

Meeting Date: 2/25/2014

Report Type: Consent

Report ID: 2014-00081

Title: Grant Citation and Arrest Authority to Designated Community Development Department and Department of General Services Staff

Location: Citywide

Recommendation: Pass a Resolution granting citation and arrest authority to designated staff of the Community Development Department and the Department of General Services.

Contact: Tina Lee-Vogt, Program Manager, (916) 808-2679, Community Development Department

Presenter: None

Department: Community Development Dept / Department of General Services

Division: Neighborhood Code Compliance

Dept ID: 21001313

Attachments:

1-Description/Analysis

2-Background

3-Resolution

City Attorney Review

Approved as to Form

Michael Benner

2/13/2014 11:02:57 AM

Approvals/Acknowledgements

Department Director or Designee: Max Fernandez - 2/6/2014 9:22:40 AM

Description/Analysis

Issue: The attached Resolution provides the names of specific individuals in the Community Development Department and the Department of General Services who have received the required training and will be granted Citation and Arrest Authority by this City Council action.

Policy Considerations: The staff recommendation is consistent with the City Council priority to improve and expand public safety.

Environmental Considerations: The accompanying resolution does not constitute a project under CEQA guidelines.

Commission/Committee Action: Not applicable.

Rationale for Recommendation: In accordance with Sacramento City Code, Title 2, Chapter 2.12.030 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 Community Development Department and the Department of General Services regularly update the list of those individuals who are assigned citation and arrest authority to enable staff to fulfill their enforcement duties and responsibilities.

Financial Considerations: The granting of Citation and Arrest Authority has no financial impact.

Local Business Enterprise (LBE): Not applicable. No goods or services are being purchased.

BACKGROUND

Citation and Arrest Authority

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

RESOLUTION NO.

Adopted by the Sacramento City Council

GRANTING CITATION AND ARREST AUTHORITY TO CERTAIN EMPLOYEES OF THE COMMUNITY DEVELOPMENT DEPARTMENT AND THE DEPARTMENT OF GENERAL SERVICES, RECYCLING AND SOLID WASTE DIVISION 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 City enforcement staff Citation and Arrest Authority for specified titles of the Sacramento City Code, and California Vehicle 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, 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
Joy Patterson
Robert Rose
Sandra Yope
Noel Eusebio
Lindley Freeman
Julia Mason
Belinda Rogers
Jean Crippes
Stephen Grove
William Hutcheon
Donna M. Barton
Shawn Bartosh
Randall Cry
Larry Eccleston
Linda Douglas

JOB CLASSIFICATIONS

Community Development Director
Operations Manager
Principal Planner
Code Enforcement Manager
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

James Harrison	Code Enforcement Officer
Bruce Holmes	Code Enforcement Officer
Bruce Lewis	Code Enforcement Officer
Pamela Maestas	Code Enforcement Officer
Jose Rodriguez	Code Enforcement Officer
Benjamin Rolison	Code Enforcement Officer
Keona Savage	Code Enforcement Officer
Dia Siefker	Code Enforcement Officer
Brian Strong	Code Enforcement Officer
Ricardo Vargas	Code Enforcement Officer
Michelle Wright	Code Enforcement Officer
Beverly Howell	Code Enforcement Officer
Darin Noonin	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- All Sections

Chapter 5.112 - Self-Service Tobacco Merchandising

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. **Article XI - Outdoor Water Conservation**

Chapter 13.04 - All Sections

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 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.

NAMES

Max Fernandez
Ron O'Connor
Robert Rose
Willie Harris
John Leno
Don Verga
Elia Kentera
Richard Leiker
Patrick Melanson
Don Marcheschi
Josh Pino
Thomas Rodgers
Michael Bernino
John Briel
David Brock
Gene Caluya
Andy Chavez
Arthur Cosley
Charles Donahue
Leonard Duclos
Scott Ensor
Chad Garber
Kim Hagen
Charles Monsen
Doug Pierson
David Salinovich
Maurice Schranz
Charles Sherman
John Vanella

JOB CLASSIFICATIONS

Community Development Director
Operations Manager
Code Enforcement Manager
Senior Supervising Building Inspector
Senior Supervising Building Inspector
Senior Supervising Building Inspector
Building Inspector IV
Building Inspector III
Building Inspector III

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**
Article XI - Outdoor Water Conservation
Chapter 13.04 - All Sections
Chapter 13.04.290 – Installation of water meters on water service connections made on or after January 1, 1992
Chapter 13.04.845 – Irrigation service for area exceeding five acres
Chapter 13.04.850 – Substandard water fixtures prohibited
Chapter 13.04.860 – Water runoff prohibited
Chapter 13.04.870 – Outdoor conservation of water
Chapter 13.04.880 – New landscaping
Chapter 13.04.890 – Penalties for violation
Chapter 13.04.900 – Appeal
Chapter 13.04.910 – Declaration of water shortage
Chapter 13.04.920 – Access to customer premises – Compliance
Chapter 13.04.950 – City water use
- 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. 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. 2012-022 is hereby rescinded.