

RESOLUTION NO. 2007-532

Adopted by the Sacramento City Council

July 17, 2007

ACCEPTING THE FINDINGS OF FACT OVERRULING PROTESTS AND PLACING LIENS ON PROPERTIES FOR UNPAID ASSESSMENTS FOR CODE ENFORCEMENT CASE FEES AND PENALTIES

BACKGROUND

- A. The Code Enforcement Department, Housing & Dangerous Buildings Inspections, in accordance with Sacramento City Code, Chapter 8.96 Article IX provided a hearing before the Housing Code Advisory and Appeals Board (HCAAB) and/or appointed third-party Hearing Examiner to consider all protests for unpaid fees and penalties, if any.
- B. Notice of the time and place of hearing was given in accordance with Sacramento City Code, Chapter 8.96 Article IX
- C. The Code Enforcement Department, Housing & Dangerous Buildings Inspections, established by competent evidence before the HCAAB and/or appointed third-party Hearing Examiner that the unpaid fees and penalties had been imposed in accordance with City Code.
- D. The Code Enforcement Department, established by competent evidence before the Hearing Examiner that in each case the unpaid fees and penalties are due.
- E. The City Council has found the unpaid fees and penalties to be a reasonable cost.

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

- Section 1: The reasonable penalties in the aggregate amount not to exceed \$7,916.47 for unpaid fees and penalties is the sum set forth by the HCAAB and/or appointed third-party Hearing Examiners' findings of fact of hearing held May 9, 2007. This amount may be reduced as staff determines necessary.
- Section 2: As provided in Section 38773.5 of the California Government Code, the City of Sacramento is entitled to and hereby attaches special assessment liens upon the described properties upon recordation in the office of the County Recorder of the County of Sacramento.

Section 3: Such liens shall constitute a special assessment against the properties at which the services were rendered, and shall be collectible at the same time and in the same manner as secured property taxes are collected, and shall be subject to the same penalties, priorities, and procedures in the case of delinquency.

Section 4: Such lien also constitutes a personal obligation against the owner of the property.

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Exhibit A – List of Properties to be Liened

Adopted by the City of Sacramento City Council on July 17, 2007 by the following vote:

Ayes: Councilmembers, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Fargo.

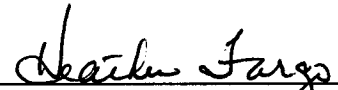
Noes: None.

Abstain: None.

Absent: Councilmember Cohn.

Attest:


Shirley Concolino, City Clerk



Mayor, Heather Fargo

Exhibit A

Line #	Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
1	007-0094-011-0000	H030036879	1116 23rd St	Leonard W & Diana Chapman	\$1,655.00	HCE070172	3	0678
2	007-0094-011-0000	H030036879	1116 23rd St	Leonard W & Diana Chapman	\$300.00	HCE070173	3	0678
3	013-0353-002-0000	H050008583	3410 38th St	Andrew William Foley	\$1,330.00	HCE070116	5	0656
4	013-0353-002-0000	H050008583	3410 38th St	Andrew William Foley	\$650.00	HSAP070014	5	0656
5	022-0102-013-0000	H050014961	5081 Mascot Av	Devon & Tamara Lewis	\$1,300.47	HCE070145	5	0656
6	024-0294-010-0000	H050023892	1216 47th Av	Deutsche Bank National Trust Company	\$1,526.00	HCE070160	4	0656
7	041-0064-016-0000	H050040099	2742 Yreka Av	Tara & Sarjit K Singh	\$1,155.00	HCE070080	5	0656
TOTAL TO BE LIENED					<u>\$7,916.47</u>			