water
 Chapter 13.04.880 – New landscaping
 Chapter 13.04.890 – Penalties for violation
 Chapter 13.04.900 – Appeal
 Chapter 13.04.910 – Declaration of water shortage
 Chapter 13.04.920 – Access to customer premises – Compliance
 Chapter 13.04.950 – City water use

Title 15. **Buildings and Construction**
 All Chapters
 All Sections

Title 17. **Zoning**
 All Chapters
 All Sections

Section 3. In order to enforce certain provisions of the City Code and California Penal 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

Jace Huggins
 Ken Douglas
 Clinton Nelms
 Julian Reynaga
 Marek Sliwa
 John Sorrels
 Kerry Jones
 Allison Nielson
 Casandra Scannell

JOB CLASSIFICATIONS

Senior Animal Control Officer
 Animal Control Officer II
 Animal Control Officer II
 Animal Control Officer II
 Animal Control Officer II
 Animal Control Officer II
 Animal Control Officer I
 Animal Control Officer I
 Animal Control Officer I

TO ENFORCE CITY CODES

Title 9. **Public Peace, Morals, and Welfare**
 Chapter 9.44 Animals
 All Sections

CALIFORNIA PENAL CODE

Sections 597-597.7 – Malicious and intentional aiming mutilation, torture, wounding or killing animals; confinement and medical treatment

Section 597a – Unnecessary torture, suffering or cruelty

Section 597b – Fighting animal and birds

Section 597c – Training animals to fight, or being present

Section 597e – Impounding without water or food

Section 597f – Permitting animals to go without care – veterinary care for injured cats and dogs

Section 597h – Fastening live animals to machines or devices to lure dogs

Section 597i – Trading, selling, bartering, exchanging, or possessing implements for fighting birds

Section 597j – Possession of gamecocks for fighting purposes

Section 597k – Use of bristle bur, tack bur, etc. prohibited - penalty

Section 597l – Maintenance of pet shops and animals in the care and control

Section 597s – Abandonment of dog or cat

Section 597t – Confinement of Animals

Section 597z – Sale of dogs under 8 weeks of age

Section 4. This resolution is adopted pursuant to Chapter 2.12.030 of Title 2 of the Sacramento City Code. 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.

Section 5. Resolution Nos. 2012-0047 and 2012-348 are hereby rescinded.

Adopted by the City of Sacramento City Council on August 18, 2015, by the following vote:

Ayes: Members Ashby, Carr, Guerra, Hansen, Harris, Jennings, Schenirer, Warren and Mayor Johnson

Noes: None

Abstain: None

Absent: None

Attest:

Shirley Concolino Digitally signed by Shirley Concolino
DN: cn=Shirley Concolino, o=City of Sacramento, ou=City
Clerk, email=sconcolino@cityofsacramento.org, c=US
Date: 2015.08.25 10:13:18 -07'00'

Shirley Concolino, City Clerk