



DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
ROOM 200
SACRAMENTO, CA
95814-2998

September 11, 1991

BUILDING INSPECTIONS
916-449-5716

PLANNING
916-449-5604

Law and Legislation Committee
Sacramento, California

Honorable Members In Session:

SUBJECT: CIVIL PENALTY PROVISIONS TO CHAPTERS 49 AND 50 OF THE SACRAMENTO CITY CODE

SUMMARY:

This report is submitted to implement a recommendation of the Housing Program Committee regarding an expansion of the City's efforts to correct substandard conditions in rental housing.

BACKGROUND:

The Housing Program Committee's report was submitted to the Budget and Finance/Transportation and Community Development Committees in November 1989. The report recommended a Civil Penalties provision be drafted and added to Chapters 49 and 50 of the Sacramento City Code to create a fiscal disincentive to owners of substandard rental properties.

The City Council may, by this ordinance, provide that violation of this section of the City Code shall subject the violator to Civil Penalties of not less than two-hundred fifty dollars (\$250.00), or more than five-thousand dollars (\$5,000.00) for each day the violation continues.

FINANCIAL:

Any Civil penalties levied against property owners in violation of this ordinance would be recovered by the City.

POLICY:

This ordinance is consistent with the City's approach to owners of substandard properties. This is just one of many tools including Rent Escrow Account Program, Receivership, et cetera that will enable staff to expand the City's program to eliminate substandard housing.

Law and Legislative Committee
September 11, 1991
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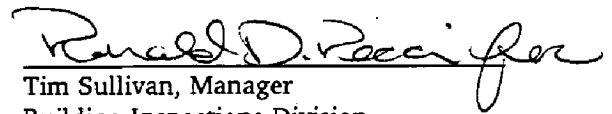
MBE/WBE:

Not applicable.

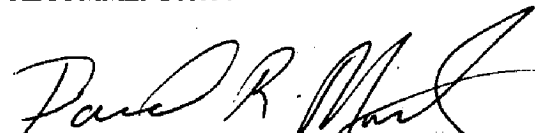
RECOMMENDATION:

It is recommended that the Law and Legislative Committee recommend that the City Council adopt the attached ordinance thereby implementing Civil Penalties for negligent owners of substandard properties.

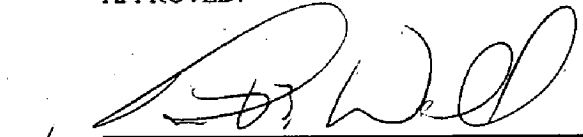
Respectfully submitted,


Tim Sullivan, Manager
Building Inspections Division

RECOMMENDATION APPROVED:


David Martinez
Deputy City Manager

APPROVED:


for Robert Thomas, Acting Director
Planning and Development

Contact Person:
Max B. Fernandez
Housing Administrator
449-5404

September 11, 1991
All Districts

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

AN ORDINANCE AMENDING SECTIONS 49.211 AND 50.203 OF THE SACRAMENTO CITY CODE AND ADDING SECTION 49.212, ADDING PROVISIONS FOR CIVIL PENALTIES FOR VIOLATIONS OF HOUSING CODES AND DANGEROUS BUILDING CODES AND SPECIFYING ADDITIONAL ENFORCEMENT AUTHORITY

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

SECTION 1.

Section 49.211 of the Sacramento City Code is hereby amended to read as follows:

§ 49.211 Violations and penalties.

No person, firm or corporation, whether as owner, lessee, sublessee or occupant, shall erect, construct, enlarge, alter, repair, move, improve, remove, demolish, equip, use, occupy or maintain any building or premises, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this code or any order issued by the director hereunder. Any person, firm or corporation violating the provisions of this section or any other provision of Chapter 49 shall be guilty of a misdemeanor for each day such violation continues. Any person, firm or corporation violating the provisions of this section or any other provision of Chapter 49 shall also be liable for civil penalties of not less than two hundred fifty dollars (\$250) or more than five thousand dollars (\$5,000) for each day the violation continues. The City Attorney may seek civil penalties in any civil action brought to enforce any provision of this chapter. (Ord. No. 3113, §1.)

SECTION 2.

Section 50.203 of the Sacramento City Code is hereby amended to read as follows:

§ 50.203 Violations.

No person, firm or corporation, whether as owner, lessee, sublessee or occupant, shall erect, construct, enlarge, alter, repair, move, improve, remove, demolish, equip, use, occupy or maintain any building or premises, or cause or permit the same to be done, contrary to or in violation of the provisions of this code or any order issued by the director hereunder. Any person, firm or corporation violating the provisions of this section or any other provision of Chapter 50 shall be guilty of a misdemeanor for each day such

violation continues. Any person, firm or corporation violating the provisions of this section or any other provision of Chapter 50 shall also be liable for civil penalties of not less than two hundred fifty dollars (\$250) or more than five thousand dollars (\$5,000) for each day the violation continues. The City Attorney may seek civil penalties in any civil action brought to enforce any provision of this chapter. (Ord. No. 2808, §1.)

SECTION 3.

Section 49.212 is hereby added to the Sacramento City Code to read as follows:

§ 49.212 Additional enforcement authority.

The director is hereby authorized to enforce, implement and foster compliance with the following specified provisions of state law, as well as other provisions of federal, state and local law which further the protection of life, limb, health, property, safety and welfare of the general public and the owners and occupants of residential buildings: California Revenue and Taxation Code Sections 17274 and 24436.5; California Civil Code Sections 1929, 1941 and 1942; California Health and Safety Code Sections 17961, 17980.6, 17980.7, 17981 and 17995.

DATE PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____