

# RESOLUTION NO. 2012-022

Adopted by the Sacramento City Council

February 7, 2012

## GRANTING CITATION AND ARREST AUTHORITY TO CERTAIN EMPLOYEES OF THE CODE ENFORCEMENT DEPARTMENT FOR THE PURPOSE OF ENFORCING CERTAIN PROVISIONS OF THE CITY CODE AND/OR STATE LAW

### BACKGROUND

- A. On June 3, 1997, the City Council adopted Resolution 97-285 which granted Citation and Arrest Authority to enforcement staff of the Code Enforcement Department. The purpose of this authority is to allow enforcement of specified Titles of the Sacramento City Code, California Vehicle Code, and the California Penal Code. Periodically there are changes in the staffing, and it is necessary to update the list of individuals who shall be granted this authority.

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

- 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

Max Fernandez  
Ron O'Connor  
Dennis Kubo  
Robert L. Rose  
Joy Patterson  
Sandra Yope  
Noel Eusebio  
Lindley Freeman  
Belinda Losoya  
Julia Mason  
Jean Frederick  
Stephen Grove  
William Hutcheon  
Donna M. Barton  
Shawn Bartosh  
Janie Campos  
Randall Cry  
Larry Eccleston

#### JOB CLASSIFICATIONS

Community Development Director  
Operations Manager  
Code Enforcement Manager  
Code Enforcement Manager  
Principal Planner  
Senior Planner  
Senior Code Enforcement Officer  
Senior Code Enforcement Officer  
Senior Code Enforcement Officer  
Senior Code Enforcement Officer  
Zoning Investigator  
Zoning Investigator  
Zoning Investigator  
Code Enforcement Officer  
Code Enforcement Officer  
Code Enforcement Officer  
Code Enforcement Officer  
Code Enforcement Officer

Linda Douglas	Code Enforcement Officer
James Harrison	Code Enforcement Officer
Livio Innocenti	Code Enforcement Officer
Pamela La Rue	Code Enforcement Officer
Bruce Lewis	Code Enforcement Officer
Pamela Maestas	Code Enforcement Officer
Joe Perez	Code Enforcement Officer
Jose Rodriguez	Code Enforcement Officer
Benjamin Rolison	Code Enforcement Officer
Keona Savage	Code Enforcement Officer
Gregory J. Sowards	Code Enforcement Officer
Brian Strong	Code Enforcement Officer
Ricardo Vargas	Code Enforcement Officer
Roger Zuniga	Code Enforcement Officer

**TO ENFORCE CITY CODES**

Title 5.

**Permits**

Chapter 5.04 - Adult Related Establishments  
 Sections 5.04.020 and 5.04.050 A-C

**Arcades**

Chapter 5.12 – Amusement  
 All Sections  
 Chapter 5.16 – Astrology  
 All Sections  
 Chapter 5.20 – Billiard and Pool Parlors  
 Chapter 5.24 – Bingo  
 All Sections

**Food Vending Vehicles**

Chapter 5.68  
 All Sections

**Shopping Carts**

Chapter 5.82

**Auctions and Other Sales**

Chapter 5.88 - Street and Sidewalk Vending  
 Sections 5.88.010 through 5.88.030  
 Chapter 5.88 - Old Sacramento Third of July Celebration  
 Sections 5.88.040 and 5.88.050  
 Chapter 5.88 - Vendor Permit Requirements  
 Section 5.88.080  
 Chapter 5.88 - Outdoor Sales and Display of Merchandise  
 Sections 5.88.190 through 5.88.210  
 Chapter 5.94 – Pedicabs  
 All Sections  
 Chapter 5.108 - Entertainment Establishments

Chapter 5.112 - Self-Service Tobacco Merchandising

Tobacco Retailers

Chapter 5.124 – Somatic Practitioners

All Sections

Chapter 5.136 – Taxicabs

All Sections

Chapter 5.138 -Tobacco Retailers

All Sections

Chapter 5.140 - Tobacco Vending Machines

Chapter 5.144 – Tow Vehicles

All Sections

**Medical Marijuana Dispensaries**

Chapter 5.150 – Medical Marijuana Dispensaries

All Sections

Title 8.

**Housing Code**

Chapter 8.100

Sections 8.100.550 and 8.100.560 (L) (O) and

Section 8.100.650

Nuisance Code

Chapters 8.04, 8.16, 8.20, 8.24, 8.28, 8.76, 8.56 - All Sections

**Noise**

Chapter 8.68 - Noise Standards

Sections 8.68.060 through 8.68.110, 8.68.130, 8.68.150 through  
8.68.210

**Smoking Ordinance**

Chapter 8.80

Sections 8.80.020 through 8.80.270 A through F

**Vector**

Chapter 8.96.110 N

Chapter 8.96.120 through 8.96.400

Chapter 8.100.650

Chapter 8.100.700 through 8.100.910

Title 9.

**Public Peace, Morals and Welfare**

Chapter 9.16.090 – Swimming pools – Fence or cover required.

Title 10.

**Motor Vehicles and Traffic**

Chapter 10.36 - Stopping, Standing and Parking on Street

Section 10.36.080 (A) 1 through 5, (B) & (C) and

Section 10.36.120 (A)(B)(C)

Chapter 10.44 - Off Street Parking and Loading Facilities

Sections 10.44.010 (A)(B)(C) and 10.44.020 (A)(B)(C - 1 through 6)  
(D)(E)

Chapter 10.52 - Vehicle Repair in Residential Zones  
Sections 10.52.010 through 10.52.050

Title 12.

**Streets and Sidewalks**

Chapter 12.08.110 - Use of Streets for Storage of Building Material

Chapter 12.24 - Sidewalk Obstructions; Pedestrian and Vehicle Interference

Sections 12.24.020, 12.24.030, 12.24.100

Chapter 12.28 - Obstructions to Visibility at Intersections

Sections 12.28.010, 12.28.020, 12.28.030 and 12.28.040

Chapter 12.76 – Sacramento Boat Harbor

Title 13.

**Garbage, Rubbish, Weeds, and Waste Matter**

Chapter 13.10

All Sections

Title 15.

**Trailer Camps and Public Camps**

Chapter 15.140 - General

Sections 15.140.010 and 15.140.050

Chapter 15.144 - Trailer and Trailer Camps

Sections 15.144.010 through 15.144.050

Chapter 15.148 - Signs

All Sections

**Building Code**

Chapter 15.64 - Swimming Pools

Section 15.64.070

Title 17.

**Comprehensive Zoning Ordinance**

All Chapters

All Sections

**CALIFORNIA LABOR CODE**

Section 6404.5

**CALIFORNIA VEHICLE CODE**

Section 4000 - Registration Required.

Section 5204 - Registration tabs shall indicate year and month of expiration.

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.
- (j) When any vehicle is found illegally parked and there are no license plates or other evidence of registration displayed, vehicle may be impounded.
- (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 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 - Contempt Constituting a Misdemeanor

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

Section 374.4 - Littering on Public or Private Property.

**CALIFORNIA STREETS AND HIGHWAYS CODE**

Section 5610 - The owners of lots or portions of lots fronting on any portion of a public street or place when that street or place is improved or if and when the area between the property line of the adjacent property and the street line is maintained as a park or parking strip, shall maintain any sidewalk in such condition that the sidewalk will not endanger persons or property and maintain it in a condition which will not interfere with the public convenience in the use of those works or areas save and except as to those conditions created or maintained in, upon, along, or in

connection with such sidewalk by any person other than the owner, under and by virtue of any permit or right granted to him by law or by the city authorities in charge thereof, and such persons shall be under a like duty in relation thereto.

**SECTION 2** In order to enforce certain provisions of the City 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 limited purposes only.

<b><u>NAMES</u></b>	<b><u>JOB CLASSIFICATIONS</u></b>
Max Fernandez	Community Development Director
Ron O'Connor	Operations Manager
Dennis Kubo	Code Enforcement Manager
Bob Rose	Code Enforcement Manager
Willie Harris	Senior Supervising Building Inspector
John Leno	Senior Supervising Building Inspector
Don Verga	Senior Supervising Building Inspector
Elia Kentera	Building Inspector IV
Patrick Melanson	Building Inspector IV
Don Marcheschi	Building Inspector IV
Josh Pino	Building Inspector IV
Thomas Rodger	Building Inspector IV
Randy Stratton	Building Inspector IV
John Briel	Building Inspector III
David Brock	Building Inspector III
Gene Caluya	Building Inspector III
Andy Chavez	Building Inspector III
Arthur Cosley	Building Inspector III
Leonard Duclos	Building Inspector III
Chad Garber	Building Inspector III
John Vanella	Building Inspector III
Gene Caluya	Building Inspector III
Kim Hagen	Building Inspector III
Richard Leiker	Building Inspector III
David Salinovich	Building Inspector III
Maurice Schranz	Building Inspector III
Charles Sherman	Building Inspector III
Charles Donahue	Building Inspector II
Charles Monsen	Building Inspector II

**TO ENFORCE CITY CODES:**

- Title 5. **Medical Marijuana Dispensaries**  
Chapter 5.150 – Medical Marijuana Dispensaries  
All Sections
  
- Title 8. **Health and Safety**  
All Chapters  
All Sections

- Title 9. **Public Peace, Morals and Welfare**  
Chapter 9.16.090 - Swimming pools - Fence or cover required.
- Title 12. **Streets, Sidewalks and Public Places**  
Chapter 12.08.110 - Use of streets for storage of building material  
Chapter 12.24.020 - Signs, posts, structures, etc.
- Title 13. **Public Services**  
Chapter 13.04.290 – Installation of water meters on water service connections made on or after January 1, 1992.
- Title 15. **Buildings and Construction**  
All Chapters  
All Sections
- Title 17. **Zoning**  
All Chapters  
All Sections
- Section 3 This resolution is adopted pursuant to Chapter 2.12.030 of Title 2 of the Sacramento City Code and Section 836.5 of the California Penal Code. 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 heretofore set forth.
- Section 4 Resolution No. 2008-686 is hereby rescinded.

Adopted by the City of Sacramento City Council on February 7, 2012 by the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, R Fong, McCarty, Pannell, Schenirer, Sheedy, and Mayor Johnson.

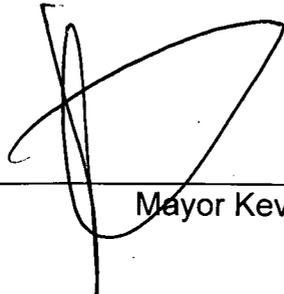
Noes: None.

Abstain: None.

Absent: None.

Attest:

  
Shirley Concolino, City Clerk

  
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Mayor Kevin Johnson