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# CITY OF SACRAMENTO

## DEPARTMENT OF FINANCE

September 11, 1985

### BUDGET DIVISION

Budget and Finance  
Transportation and Community Development  
Sacramento, California

Honorable Members in Session:

**SUBJECT:** Code Enforcement

#### **SUMMARY**

This staff report analyzes the City's code Enforcement/Nuisance Abatement programs. Several changes are recommended to improve efficiency and effectiveness. The recommended changes are divided into two categories: core recommendations and supplemental programs. The core recommendations are changes that will provide for a more efficient use of staff to effectively enforce existing programs. The supplemental programs address nuisances currently being neglected as well as implementing new programs. The recommended changes are summarized as follows:

#### Core Recommendation

- I. Form a Code Enforcement Division.
  - A. Consolidate Code Enforcement, Weed Abatement and Litter Control Activities within the Planning and Development Department.
  - B. Add a Division Manager.
  - C. Develop a plan of proactive Code Enforcement. Specific attention to be given to CDBG Target Areas (see Exhibit 1).
  - D. Require Weed Abatement contractors to comply with contract requirements (remove debris, clear weeds along fences and sidewalks).
- II. Streamline Abatement Process
  - A. Amend City Code and recommend state legislation to reduce the number of procedural steps required in abating junk and debris from private property.

## Supplemental Programs

### I. Additional Responsibilities Transferred to Code Enforcement Division

- A. Transfer the responsibility of abating abandoned service stations and drive-in enterprises and securing abandoned buildings from Housing/Dangerous Buildings to the Code Enforcement Division.
- B. Assist the Police Department in the abatement of abandoned vehicles on public right of ways and the enforcement of parking and other non-moving Vehicle Code violations. (Add three limited term Code Enforcement positions.)

### II. New Programs

- A. Develop public awareness and community involvement programs.
- B. Develop substandard housing abatement programs in conjunction with the programs in the City General Plan, Housing Element - 1985.
- C. Develop an automated Code Enforcement Information System.

### III. Other Changes

- A. Add one Neighborhood Clean-up crew to facilitate litter clean-up.
- B. Add one Building Inspector to Housing/Dangerous Building Activity to assist in the abatement of dangerous buildings.

## **BACKGROUND**

As part of the adoption of the City's 1985-86 Budget, staff was required to report to the Budget and Finance, and Transportation and Community Development Committees with recommendations on how to improve the City's Code Enforcement and Nuisance Abatement programs.

The City's Code Enforcement/Nuisance Abatement Activities are summarized on Exhibit 2. The Planning and Development, Public Works, and Finance Departments are currently responsible for the majority of the City's Code Enforcement/Nuisance Abatement programs. The activities in the Planning and Development Department which deal with nuisance abatement are the Housing and Dangerous Building, and Code Enforcement Activities. The Housing and Dangerous Building Activity is responsible for the abatement of substandard housing and the securing and/or demolition of dangerous buildings. This activity is also responsible for the abatement of abandoned service stations and other abandoned drive-in type enterprises. The Code Enforcement Activity is responsible for the enforcement of the majority of the City's nuisance codes and ordinances including:

1. Chapter 3: Sign Ordinance
2. Chapter 7: Auction and Other Sales (Street Vendors)
3. Chapter 9: Building Code (Section 9.521 Swimming Pool Fences)
4. Chapter 44: Trailer Camps and Public Camps

5. Chapter 61: Nuisance Code (Junk, Debris, Abandoned Vehicles)

6. Comprehensive Zoning Ordinance Sections 1 through 22

The Litter Control Activity in the Public Works Department is responsible for abating litter on public and private property throughout the City. The Weed Abatement Activity is currently the responsibility of the Finance Department. This activity was transferred from the Fire Department to the Finance Department as part of the 1985-86 Budget.

#### ANALYSIS

General. The City's Code Enforcement/Nuisance Abatement programs can best be described as "complaint oriented", which refers to enforcement that is initiated as a result of a complaint being received. To more effectively deal with nuisance/code problems, the City should implement a "proactive enforcement" program. Proactive enforcement would include efforts to survey geographic areas and locate violations, and initiate abatement.

Individually, each of the current nuisance/code activities do not have sufficient field enforcement staff to initiate an effective proactive enforcement program. Collectively, however, there probably are sufficient field enforcement staff. The field enforcement duties of the separate activities are related and through consolidation can effect various economics of staff resources. For example, the Code Enforcement, Weed Abatement, and the Litter Control Activities are all involved with the field inspection of vacant property. The same vacant lot may receive an inspection from each of these activities. The Code Enforcement staff may be involved in the removal of an abandoned vehicle, the Weed Abatement staff may be involved in the abatement of weeds and the Litter Control staff may be involved with the removal of litter. With the addition of two Code Enforcement Officers added in 1985-86, the consolidated field enforcement staff will total 11. In 1984-85 there were 5 Code Enforcement Officers, 2 Weed Abatement Inspectors and 2 Litter Control Officers/Aide positions. Economies resulting from cross-training and the elimination of multiple single purpose inspections will allow for a smaller geographic area of responsibility for each enforcement officer. Using gross square miles as a basis of comparison, during 1984-85 the Code Enforcement Officers were responsible for a 24 square mile area; each litter control and weed abatement field staff was responsible for 47 square miles. Consolidating the staff will reduce the area of responsibility for each field enforcement staff to 10 square miles.

Included in the next part of this report is an analysis of the City's Code Enforcement/Nuisance Abatement Activity.

Code Enforcement. The absence of an ongoing proactive enforcement program is a major draw back in the Code Enforcement Activity. By being in a reactionary mode, the program has the appearance of selective enforcement. Abatement of a nuisance at one location may be initiated but the adjacent property with an identical violation may receive no attention.

Lack of proactive enforcement is of particular concern in the CDBG target areas. CDBG funding for 3 enforcement officers has been provided by SHRA in their 1985 Budget for a nuisance abatement program in CDBG target areas. (See Exhibit 1 for area map.) The agreement with the Agency states "The primary objective of this program is to proactively locate nuisance violations and abate them. Violations such as trash and garbage accumulation, miscellaneous zoning and sign control violations, abandoned vehicles, etc., should be handled. Nuisance Abatement officers will respond to complaints as well as proactively survey...". The majority of the code enforcement services in these target areas have not been proactive enforcement which places this funding in jeopardy.

In order to address this problem it is recommended that 3 enforcement officers be assigned full time to the target areas. These officers would work as a team and do a block by block survey of an area. This concentrated enforcement has been used on one occasion and has proved to be effective. The remaining 8 officers would still be available for other sections of the City. As time becomes available, additional teams could be used in the target areas. Alternatively, the City could supplant the CDBG funding with General Fund monies and eliminate the distinction of CDBG target areas and the rest of the City.

Another area of concern deals with the "due process" required in abating a nuisance on private property. The process is not only lengthy but absorbs a significant amount of staff time. Following the hearing process an abatement can take as long as 120 days and absorb 24 hours of staff time. The procedural abatement steps currently used are in excess of what is required by City Code and state law. (See Exhibit 3 for flow charts of various due process steps currently used.) By streamlining the due process, the elapse time required for an abatement will be shortened and also reduce the staff time. This will allow for a greater number of abatements over the same time period.

The Director of Planning and Development has recognized the need to streamline due process and has initiated action this year to address this issue. A streamlined due process is currently being drafted. In addition to streamlining due process, the Chief of Code Enforcement is developing plans for concentrated proactive enforcement for the target areas.

Another area of recent improvement has resulted from the Code Enforcement Division providing support to the Police Department in two areas: (1) abatement of abandoned vehicles on public right-of-ways, and (2) enforcement of parking and other non-moving Vehicle Code violations such as expired vehicle registration, parking in handicapped zones, and oversized vehicles parked on streets in residential areas. Prior to this arrangement, the Police Department had sole responsibility for abating abandoned vehicles on public right-of-ways and also enforcement of illegally parked vehicles outside the downtown area. Amendments to the City Code are currently being made. Both of these are handled by the Police Department on a complaint basis. In lieu of committing additional Police Department staff to develop a proactive enforcement program, it is recommended that the Code Enforcement Division assume responsibility of proactive enforcement. Because of the amount of time required in the abatement of abandoned vehicles, a staffing augmentation is warranted. It

is estimated that the staff time required per vehicle abated ranges from 35 - 90 minutes. A significant portion of this time is spent at the vehicle site waiting for the tow trucks. Because of the lack of data needed to determine the magnitude of the problem, it is recommended that limited term positions be used initially to establish this program change. Three limited term positions are recommended for a six month period. A recommendation on continued staffing requirements should be made at the end of the six month period. For projection purposes, two FTE positions are estimated for 1986-87. Due to the limited difficulties involved in these programs, it is recommended that an entry level Code Enforcement Officer position such as Code Enforcement Officer Trainee be developed. This position would have a similar relationship to the Code Enforcement Officers as the Community Service Officers have to Police Officers.

Housing/Dangerous Building. The major function of this activity which is to inspect remodelings, utilizes 4.0 FTE of the 4.5 FTE budgeted to the activity. All of the abatement responsibilities must be absorbed by the remaining 0.5 FTE. Because of this minimal staffing, abatement emphasis is placed on buildings that pose a safety hazard. As a result, staff time is not available for proactive enforcement, and abatement of abandoned service stations as well as other abandoned drive-in enterprises have been neglected. The use of staff from this activity to support other Building Inspection Activities has contributed further to the staffing shortage.

Currently, the field enforcement is performed by a Building Inspector III. It is recommended that abatements which can be initiated by a non-technical inspection of the structure be handled by a Code Enforcement Officer. This includes abandoned service stations, abandoned drive-in enterprises and the securing of abandoned buildings. The Code Enforcement Officers can also assist in the identification of dangerous buildings and substandard buildings. In addition to the transferring of these abatement responsibilities to a consolidated Code Enforcement Unit, it is recommended that one Building Inspector be added to the Housing/Dangerous Building Activity. This position would initiate the abatement of dangerous buildings and substandard housing.

Another program that the City could take advantage of is the Franchise Tax Board program to assist local agencies in dealing with substandard rental housing. The Franchise Tax Board will audit tax returns and disallow any deductions taken on the substandard house. Any additional taxes resulting from this audit will be remitted to the local agency. (See Exhibit 4 for additional information.) This program should be used in conjunction with the programs outlined in the City of Sacramento, General Plan, Housing Element - 1985 to deal with substandard housing.

Litter Control. The Litter Control Activity has a very difficult enforcement task. In order to issue a citation they must witness the violation or have a witness willing to testify in court. With a staffing level of 2.0 FTE, each Litter Control field staff must cover a 47 square mile area of the City. This makes catching someone in the act very difficult. Much of their time is spent responding to complaints and attempting to locate any identifying information in the litter. Once the

offender is identified the Litter Control staff attempts to have the offender voluntarily clean up the litter. If there is no identifying information, solid waste crews are used to do the clean up. Major problems are the size of area that each Litter Control staff must cover and the difficulties in prosecuting an offender. Staff time is limited for proactive enforcement.

The Litter Control Activity is active in anti-litter organizations and is working toward developing community awareness programs. They are active in organizations such as RecyCAL and Keep America Beautiful.

Weed Abatement. Many of the problems associated with the Weed Abatement program are related to contract administration. The provisions of the current contract require the contractor to remove all debris and trim weeds along the fence line and sidewalk. Past practices have not required the contractors to provide these services. This has resulted in lots being poorly abated. In general, the contractors have disced around the debris and ignored the weeds adjacent to the fences and sidewalks. The other problem is that the first discing is not completed on a timely basis. The first discing should be completed by the first of July to avoid the fire hazard created by the Fourth of July fireworks.

By having the field enforcement responsible for smaller areas they will be able to monitor the work performed by the contractors. In addition to identifying lots to be abated for weeds, abatement can be initiated for other violations of City Code. It is also recommended that the City adopt standards on how the lots need to be maintained. This standard should be sent to owners of vacant lots in the City. Information should be provided regarding higher abatement costs. Requiring the abatement contractors to perform additional work will result in higher abatement costs. It is recommended that the local conservation corp be used to perform some of the abatement work. The Revenue Officer is restructuring the enforcement of the weed abatement contract as well as evaluating the weed abatement charges to insure all costs are recouped by the City.

City Attorney. The City Attorney has added the Code Enforcement attorney to its staff. Preliminary work has been done in amending the Nuisance Code to streamline the steps required in the abatement process. In addition, the City Attorney's Office should assist the Planning and Development Director in reviewing Demolition requirements. The Attorney's office should make recommendatins on legislation at the state level to further streamline the abatement process and also recommend any changes to ease prosecution of individuals involved in illegal dumping.

## **DISCUSSION**

Included in this section are the recommended changes.

### **I. Form a Code Enforcement Division.**

Exhibit 5 includes a summary of program responsibilities transferred to this Division. Creating a new division will give it the focal attention

that is needed. Code Enforcement/Nuisance abatement will be the Division's only responsibility. The division is recommended to be part of the Planning and Development Department because of the many issues related to land use, zoning and building inspections.

**A. Consolidate the Code Enforcement, Weed Abatement and Litter Control Activities.**

The benefits of consolidation are discussed in the previous section. In addition to consolidating the activities, the field staff should have a common job classification, e.g., Code Enforcement Officer Trainee/I/II. The Code Enforcement Officer Trainee being the entry level position. These positions are identified below:

CURRENT		PROPOSED	
-----		-----	
Planning & Development Dept. Building Inspection Division Code Enforcement Activity		Planning & Development Dept. Code Enforcement Division	
-----		-----	
Chief of Code Enforcement	1.0	Division Manager (New)	1.0
Code Enforcement Officer	7.0	Chief of Code Enforcement	1.0
Typist Clerk I/II	2.0	Code Enforcement Officer I/II	11.0
		Typist Clerk III	1.0
Finance Department		Typist Clerk I/II	2.0
Revenue Division			-----
Weed Abatement Activity		Total FTE	16.0
			=====
Fire Prevention Tech II	1.0		
Fire prevention Tech I	1.0		
Typist Clerk I/II	1.0		
Public Works Department			
Solid waste Division			
Litter Control Activity			
-----			
Litter Control Officer	1.0		
Litter Control Aide	1.0		
Total FTE	15.0		
	=====		

The Personnel Department will be required to conduct a job classification study.

**B. Add Division Manager Position**

The Division Manager will be responsible for planning and directing Code Enforcement/Nuisance abatement programs. This position will be responsible for implementing the changes that are recommended in this report. In addition this position will be responsible for keeping Councilmembers informed of the status of the implemented changes as well as an evaluation of the changes once implemented.

The Personnel Department will be required to conduct a job classification study as well as conducting necessary recruitment for this new position.

**C. Develop a Plan of Proactive Code Enforcement. Specific Attention to be given to CDBG Target Areas.**

The CDBG target areas (see Map Exhibit 2) are not receiving sufficient proactive code enforcement. The three code enforcement officers funded by CDBG should be assigned exclusively to the targeted areas. In addition, periodic concentrated proactive enforcement utilizing all of the Code Enforcement Officers (11) is recommended in the target areas.

The Code Enforcement Division should assume the lead in abatement of nuisances. Proactive enforcement of an area must include enforcement of all sections of City Code relating to nuisances. Violations neglected in the past have been; outdoor vendors, abandoned service stations and illegal residential businesses. Referrals to other agencies should be made when violations are outside direct areas of responsibilities are located. Referrals agencies should include City Animal Control, Parks and Community Services, City Police Department, County Environmental Health and State Franchise Tax Board.

It should be noted that with an aggressive proactive enforcement program, an additional hearing officer may be required. Currently the Citizens Assistance Officer serves as the hearing officer. The hearings are being held twice a month. This may change to weekly hearings.

**D. Require Weed Abatement contractors to comply with contract requirements (remove debris, clear weeds along fences and sidewalk.**

Past practice has not required the contractors to remove debris or to trim weeds along the fences and sidewalks. The private contractors should be required to comply with provisions of the contract that require contractors to "... remove debris and trim weeds along sidewalks and fences." Requiring the contractors to comply will probably increase the abatement costs. It is estimated that cost will increase by three times. These additional costs to provide this service level will be passed on to the property owner.

A weed abatement lot standard will have to be developed. See Exhibit 6 for a sample used in the past.

The use of the local conservation corp is recommended for weed abatement work and also to assist in the maintenance of unimproved alleys.

## II. Streamline Abatement Process.

- A. Amend City Code and recommend state legislation to reduce the number of procedural steps required in abating junk and debris from private property.

Chapter 61 of the City Code should be amended by the City Attorney's Office to reflect the minimum due process required by state law. Policy can be set administratively to allow for varying levels of procedural steps. Since voluntary compliance is the most efficient method of abatement, offenders will be given the opportunity to voluntarily abate prior to the public hearing.

The City Attorney's Office should conduct a similar review of the City's Demolition codes

In addition, the Attorney's Office should recommend state legislation to further streamline the abatement process. The rules of evidence regarding illegal dumping should also be reviewed for possible state legislation.

### SUPPLEMENTAL PROGRAMS

#### I. Transfer additional responsibilities to the Code Enforcement Division.

- A. Transfer the responsibility of abating abandoned service stations and drive-in enterprises and securing abandoned buildings from the Dangerous Building Activity to the Code Enforcement Division.

The Dangerous Building Activity does not have the adequate staffing to handle this type of abatement. This can be handled by a Code Enforcement Officer and does not require a building inspector to perform the abatement.

- B. Assist the Police Department in the abatement of abandoned vehicles on public right-of-ways and enforcement of parking and other non-moving Vehicle Code violations. Add three Limited Term Code Enforcement Officer Trainees.

This will allow the City to engage in a proactive enforcement of abandoned vehicles on City right-of-ways and illegally parked vehicles without committing additional Police Department staff. The use of limited term positions is recommended for six months. During this period an evaluation will be made to determine permanent staffing needs. It is projected that following an initial abatement effort, the work load in this area will decrease.

The Personnel Department will be required to conduct a job classification study as well as conducting necessary recruitment and testing for the Code Enforcement Officer Trainee positions.

## **II. New Programs.**

### **A. Public Awareness and Community Involvement Programs.**

Examples:

1. Do a mailing to all owners of vacant property advising them of the City's new policies on nuisance abatement.
2. Have special clean-up days such as the "Trash Ball" program in Oak Park.
3. Work with SHRA and community organizations in the redevelopment areas in identifying problem areas.
4. Advertise in the media the existence of the Code Enforcement Division (Hotline).
5. Continue involvement with organizations such as RecyCAL and Keep America Beautiful.

### **B. Develop substandard housing abatement programs in conjunction with the programs in the City General Plan, Housing Element - 1985.**

As stated earlier this is a program offered by the State Franchise Tax Board which the City is not currently taking advantage of. The Franchise Tax Board will audit tax returns and disallow any deductions taken on the substandard house. Any additional taxes resulting from this audit will be remitted to the local agency. The use of the program should be coordinated with the programs identified in the City General Plan, Housing Element - 1985. See Exhibit 7 for the programs proposed in the Housing Element report.

### **C. Develop an Automated Code Enforcement Information System.**

The system should include billing, receipting, noticing and information retrieval capabilities. The system should interface with the City's Parcel, Geo-Coding, FMIS, and vacant property systems. This can be a valuable aid to the Councilmembers in monitoring the status of nuisance complaints within their districts. The first phase is to develop a record keeping system on the microcomputer with the eventual goal of designing a system capable of interfacing with the mainframe.

## **III. Other Changes**

### **A. Add One Neighborhood Clean-Up Crew.**

An additional clean-up crew will be required as a result of the work of the Code Enforcement Division in identifying trash and debris. Any "free" time that the crew may have can be utilized in the City's neighborhood clean-up program. It is important that the clean-up crew be available on a scheduled basis to the Code Enforcement Division.

**B. Add one Building Inspector to Housing/Dangerous Building Activity.**

It is recommended that a Building Inspector position be added to the Housing/Dangerous Building Activity. This position will be required to support the 0.5 FTE currently assigned to the abatement of dangerous buildings. The number of abatements will increase as Code Enforcement Officers identify potential dangerous buildings as they are proactively surveying areas of the City.

**FINANCIAL DATA**

Costs of implementing the program changes are estimated at \$387,400 for the General Fund and \$125,000 for the Solid Waste Fund. The majority of the offsetting revenue will be realized in the 1986-87 fiscal year. This is due to the weed abatement charges being billed after the fiscal year-end. The use of the lien process also delays recovering abatement and demolition costs. These amounts will be collected with the 1986-87 property taxes. The 1985-86 data reflects half a year's expenditures and include one-time start up costs. The 1986-87 data reflects on-going costs and delayed revenues relating to 1985-86 costs. See Exhibit 8 for cost break down by program.

General Fund	1985-86	1986-87
-----	-----	-----
Salary & Benefits	\$ 79,100	\$158,200
Service & Supplies	225,700	219,600
Equipment	62,600	17,000
*Contingency	20,000	-0-
	-----	-----
Subtotal	\$387,400	\$394,800
Revenue	28,800	245,900
	-----	-----
Net Cost	\$358,600	148,900
	=====	=====

\*Potential overruns in abatement contracts and remodeling costs.

Major General Fund expenditures:

- a. Vehicle (\$8,500). Vehicle is for additional Building Inspector.
- b. Weed Abatement contract (\$150,000) - Additional cost due to contractors performing additional services. Remove debris, clear weeds along fence and sidewalks.
- c. 8 portable radios (\$17,800) - Weed Abatement and Litter Control staff do not currently have mobile radios. Additional radios are for the Division Manager and Code Enforcement Officer Trainees.
- d. Microcomputer and related expenses (\$8,140) - This is to develop an automated information system.

- e. Expand telephone system (\$8,200) - The telephone system of 13th and I must be modified to handle additional lines.
- f. Facility Maintenance and Work Stations (\$30,000) - Current space at 13th and I will need to be modified to accomodate additional staff.
- g. Division Manager (\$30,000) - Half year salary and benefits.
- h. Building Inspector (\$22,000) - Half year salary and benefits.
- i. Code Enforcement Officer Trainee (\$26,300) - 3 half year salary and benefits.

The Solid Waste Fund will continue to fund the costs of 2 Litter Control Officer/Aid Positions. The addition of the Neighborhood Clean-up Crew will be included in the Solid Waste Rate Study and be reflected in 1986-87 rates. Current year costs will have to be funded from reserves.

Solid Waste Fund -----	1985-86 -----	1986-87 -----
Salary & Benefits	\$ 34,000	\$ 68,000
Service & Supplies	11,000	21,000
Equipment	80,000	-0-
	-----	-----
Subtotal	\$125,000	\$ 89,000
Revenue	1,000	2,000
	-----	-----
Net Cost	\$124,000	\$ 87,000*

\* Costs will be included in Solid Waste Rate Analysis.

Solid Waste Expenditures:

- a. Clean-up Crew (\$34,000) - Half year salary and benefits for 1 Sanitation Worker II and 1 Sanitation Worker I.
- b. Refuse Truck (\$80,000) - To be used by clean-up crew.
- c. Fleet maintenance (\$10,000) - Mileage and maintenance costs for refuse truck.

**CONCLUSION**

With the changes proposed in this report, the elements will be in place for the City to begin an effective Code Enforcement/Nuisance Abatement program. The City can engage in a proactive enforcement program. Sections of the nuisance code previously neglected (abandoned service station, street vendor), will be enforced. The redevelopment target areas will receive the needed block by block proactive enforcement. It is estimated that the staff consolidation and streamlining of the due process

will have the effect of adding 3 Code Enforcement Officers. The Weed abatement contract work will be improved through stricter enforcement of the contract. Police Departments abatement of abandoned vehicles on public right-of-ways and enforcement of parking and non-moving vehicle code violations will be augmented through a proactive enforcement program by the Code Enforcement Division.

#### RECOMMENDATION

Staff recommends the Joint Committee approve the Core and Supplemental Program, recommendations and that:

1. Staff be directed to implement the core and supplemental programs by January 1, 1986 in accordance with the implementation schedule (Exhibit 9).
2. The Code Enforcement Division Manager report back to the Joint Committee with implementation and evaluation reports.

#### ALTERNATIVE RECOMMENDATION

An alternative recommendation is for the Joint Committee to approve the Core recommendations and to phase in the supplemental program recommendations. This will allow the City to make improvement to existing Code Enforcement/Nuisance Abatement Programs before implementing new programs. The costs/revenues associated with each of the programs are detailed in Exhibit 8.

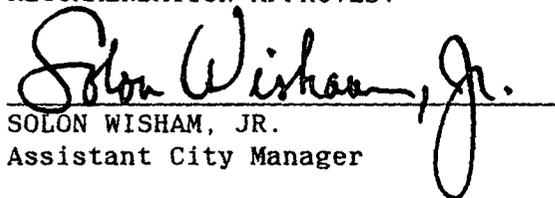
Respectfully submitted,



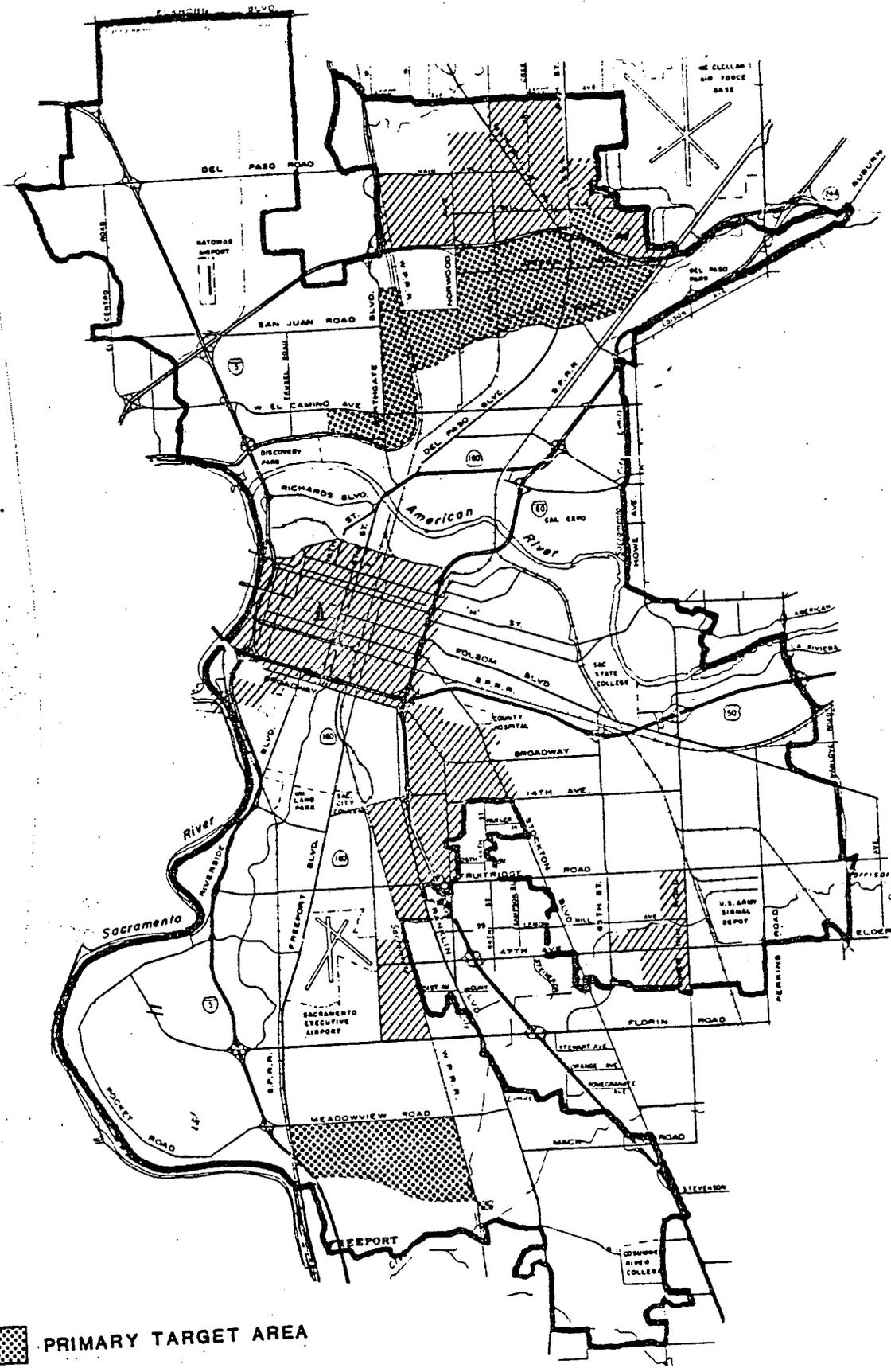
KEN NISHIMOTO  
Senior Management Analyst

#### Attachments

RECOMMENDATION APPROVED:



SOLON WISHAM, JR.  
Assistant City Manager



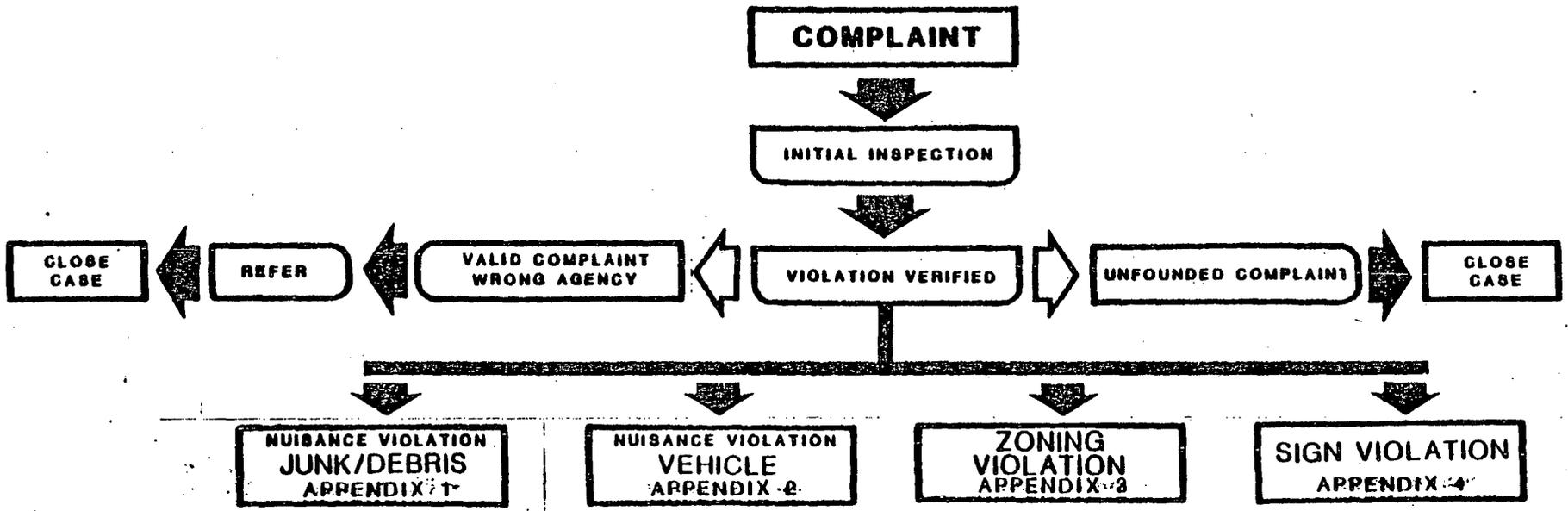
-  PRIMARY TARGET AREA
-  SECONDARY TARGET AREA

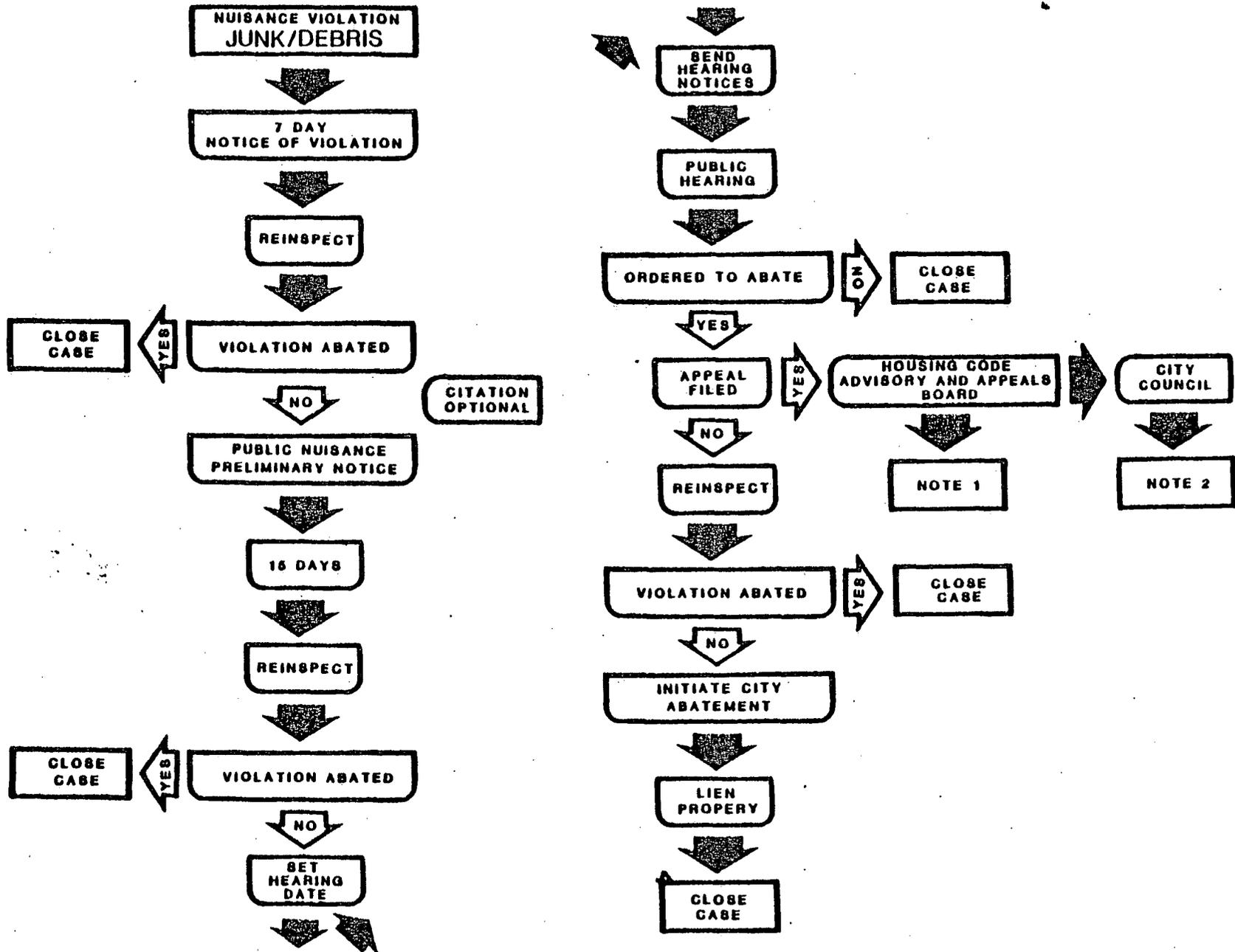
**CDBG CODE ENFORCEMENT TARGET AREAS**

exhibit1  
9/11/1985

CODE ENFORCEMENT/NUISANCE ABATEMENT  
ACTIVITY/STAFFING SUMMARY

Planning & Development	Public Works	Parks & Community Services	Finance	Attorney	Police
<b>SIGN ORDINANCE</b> eliminate erection, construction,display of signs prohibited by ordinance	<b>LITTER CONTROL</b> investigate dumping of waste, garbage,debris on public and private property	<b>PARK SITES</b> abatement of junk and debris from park sites,median strips	<b>UTILITY BILLING</b> water shut off noticing, new accounts,disputed accounts	<b>CODE ENFORCEMENT</b> 1 FTE assigned to Code Enforcement; reviews cases,initiates court action; approves deadlitions	<b>ABANDONED VEHICLES</b> responsible for abatement of vehicles on public property can intiate abatement of vehicles on private property
<b>AUCTION, OUTDOOR SALES</b> regulate garage sales,auctions, outdoor vending	<b>NUISANCE ABATEMENT</b> abatement of debris and junk on public property,alleys,streets, sidewalks,drainage ditches, garbage from vacant property	<b>WEED ABATEMENT(PUBLIC PROPERTY)</b> undeveloped park lands,and non landscaped median strips	<b>BUSINESS TAX</b> identify new accounts,delinquent accounts	<b>CURRENT STAFFING</b>	<b>CURRENT STAFFING</b>
<b>BUILDING CODE</b> regulate provisions of the city building code	<b>WEED ABATEMENT(PUBLIC PROPERTY)</b> alleys,streets,drainage ditches	<b>CURRENT STAFFING</b>	<b>SPECIAL PERMITS</b> Insure compliance of various special permits-taxi,bingo,vendor, auctioneer,arcade,dance,cardroom, bingo,commercial waste	<b>CITY ATTORNEY</b> Deputy City Attorney II 1.0	<b>Comm Service Officer 1.0</b> Support is provided by other officers
<b>TRAILER CAMPS</b> investigate complaints of occupied trailers,motor homes, travel trailers	<b>CURRENT STAFFING</b>	<b>PARKS AND TREE SERVICES DIV</b> Park maintenance staff are utilized	<b>WEED ABATEMENT(PROPOSED)</b> private property		
<b>NUISANCE CODE</b> investigate complaints of inoperable vehicles and or junk and debris on private property	<b>SOLID WASTE DIVISION</b> Litter Control		<b>CURRENT STAFFING</b>		
	Litter Control Officer 1.0 Litter Control Aid 1.0		<b>REVENUE DIVISION</b> Collection & Enforcement		
	Refuse Collection		Enforce & Collect Supvr 1.0 Code Enforcement Officer 3.0 Typist Clerk III 1.0 Typist Clerk II 1.0 Fire Prevention Tech II 1.0 Fire Prevention Tech I 1.0		
<b>COMPREHENSIVE ZONING CODE</b> investigate violations of land use regulations,parking vehicles, boats,campers on landscaped setbacks,off street parking, home occupations,non-conforming use	Neighborhood clean up crews are utilized				
	Street Maintenance				
<b>DANGEROUS BUILDING CODE</b> investigate abandoned building, and substandard structures	Street maintenance crews maintains alleys,drainage ditches				
<b>DEMOLITION ORDINANCE</b> inforces ordinance relating to abandoned buildings					
<b>CURRENT STAFFING</b>					
<b>BUILDING INSPECTION DIVISION</b> Code Enforcement Activity	Housing/Dangerous Bldg				
Chief of Code Enforcement 1.0 Code Enforcement Officer 7.0 Typist Clerk I/II 2.0	Building Inspector III 1.0 Building Inspector II 2.0 Steno Clerk III 1.0 Typist Clerk II .5				

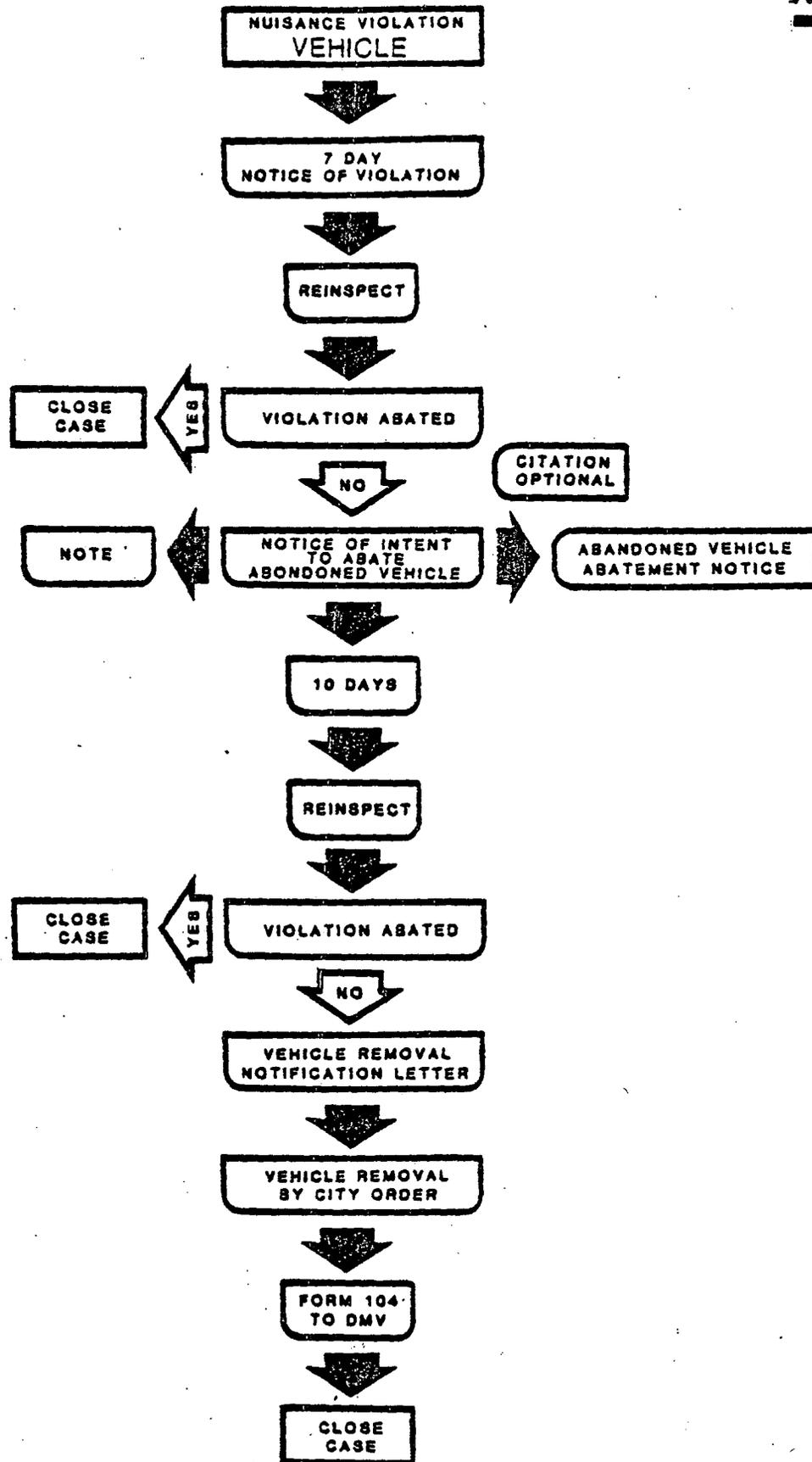




**NOTES:**

1. If the Housing Code Advisory and Appeals Board grants appeal, close case. If the decision of Hearing Examiner is affirmed, proceed with abatement.
2. If appealed to City Council following affirmation of decision by Housing Code Advisory and Appeals Board and Council grants appeal, close case. If decision of the Housing Code Advisory and Appeals Board is affirmed, proceed with abate-

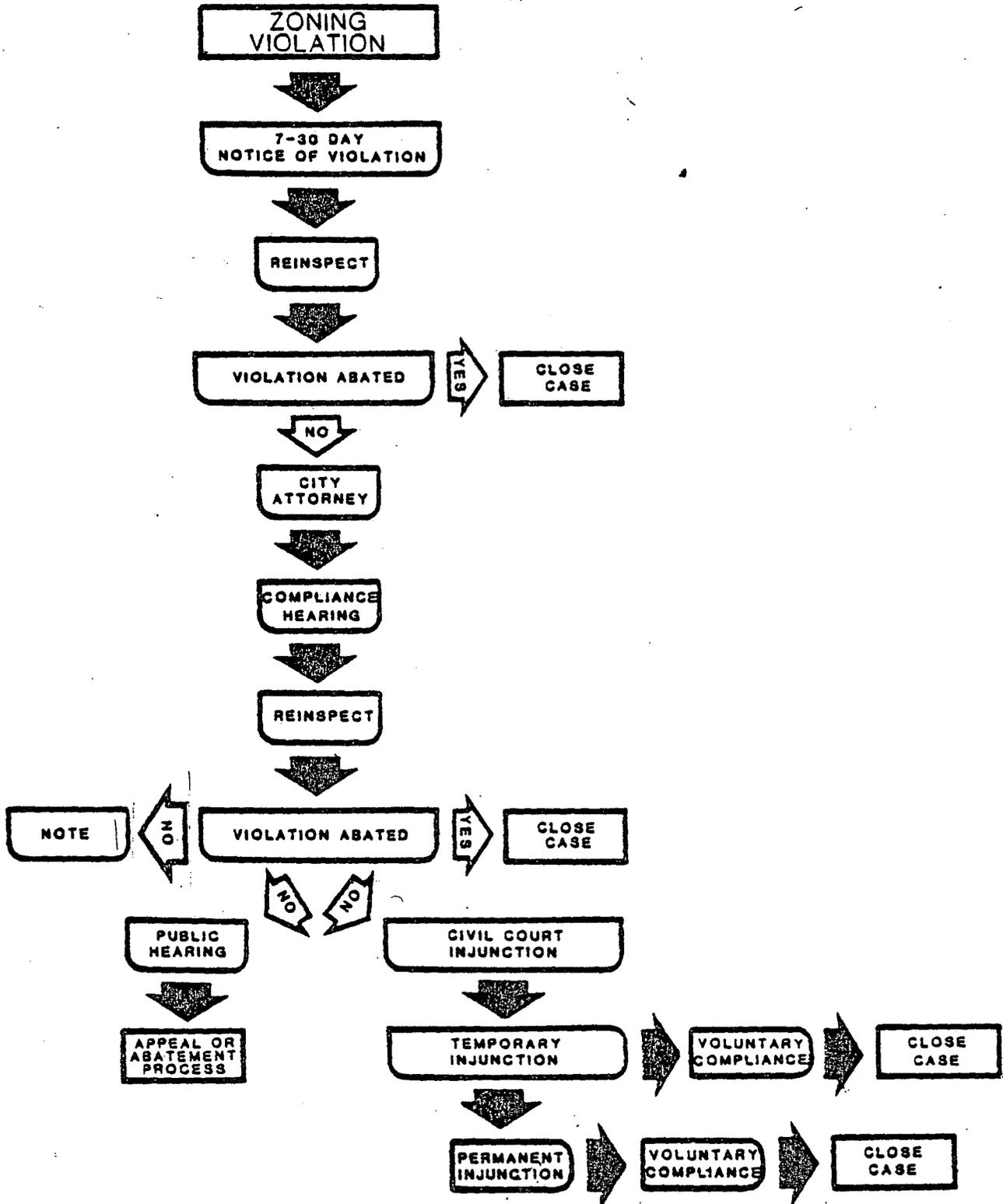
**Appendix 2**



**NOTE:**

Whenever the owner of the premises on which the vehicle(s) is located, or the owner of the vehicle(s) requests a public hearing, the hearing procedure as outlined in Appendix 1 shall be followed. The party shall have the same appeal rights to the Housing Code Advisory and Appeals Board and the Council.

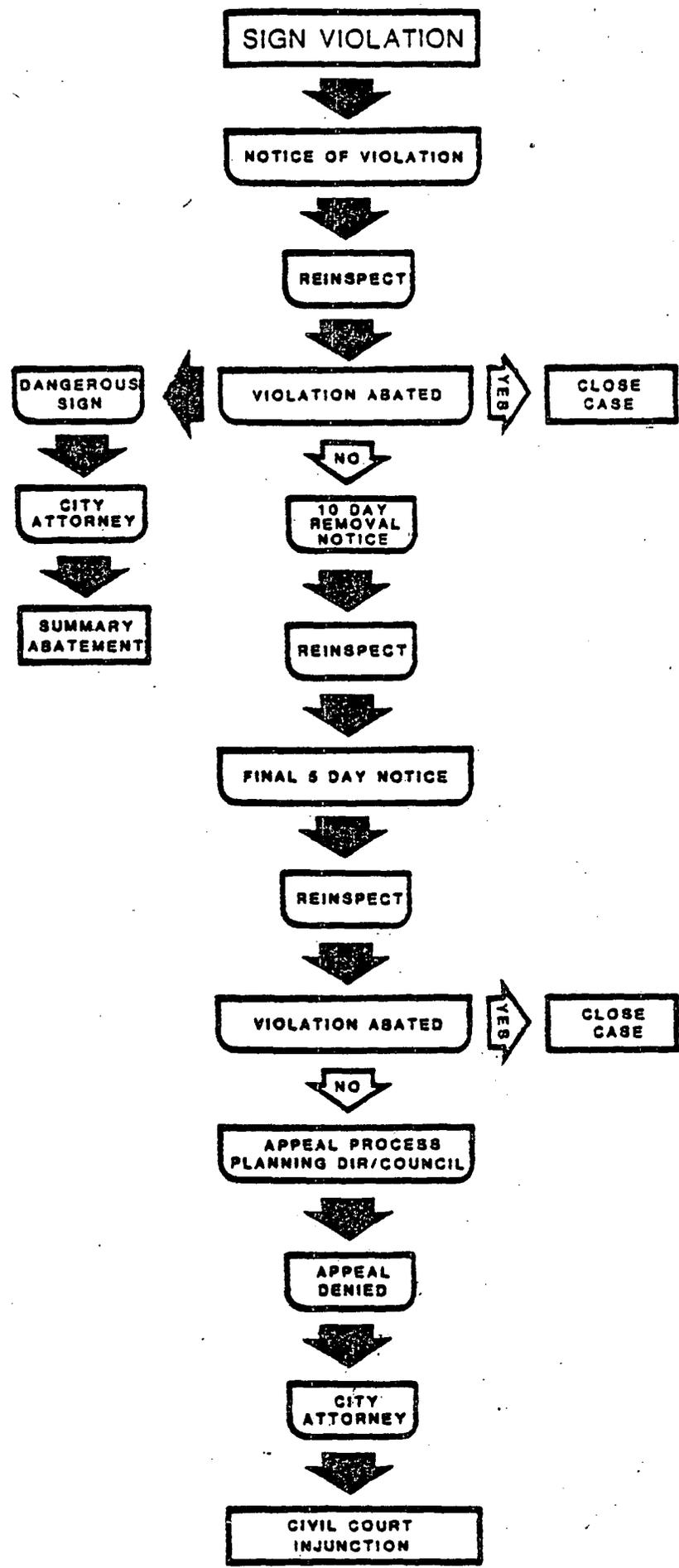
**Appendix 3**



**NOTE:**

Type of violation dictates enforcement procedure followed. Certain violations not physically abateable must be referred to the City Attorney for Superior Court proceedings.

**Appendix**



SUBJECT: REVENUE AND TAXATION CODE - ELIMINATING TAX BENEFITS FOR NEGLIGENT LANDLORDS

SUMMARY

A number of local jurisdictions are using the Revenue and Taxation Code to upgrade rental housing. The threat of additional tax liability does act as a strong deterrent, and it can result in additional revenue which will help support a local code enforcement program. However, the use of the tax code is most effective if it is used in conjunction with other procedures and if a local jurisdiction has an on-going code enforcement program. Staff recommends that after the North Sacramento Community Plan is adopted, the City determine how and when the City can best incorporate this procedure into its code enforcement program.

BACKGROUND

In 1978 the State of California enacted the Substandard Housing Abatement Program. This program prohibits owners of rental housing to take income tax deductions for interest, taxes, depreciation, or amortization when a local jurisdiction finds that a rental structure is in a substandard condition. The program works in the following manner. After the City determines that a rental residential structure is substandard, the property owner is sent a notice that building code violations must be corrected within six months. If the owner fails to correct the violations, the City sends another notice, which states that the City will be required to inform the State Franchise Board within ten days if an appeal is not filed.

If the State is notified, the Franchise Tax Board will review the tax records of the property owner. This review occurs after the tax returns are filed for the year in question. If the State determines that additional taxes are owed, the new revenue, less administrative costs, is returned to the local jurisdiction. This revenue can only be used for code enforcement, housing rehabilitation programs for specified persons, and for the prevention of tenant or homeowner displacement occurring as a result of code enforcement activities. Due to administrative procedures, it takes a year for the State to return additional tax revenue entitled under this program.

The State Franchise Tax Board indicates that ten jurisdictions are sending in notices of substandard housing. During 1983, \$138,000 in additional tax revenue was collected; during 1981-82 the amount was \$110,000. Of the total number of notices sent to the State, about 70% resulted in a higher tax liability.

The San Francisco and Hayward Building Departments were contacted and in both cases the use of this procedure was working well. Not only does it act as a strong deterrent, but it also results in new revenue for the Building Department. However, officials of these cities cautioned that the Revenue and Taxation Code should be used in conjunction with other procedures. Also, a City must have an ongoing code enforcement inspection program in order to keep track of violations and to issue appropriate notices.

exhibit5  
9/11/1985

CODE ENFORCEMENT/NUISANCE ABATEMENT  
ACTIVITY/STAFFING SUMMARY

Planning & Development	Public Works	Parks & Community Services	Finance	Attorney	Police
<p>*SIGN ORDINANCE eliminate erection, construction, display of signs prohibited by ordinance</p> <p>*AUCTION, OUTDOOR SALES regulate garage sales, auctions, outdoor vending</p> <p>*BUILDING CODE regulate provisions of the city building code</p> <p>*TRAILER CAMPS investigate complaints of occupied trailers, motor homes, travel trailers</p> <p>*NUISANCE CODE investigate complaints of inoperable vehicles and or junk and debris on private property</p> <p>*COMPREHENSIVE ZONING CODE investigate violations of land use regulations, parking vehicles, boats, campers on landscaped setbacks, off street parking, home occupations, non-conforming use</p> <p>*DANGEROUS BUILDING CODE investigate abandoned building, and substandard structures</p> <p>DEMOLITION ORDINANCE enforces ordinance relating to abandoned buildings</p> <p>----- CURRENT STAFFING</p> <p>BUILDING INSPECTION DIVISION Code Enforcement Activity</p> <p>*Chief of Code Enforcement 1.0 *Code Enforcement Officer 7.0 *Typist Clerk I/II 2.0</p>	<p>*LITTER CONTROL investigate dumping of waste, garbage, debris on public and private property</p> <p>NUISANCE ABATEMENT abatement of debris and junk on public property, alleys, streets, sidewalks, drainage ditches, garbage from vacant property</p> <p>WEED ABATEMENT(PUBLIC PROPERTY) alleys, streets, drainage ditches</p> <p>----- CURRENT STAFFING</p> <p>SOLID WASTE DIVISION Litter Control</p> <p>*Litter Control Officer 1.0 *Litter Control Aid 1.0</p> <p>Refuse Collection</p> <p>----- Neighborhood clean up crews are utilized</p> <p>Street Maintenance</p> <p>----- Street maintenance crews maintains alleys, drainage ditches</p> <p>Housing/Dangerous Bldg</p> <p>Building Inspector III 1.0 Building Inspector II 2.0 Steno Clerk III 1.0 Typist Clerk II .5</p>	<p>PARK SITES abatement of junk and debris from park sites, median strips</p> <p>WEED ABATEMENT(PUBLIC PROPERTY) undeveloped park lands, and non landscaped median strips</p> <p>----- CURRENT STAFFING</p> <p>PARKS AND TREE SERVICES DIV</p> <p>----- Park maintenance staff are utilized</p>	<p>UTILITY BILLING water shut off noticing, new accounts, disputed accounts</p> <p>BUSINESS TAX Identify new accounts, delinquent accounts</p> <p>SPECIAL PERMITS insure compliance of various special permits-taxi, bingo, vendor, auctioneer, arcade, dance, cardroom, bingo, commercial waste</p> <p>*WEED ABATEMENT private property</p> <p>----- CURRENT STAFFING</p> <p>REVENUE DIVISION Collection &amp; Enforcement</p> <p>----- Enforce &amp; Collect Supvr 1.0 Code Enforcement Officer 3.0 Typist Clerk III 1.0 *Typist Clerk II 1.0 *Fire Prevention Tech II 1.0 *Fire Prevention Tech I 1.0</p>	<p>CODE ENFORCEMENT 1 FTE assigned to Code Enforcement; reviews cases, initiates court action, approves demolitions</p> <p>----- CURRENT STAFFING</p> <p>CITY ATTORNEY</p> <p>----- Deputy City Attorney II 1.0</p>	<p>ABANDONED VEHICLES responsible for abatement of vehicles on public property can initiate abatement of vehicles on private property</p> <p>----- CURRENT STAFFING</p> <p>----- Comm Service Officer 1.0 Support is provided by other officers</p>
<p>*Activities and Staff to be transferred to Code Enforcement Division</p> <p>-----</p>					

## STANDARDS FOR MAINTENANCE OF LOTS

1. Lots on which weeds, dry grass, etc., are mowed shall be cut so as to not constitute a fire hazard throughout the calendar year. Dry grass and/or weeds so mowed shall be removed from the premises and not allowed to remain on the lot.
2. Weeds and/or dry grass, which are disced, cultivated, or rototilled should be performed with equipment that will cut the sod growth loose and bury under any growth existing at that time. With rare exceptions lots will require at least two (2) discings. The first discing or subsequent discings each year shall leave the property clean, reasonably smooth and in an acceptable condition.
3. Eradication of weeds by chemical spraying should be done, whenever possible, when the green vegetative growth is between six (6) to eight (8) inches in height. Weeds that are sprayed and become a fire menace will be required to be removed either by mowing, discing, cultivating and/or rototilling, and remain so throughout the calendar year.
4. All lots shall be kept reasonably clear of any accumulation of refuse, debris, and/or garbage throughout the calendar year.
  - a. Dry leaves or wood chips hauled onto lots must be disced or turned under. If leaves or wood chips are being retained for the purpose of mulch or compost, they must be placed in a container so as to not constitute a fire hazard.
5. All sidewalks, parkways, and alleys are the responsibility of the property owner for proper maintenance.
6. Parcels of five (5) acres in size or over may have a firebreak disced of at least fifty (50) feet in width around the complete perimeter, in accordance with Paragraph 2. Scraping will also be allowed, provided that the scraped material is removed, or spread evenly over the remaining unscraped property.
7. If the property contains an occupied or unoccupied building, the property shall be disced, sprayed, and/or mowed as often as necessary to eliminate fire hazards and nuisances to buildings and fences in the vicinity.

Further information may be obtained by contacting the Weed Abatement Division in Room 3, City Hall, or calling 449-5668.

**POLICY 1: Appoint a Broad-Based Housing Task Force of up to 15 Members to Examine New Programs Identified Below**

Previously cited new programs which are considered self explanatory and not requiring Housing Task Force involvement are those listed under: New Housing Policy 6 and Special Needs Housing Policy 4.

New Program 1: A central housing information center or individual to disseminate information to City and County housing providers and users (builders, developers, landlords, renters, purchasers). Emphasis should be directed at improving the distribution of information on available housing programs and funding sources with particular emphasis on low and moderate housing assistance programs.

New Program 2: Suitable method for resolving landlord-tenant problems, especially for low income and minority individuals or households.

New Program 3: A program for increasing the supply of limited equity ownership housing.

New Program 4: Examination of new ways to reduce housing costs. Efforts in this area should focus on Building and Housing Code reforms that lessen housing costs for low and moderate income households by January 1987.

New Program 5: A program offering cooperative housing ventures to qualified low income households in return for occupancy and improvement loan guarantees to landlords of rental complexes. This would meet low income renter needs and fill anticipated vacancies created if move-ups occur through increased apartment construction.

New Program 6: A feasibility study to determine if the City or a non-profit organization could back-up lower interest improvement loans to landlords of substandard apartment complexes. This would eliminate costly abatement proceedings by increasing the availability of low interest improvement loans as an alternative.

New Program 7: Examination of City land banking or similar mechanisms to assure lower cost housing in select areas where economic forces would otherwise preclude such housing. The Downtown redevelopment area, in particular, should be addressed with this in mind, thereby achieving the goal of a Downtown commercial center whose success in part rests with close-by affordable housing.

New Program 8: Provide fee reduction incentives for the construction of special needs housing.

New Program 9: Examine housing trust funds, renter insurance pools and landbanking as a way of addressing low income renter needs.

New Program 10: Solicit from the Human Rights Commission ways to improve the enforcement of antidiscrimination laws including discrimination based on income source and methods for resolving just cause eviction. The Human Rights Commission shall report its findings to the City Council.

CITY GENERAL PLAN HOUSING ELEMENT - 1985 (cont)

New Program 11: Examine the feasibility of using Section 17299 of the California Revenue and Taxation Code or other means to abate substandard multiple family rental housing.

New Program 12: Examine the feasibility of using City pension funds, umbrella bonds, revolving funds, or other temporarily idle funds and gap financing mechanisms to deliver low cost housing.

New Program 13: Examine the feasibility of strengthening the City's code enforcement programs, especially targeting lower income housing.

New Program 14: Examine the feasibility of implementing "self help" or "sweat equity" rehabilitation and new construction housing programs.

New Program 15: Examine the feasibility of establishing a voluntary compliance program for fix-up or demolition of rental apartments in redevelopment areas.

New Program 16: The Housing Task Force shall submit a progress report to the City Council on New Program Development implementation strategies 6 months after its inception.

PROGRAM	1985/86 1/2 YEAR	1986/87
GENERAL FUND		
Core Recommendations		
-----		
I. Form a Code Enforcement Division.		
A. & B. Consolidate the Coded Enforcement, Weed Abatement, Litter Control Activities and form a Code Enforcement Division. Add Division Manager.		
Salary & Benefits	\$30,800	\$61,600
Service & Supplies	\$27,200	\$18,600
Equipment	\$39,900	\$0
	-----	-----
Subtotal	\$97,900	\$80,200
	-----	-----
REVENUE	N/A	N/A
NET COST	\$97,900	\$80,200
	=====	=====
C. Develop a plan of proactive Code Enforcement. Specific Attention to be given to redevelopment target areas.		
Salary & Benefits	\$0	\$0
Service & Supplies	\$5,000	\$10,000
Equipment	\$0	\$0
	-----	-----
Subtotal	\$5,000	\$10,000
	-----	-----
REVENUE	\$0	\$2,500
NET COST	\$5,000	\$7,500
	=====	=====
D. Require weed abatement contractors to comply with contract requirements. (Remove debris and clear weeds along fences and sidewalks)		
Salary & Benefits	\$0	\$0
Service & Supplies	\$150,000	\$150,000
Equipment	\$0	\$0
	-----	-----
Subtotal	\$150,000	\$150,000
	-----	-----
REVENUE	\$0	\$200,000
NET COST	\$150,000	\$-50,000
	=====	=====
II. Streamline abatement process. (No addition incremental costs)		
*SUBTOTAL CORE RECOMMENDATIONS		
Salary & Benefits	\$30,800	\$61,600
Service & Supplies	\$182,200	\$178,600
Equipment	\$39,900	\$0
	-----	-----
Subtotal	\$252,900	\$240,200
	-----	-----
REVENUE	\$0	\$202,500
NET COST	\$252,900	\$37,700
	=====	=====

cont.

PROGRAM

1985/86  
1/2 YEAR

1986/87

Supplemental Programs  
-----

I. Transfer additional responsibilities to Code Enforcement Division.

A. Transfer the responsibility of abating abandoned service stations and drive-in enterprises from the Dangerous Building Activity to the Code Enforcement Division.

Salary & Benefits	\$0	\$0
Service & Supplies	\$10,000	\$20,000
Equipment	\$0	\$0
	-----	-----
Subtotal	\$10,000	\$20,000
	-----	-----
REVENUE	\$0	\$5,000
NET COST	\$10,000	\$15,000
	=====	=====

B. Assist Police Department in abatement of abandoned vehicles and enforcement of parking violations.

Add 3 Code Enforcement Officer Trainees (limited term).

Salary & Benefits	\$26,300	\$52,600
Service & Supplies	\$4,800	\$4,900
Equipment	\$8,300	\$17,000
	-----	-----
Subtotal	\$39,400	\$74,500
	-----	-----
REVENUE	\$28,800	\$38,400
NET COST	\$10,600	\$36,100
	=====	=====

II. New Programs.

A. Develop public awareness and community involvement programs.

Salary & Benefits	\$0	\$0
Service & Supplies	\$20,600	\$11,100
Equipment	\$0	\$0
	-----	-----
Subtotal	\$20,600	\$11,100
	-----	-----
REVENUE	\$0	\$0
NET COST	\$20,600	\$11,100
	=====	=====

B. Develop substandard housing abatement programs in conjunction with in the City General Plan Housing Element - 1985.

(No additional incremental costs. There may be additional revenues from Franchise Tax Board Substandard Housing program.)

cont.

PROGRAM

1985/86  
1/2 YEAR

1986/87

C. Develop an automated Code Enforcement System.

Salary & Benefits	\$0	\$0
Service & Supplies	\$4,800	\$150
Equipment	\$5,300	\$0
	-----	-----
Subtotal	\$10,100	\$150
	-----	-----
REVENUE	\$0	\$0
	-----	-----
NET COST	\$10,100	\$150
	=====	=====

III. Other changes.

A. Add Building Inspector to Housing/Dangerous Building Activity.

Salary & Benefits	\$22,000	\$44,000
Service & Supplies	\$3,300	\$4,800
Equipment	\$9,100	\$0
	-----	-----
Subtotal	\$34,400	\$48,800
	-----	-----
REVENUE	\$0	\$0
	-----	-----
NET COST	\$34,400	\$48,800
	=====	=====

\*SUBTOTAL SUPPLEMENTAL PROGRAMS

Salary & Benefits	\$48,300	\$96,600
Service & Supplies	\$43,500	\$41,000
Equipment	\$22,700	\$17,000
	-----	-----
Subtotal	\$114,500	\$154,600
	-----	-----
REVENUE	\$28,800	\$43,400
	-----	-----
NET COST	\$85,700	\$111,200
	=====	=====

\*\*GENERAL FUND TOTAL

Salary & Benefits	\$79,100	\$158,200
Service & Supplies	\$225,700	\$219,600
Equipment	\$62,600	\$17,000
**Contingency	\$20,000	
	-----	-----
Subtotal	\$387,400	\$394,800
	-----	-----
REVENUE	\$28,800	\$245,900
	-----	-----
NET COST	\$358,600	\$148,900
	=====	=====

\*\*Potential overruns in abatement contracts and remodeling costs.

\*\*\*\*\*

cont.

PROGRAM	1985/86 1/2 YEAR	1986/87
SOLID WASTE FUND		

III. Other changes (cont)

B. Add neighborhood clean up crew.

	Salary & Benefits	\$34,000	\$68,000
	Service & Supplies	\$11,000	\$21,000
	Equipment	\$80,000	\$0
		-----	-----
	Subtotal	\$125,000	\$89,000
		-----	-----
	REVENUE	\$1,000	\$2,000
**SOLID WASTE FUND TOTAL	NET COST	\$124,000	\$87,000
		=====	=====

Code Enforcement  
Implementation Time Table

1985			1986		
OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH
Final Report Approved					
Personnel begins job study.	Study completed.	Testing and Recruitment	Division Manager appointed.	Building Inspector hired.	
Plan & Devel and Budget Div. begin implementation.			Code Enforcement Officer Trainees hired (3).	Consolidation completed.	
City Attorney review of chapter 61 & Due Process.			City Code changes completed.		
Budget Staff identifies funding sources.					
Appropriation transfers approved.					
			Weed abatement process begins.		1st discing