

**APPROVED**  
BY THE CITY COUNCIL

**FEB 3 1998**

OFFICE OF THE  
CITY CLERK



1.11

NEIGHBORHOODS, PLANNING &  
DEVELOPMENT SERVICES DEPARTMENT

Code Enforcement Division

**CITY OF SACRAMENTO**

CALIFORNIA

1231 I STREET, #301  
SACRAMENTO, CA  
95814

916-264-5948  
FAX: 264-7722

January 21, 1998

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT: CITATION AND ARREST AUTHORITY AND THE ADDITION OF  
TITLE 37 (Smoking Ordinance), PORTIONS OF TITLE 49 (Vector  
Control), AND PORTIONS OF TITLE 66 (Noise Ordinance)**

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

**RECOMMENDATION:**

This report recommends that the City Council enact this resolution which updates the names of the staff members who are eligible to be granted Citation and Arrest Authority in the Neighborhoods, Planning and Development Services Department, Code Enforcement Division.

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

**FOR COUNCIL MEETING OF:** February 3, 1998

**SUMMARY:**

In accordance with Sacramento City Code, Title 30 and California Penal Code Section 836.5, the City Council is required to issue a resolution assigning specific persons the authority to enforce codes through means of citation and arrest. The attached resolution provides the names of the specific individuals in Code Enforcement who have received the required training and are recommended for Citation and Arrest Authority.

This resolution adds those Titles that are applicable for the Environmental Health Inspections and Abatement Program:

- (1) Title 37 - Smoking Ordinance
- (2) California State Labor Code 6404.5 - No smoking in workplaces, including bars, restaurants with bars, and gaming clubs
- (3) Title 49 - Housing Code - Chapter 49.10 Substandard Buildings, Sections 49.10.1002 #12 and 49.10.1011 (Vector Control)
- (4) Title 66 - Chapter 66.02 - Mechanical Noise, Sections 66.02.201, 66.02.205, 66.02.206, 66.02.208, 66.02.213, 66.02.301, and 66.03.302.

**BACKGROUND INFORMATION:**

On October 7, 1997, the City Council adopted resolution 97-568 which granted Citation and Arrest Authority to enforcement staff of the Neighborhoods, Planning and Development Services Department. The purpose of this authority is to allow enforcement of specified Titles of the Sacramento City Code, California Vehicle Code, California Penal Code and the California Labor Code. There has been a change in the staffing and additional codes to enforce have been added, and therefore it is necessary to update the list of individuals who shall be granted this authority, as well as including the additional codes specified. The individuals who enforce these codes have met additional training requirements with the City of Sacramento Police Department and are qualified to be granted Citation and Arrest Authority.

**FINANCIAL CONSIDERATIONS:**

The granting of Citation and Arrest Authority has no financial impact. The addition of codes has no financial impact.

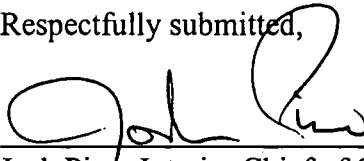
**POLICY CONSIDERATIONS:**

The staff recommendation is consistent with Council priorities and policies related to neighborhood revitalization, compliance with the City's Codes and cost recovery.

**MBE/WBE:**

Not applicable. No goods or services are being purchased.

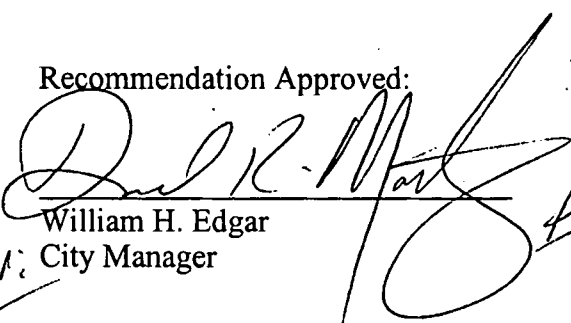
Respectfully submitted,

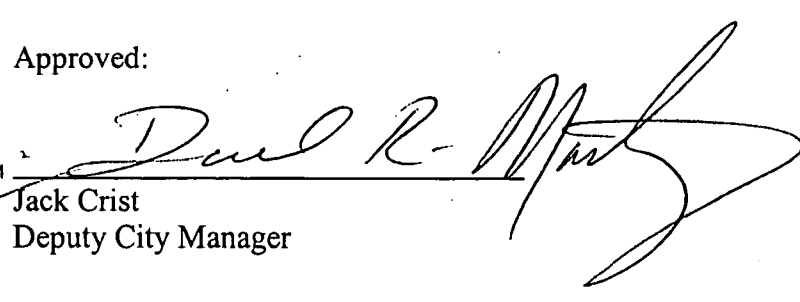


Josh Pina, Interim Chief of Code Enforcement Division  
Neighborhoods, Planning and Development Services

Recommendation Approved:

Approved:

  
William H. Edgar  
City Manager

  
Jack Crist  
Deputy City Manager

**APPROVED**  
BY THE CITY COUNCIL

**FEB 3 1998**

OFFICE OF THE  
CITY CLERK

**RESOLUTION NO. 98-041**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

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

**RESOLUTION GRANTING CITATION AND ARREST AUTHORITY  
TO CERTAIN INDIVIDUALS FOR PURPOSES OF ENFORCING CERTAIN  
CHAPTERS OF THE CITY CODE, VEHICLE CODE, PENAL CODE,  
AND LABOR CODE AND REPEALING RESOLUTION 97-568**

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

**SECTION 1**

In order to enforce certain provisions of the City Code, California Vehicle Code, California Penal 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**

Josh Pino	Interim Chief of Code Enforcement
Brian S. Ramsey	Senior Code Enforcement Officer
Rodney C. Arnold	Senior Code Enforcement Officer
Robert L. Rose	Senior Code Enforcement Officer
Tamera J. Browning	Senior Code Enforcement Officer
Clark W. Allred	Code Enforcement Officer
Angelina Bahner	Code Enforcement Officer
Cindy Bates	Code Enforcement Officer
Calvin E. Coley	Code Enforcement Officer
David Hollaway	Code Enforcement Officer
Richard A. Massi	Code Enforcement Officer
Scott F. Mitchell	Code Enforcement Officer
Jean M. Price	Code Enforcement Officer
Donna M. Fillmore	Asst. Code Enforcement Officer
Violet A. Garcia	Asst. Code Enforcement Officer
William J. Hutcheon	Asst. Code Enforcement Officer
Darlene E. Kime	Asst. Code Enforcement Officer
Pamela LaRue	Asst. Code Enforcement Officer
Caroline McNorton	Asst. Code Enforcement Officer

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

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

**TO ENFORCE CITY CODES**

- Title 3. Advertising Signs  
All Chapters
  
- Title 7. Auctions and Other Sales
  - Chapter 7.04 - Street and Sidewalk Vending  
Sections 7.04.52 through 7.04.54
  - Chapter 7.05 - Old Sacramento Third of July Celebration  
Sections 7.05.55 and 7.05.56
  - Chapter 7.06 - Vendor's Permit Requirements  
Section 7.06.60
  - Chapter 7.07 - Outdoor Sales and Display of Merchandise  
Sections 7.07.72 through 7.07.74
  
- Title 9. Building Code
  - Chapter 9.16 - Swimming Pools  
Section 9.16.521
  
- Title 19. Garbage, Rubbish, Weeds, and Waste Matter
  - Chapter 19.01 - General  
Sections 19.01.113; 19.01.121; 19.01.123
  
- Title 25. Motor Vehicles and Traffic
  - Chapter 25.07 - Stopping, Standing and Parking on Street  
Sections 25.07.102(a)(5); 25.07.107(a); 25.07.111
  - Chapter 25.09 - Off Street Parking and Loading Facilities  
Sections 25.09.150 and 25.09.150-1
  - Chapter 25.15 - Vehicle Repair in Residential Zones  
Sections 25.15.400 through 25.15.404
  
- Title 28. Permits
  - Chapter 28.06 - Adult Related Establishments  
Sections 28.06.061 and 28.06.064
  
- Title 37. Smoking Ordinance  
All Chapters
  
- Title 38. Streets and Sidewalks
  - Chapter 38.06 - Sidewalk Obstructions; Pedestrian and Vehicle Interference  
Sections 38.06.62; 38.06.63; 38.06.70
  
- Title 44. Trailer Camps and Public Camps
  - Chapter 44.01 - General  
Sections 44.01.001 and 44.01.001-1
  - Chapter 44.02 - Trailer and Trailer Camps
  
- Title 49. Housing Code
  - Chapter 49.10.1001; 49.10.1011

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Title 61. Nuisance Code  
All Chapters  
Comprehensive Zoning Ordinance

Title 66. Noise  
Chapter 66.02 - Mechanical Noise  
Chapter 66.02.201; 66.02.205; 66.02.206; 66.02.208; 66.02.213; 66.03.301;  
66.03.302

**CALIFORNIA LABOR CODE**

Section 6404.5

**CALIFORNIA VEHICLE CODE**

Section 4000 - Registration Required.

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.
- (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

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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 PENAL CODE**

Section 166 - Contempts Constituting a Misdemeanor

Section 373(a) - Maintaining or Permitting a Public Nuisance After Abatement Notice.

Section 374.4 - Littering on Public or Private Property.

**SECTION 2**

This resolution is adopted pursuant to Chapter 30.03 of Title 30 of the Sacramento City Code and Section 836.5 of the California Penal Code. This resolution shall repeal and replace Resolution 97-568 adopted on October 7, 1997. 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 or State law heretofore set forth.

\_\_\_\_\_  
MAYOR

ATTEST:

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

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

*Letter-add*

# RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

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

*10/11*

**RESOLUTION GRANTING CITATION AND ARREST AUTHORITY  
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*(D-all)*

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|---------------------|--|
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