



EL DORADO COUNTY PLANNING & BUILDING DEPARTMENT

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Date: September 7, 2023

To: Honorable Board of Supervisors

CC: Karen Garner, Director of Planning and Building

From: Chris Perry, Assistant Director of Planning and Building

Subject: Code Enforcement Amnesty Program Document Update

On June 27, 2023, staff brought Legistar Item 23-1118 before your Board for consideration of the establishment of a Code Enforcement Amnesty Program for select code case types. The item was continued to July 25, 2023, to allow for further research and was continued again at the July 25th meeting to September 19, 2023, in order to engage in additional stakeholder outreach. County staff met twice in August with stakeholders representing a cross-section of industries, including real estate and agriculture to discuss the proposed Amnesty Program, its intent, its targeted approach, and to work collaboratively to ensure an agreed upon final product made its way to your Board. Staff have integrated requested changes into the Program document and have shared the final document with stakeholders. The following additions and edits are reflected in the Program document:

- Edited the "Fee Waiver" section to note investigation fees and penalty fees (one in the same) will be waived.
- Updated the "Pre-site Inspection" section with the following additions:
 - If a site is found to be safe from life, health, and safety concerns, Code Enforcement will issue a certificate of compliance that will allow for the unpermitted work to remain until the property is sold in a real estate transaction.
 - This certificate will allow the case to be set as a low priority for Code Enforcement. The case will remain open, but no additional active enforcement will occur.
 - Though there will be a cloud on the title of the home due to Code Enforcement's Notice and Order process, staff will work with both the buyer and seller in the future real estate transaction to negotiate an outcome that will not hold the real estate transaction up.
- In the "Application of Building Codes" section, clarified that neither Code Enforcement nor Building Services staff will require property owners to open up their walls for inspection, though owners should work with their respective contractors on what will be needed.

- Added clarification that state legislation on Accessory Dwelling Units (ADUs) continues to evolve. As such, more lenient standards on ADUs will be followed per state regulations.
- Finally, staff added additional discretion by noting that the Director of Planning and Building will have the ability to exercise decision-making capabilities where necessary and appropriate.