



Legislation Details (With Text)

File #: 19-0972 **Version:** 1

Type: Agenda Item **Status:** Approved

File created: 6/12/2019 **In control:** Board of Supervisors

On agenda: 6/25/2019 **Final action:** 6/25/2019

Title: Code Enforcement Ad Hoc Committee recommending the Board:
 1) Approve restarting the code enforcement process for approximately 860 code enforcement cases that are from 2001 to 2017 that have not been resolved, which could pose a threat to health and safety;
 2) Approve sending a Case Review Status letter to restart the process for the approximately 860 code enforcement cases; and
 3) Authorize staff to record a Notice to Correct for the approximately 860 code enforcement cases for properties that do not come into compliance within the time frame provided by the Case Review Status letter and code. (Est. Time: 30 Min.)

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Old Code Enforcement Cases - Presentation, 2. B - Backlog cases Code Enforcement - Case Review Status Letter

Date	Ver.	Action By	Action	Result
6/25/2019	1	Board of Supervisors	Approved	Pass

Code Enforcement Ad Hoc Committee recommending the Board:
 1) Approve restarting the code enforcement process for approximately 860 code enforcement cases that are from 2001 to 2017 that have not been resolved, which could pose a threat to health and safety;
 2) Approve sending a Case Review Status letter to restart the process for the approximately 860 code enforcement cases; and
 3) Authorize staff to record a Notice to Correct for the approximately 860 code enforcement cases for properties that do not come into compliance within the time frame provided by the Case Review Status letter and code. (Est. Time: 30 Min.)

DISCUSSION / BACKGROUND

On May 14, 2019, the Board of Supervisors heard an item on the history of over 850 code enforcement cases dating back to the early 2000s that have not been resolved. During the presentation, the Board of Supervisors asked the Code Enforcement Ad Hoc Committee to create a code enforcement letter to be sent to only cases, within the identified older cases, that could possibly threaten the health and safety of the public. In addition, the Code Enforcement Ad Hoc Committee is recommending that if any of the 860 cases do not come into compliance, after a minimum time of 90 days, staff have the ability to record a Notice to Correct on the property.

The requested actions are only for the approximately 860 code cases from 2001 to 2017. The Code Enforcement Ad Hoc Committee will look at code enforcement process in other communities and make recommendations for process changes for future cases.

Further Background on Code Enforcement Cases

El Dorado County Code Enforcement is responsible for the protection of the health and safety of El Dorado County residents by enforcing minimum standards for property maintenance as well as procedures for abatement of public nuisances.

The Code Enforcement Unit has historically been understaffed; however, with the adoption of several new ordinances including a Sign Ordinance, Oak Tree Ordinance, Vacation Home Rental Ordinance and increasing cannabis regulations, the Board has expressed a desire to have a more effective Code Enforcement Unit. To that end, the Board recently approved contracts with two hearing officers and two on-call code enforcement officers, as well as additional staff. As of April 29, 2019, the Code Enforcement Unit is fully staffed with 4 Code Enforcement Officers, 1 Supervising Code Enforcement Officer and 2 Development Technicians in order to manage the additional workload.

Due to the historical understaffing for the unit, there is a significant backlog in workload; with staff giving priority to cases related directly to public health and safety. The unit currently has a backlog of over 850 code cases, the oldest of which dates back to 2001. The majority of the existing code cases are related to unpermitted structures, but range from minor complaints, such as real estate signs, to compounds with multiple unpermitted uses and structures that do not have power, water or sewer.

With the addition of resources, staff has begun working through the backlog. For cases that have been stagnant for some time, the process begins with sending an Update Letter to the property owner, which restarts the compliance effort and the associated timeframes to achieve compliance; for any permit fees due, the current fee is applied. Since November of 2018, when the first new staff was hired, approximately 250 of the backlogged cases have been closed. The culture in the Code Enforcement Unit has always been to work with the public to obtain compliance by applying a helpful and understanding approach.

ALTERNATIVES

The Board can provide no policy direction. However, this would not help direct staff on how to complete the code enforcement cases that have been open for long periods of time.

PRIOR BOARD ACTION

N/A

OTHER DEPARTMENT / AGENCY INVOLVEMENT

Planning and Building Department and Chief Administrative Office

CAO RECOMMENDATION / COMMENTS

It is recommended that the Board approve this item.

FINANCIAL IMPACT

N/A

CLERK OF THE BOARD FOLLOW UP ACTIONS

N/A

STRATEGIC PLAN COMPONENT

Good Governance

CONTACT

Creighton Avila, Deputy Chief Administrative Officer

Tiffany Schmid, Director, Planning and Building