



W2.8

NEIGHBORHOODS, PLANNING  
AND DEVELOPMENT SERVICES  
DEPARTMENT

CODE ENFORCEMENT DIVISION

**CITY OF SACRAMENTO**  
CALIFORNIA

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May 20, 1998

**APPROVED**  
BY THE CITY COUNCIL

**JUN 16 1998**

OFFICE OF THE  
CITY CLERK

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT: ESTABLISHMENT OF NEIGHBORHOOD CODE ENFORCEMENT VEHICLE  
ABATEMENT ORDER and APPEAL FEES**

**LOCATION AND COUNCIL DISTRICT:** City-wide

**RECOMMENDATION:**

It is recommended that City Council adopt, by resolution, the proposed Neighborhood Code Enforcement Vehicle Abatement and Appeal fees.

**CONTACT PERSON;** Josh Pino, Interim Chief of Code Enforcement, 264-8733

**FOR COUNCIL MEETING OF:** June 16, 1998

**SUMMARY:**

The proposed fees will:

- Include Vehicle Abatement and Appeal fees in the cost of abatement, in accordance with Title 61 of the Sacramento City Code;
- Allows for the costs of investigation, case management, abatement, processing and hearing of appeals related to violations of City Code to be recovered.

**BACKGROUND:**

This fee will typically be issued after a preliminary notice and compliance period have expired. Thus, it is to this document that processing, investigation, and case management related fees are attached for cost recovery purposes. The average vehicle abatement case requires:

- site visits, customer contacts, investigations and legal postings and notifications
- report preparation and review
- complaint intake, document processing, and billing

The average appeal requires:

- case preparation, management, review, and the services of a third-party hearing examiner
- administration of the hearing meeting, including the use of a facility and staffing for the hearing

**FINANCIAL CONSIDERATION:**

The amount of the fees are based on *services rendered by the department from the time of the initial complaint intake for the purpose of documenting a violation of the city code until the violation is corrected*, as stated in Section 61.03, and 61.06, of the Sacramento City Code.

The Vehicle Abatement Fee amount is based on the average salary and benefit hours expended by staff supporting the functions of complaint intake, complaint processing, case investigation and management, plus related indirect costs.

The Appeal Fee is based on the average salary and benefit hours expended by staff who support hearings administration, the cost of the third party hearing examiner (including hearing attendance, parking, writing, research and review related to decisions), and indirect costs (including the costs of facilities, equipment and materials as related to case preparation and hearings).

The fees are calculated as follows:

<b>FEE CALCULATION SUMMARY</b>			
<b>FEE NAME</b>	<b>RELATED CLASSIFICATIONS AND CASE INVENTORY FACTORS</b>	<b>SUPPORT AND TECHNICAL INDIRECT FACTORS</b>	<b>FEE</b>
1. Vehicle Abatement (Off street)	(TCH) 1 hr x 17 (sal/ben) = 17 (ACEO) 3 hr x 20 = 60 (SR. CEO) 1 hr x 25 = 25	17 x 1.3087 = 22.25 60 x 1.5155 = 90.93 25 x 1.5155 = 37.88  Towing fee \$105 22.25 + 90.93 + 37.88 + 105 = 256.06	256
2. Vehicle Abatement (On street)	(ACEO) 1 hr x 20 = 20	20 x 1.5155 = 30.31  Towing fee \$105 30.31 + 105 = 135.31	135
3. Appeal Fee	As set forth in Resolution #98-009		125

Establishment, by resolution, of the proposed fees, are expected to generate approximately \$150,000 additional revenue in FY 1999 and up to \$215,000 the following years.

The revenue expected in FY 1999 is calculated as follows:

	PROPOSED NEW FEE NAME	FEE AMOUNT	CALCULATION SUMMARY	ADDITIONAL REVENUE
1	Vehicle Abatement (on street)	\$135	\$135 x 1,400	\$189,000
2	Vehicle Abatement (off street)	\$256	\$256x 100	\$ 25,600
3	Appeal of Fee	\$125	\$125 x 10 appeals	\$ 1,250
<b>TOTAL</b>				<b>\$215,850</b>

**ENVIRONMENTAL CONSIDERATIONS:**

Pursuant to Public Resources Code Section 21080(b)(8). Council actions establishing or modifying fees are exempt from the review requirements of the California Environmental Quality Act if the Council finds that the fees are for the purposes of cost recovery.

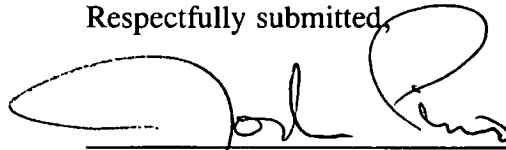
**POLICY CONSIDERATIONS:**

The establishment of justifiable cost recovery fees, by resolution, is consistent with existing policies and procedures. The recommendations stated in this report are also consistent with City Council policies and stated priorities related to revitalization and preservation of neighborhoods.

**MBE/WBE EFFORTS:**

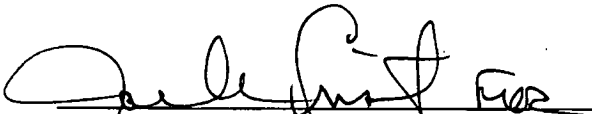
No change in current contracts.

Respectfully submitted,

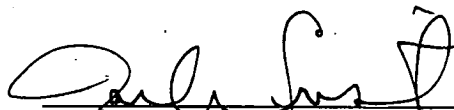


Josh Pino, Interim  
Chief of Code Enforcement

Recommendation Approved:



WILLIAM H. EDGAR  
CITY MANAGER



JACK CRIST, DEPUTY CITY MANAGER  
NEIGHBORHOODS, PLANNING AND  
DEVELOPMENT SERVICES DEPARTMENT

APPROVED  
BY THE CITY COUNCIL

JUN 16 1998

OFFICE OF THE  
CITY CLERK

**RESOLUTION NO. 98-277**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**A RESOLUTION AMENDING THE CITY OF SACRAMENTO  
FEE AND CHARGE REPORT TO ESTABLISH FEES FOR  
NEIGHBORHOOD CODE ENFORCEMENT VEHICLE ABATEMENT**

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

- Section 1. The City of Sacramento Fee and Charge Report is hereby amended to establish the following new fees:
- a) Neighborhood Code Enforcement Vehicle Abatement Fee - established at \$135.00 each vehicle abatement case on street
  - b) Neighborhood Code Enforcement Vehicle Abatement Fee - established at \$256.00 each vehicle abatement case off street
  - c) Vehicle Abatement Order Appeal Fee - established at \$125 per vehicle abatement case

- Section 2. Based upon the information presented to it and upon all information in the public record, and in compliance with Public Resources Code Section 21080 (b)(8), the City Council finds that the new fees are for the purpose of supporting the requirements of the Neighborhood Code Enforcement program by:
- a) Recovering costs including employee salaries and benefits
  - b) Purchasing, procuring or leasing facilities, supplies, equipment or materials.

- Section 3. The City of Sacramento Fee and Charge Report is hereby amended to reflect Neighborhood Code Enforcement's related fees and charges as set forth in Exhibit A attached hereto and incorporated herein by reference.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

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**City of Sacramento  
Neighborhood Code Enforcement  
Fees and Charges  
(June 1998)**

	DESCRIPTION	STATUS	AMOUNT	CITY CODE AUTHORITY
<b>DIRECT COST REIMBURSEMENT CHARGES</b>				
1	The direct cost of the following legally required <i>documents</i> will be charged to the property owner: <ul style="list-style-type: none"> <li>● Lot Book Guarantee Cost</li> <li>● On-Line (Title/Location/Property) Reports</li> <li>● Newspaper Publication</li> </ul>	CURRENT	Direct Cost as charged to the City	Titles 9, 49, 50, 61
2	The direct cost of the following legally required <i>services</i> will be charged to the property owner: <ul style="list-style-type: none"> <li>● Vehicle Removal</li> <li>● Vehicle Recovery</li> <li>● Site Securement</li> <li>● Pest Eradication</li> <li>● Noise Level Testing</li> <li>● Process Service</li> <li>● Sign Removal</li> <li>● Tenant Relocation (due to Pest Infestation)</li> <li>● Debris Clean-up Propeerty Abatement</li> <li>● Off-site Records Retrieval</li> <li>● Zoning Compliance Research</li> </ul>	CURRENT	Direct Cost as charged to the City	Titles 9, 49, 50, 61
<b>FEES</b>				
1	Notice and Order to Abate Public Nuisance - Nuisance Code	CURRENT	\$540	Title 61
2	Notice and Order to Eradicate and/or Repair - Environmental Health Program	CURRENT	\$510	Title 49
3	Vehicle Abatement - on street	NEW	\$135	Title 61
4	Vehicle Abatement - off street	NEW	\$256	Title 61
5	Appeal Fee <ul style="list-style-type: none"> <li>● Public Nuisance Hearing</li> <li>● Environmental Health Program (Pest Infestation) Appeals</li> </ul>	CURRENT	\$125 \$125	Title 61 Title 49
6	Termination (property encumbrance removal and case closure processes)	CURRENT	\$75	Titles 49, 50, 61
7	Document Research and File Processing	CURRENT	\$15 per ½ hour	Titles 49, 50, 61
8	Document Copies: <ul style="list-style-type: none"> <li>● Audio Cassette Duplication</li> <li>● Non-certified copies</li> <li>● Certified Copies (required by court)</li> </ul>	CURRENT	\$25 per hearing .25 per page 1.00 per page	Titles 49, 50, 61
9	Compliance Extension Application Fee	CURRENT	\$50	Title 61
<b>NOTE: 15%ADMINISTRATIVE FEE ELIMINATED UPON APPROVAL, BY RESOLUTION, OF NOTICE AND ORDER FEE</b>				

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