



REPORT TO COUNCIL

City of Sacramento

12

915 I Street, Sacramento, CA 95814-2671
www. CityofSacramento.org

CONSENT
August 2, 2005

Honorable Mayor and
Members of the City Council

Subject: Citation and Arrest Authority to Certain Employees of the Code Enforcement Department

Location/Council District: City-wide

Recommendation:

Adopt a Resolution updating the names of the staff members who are eligible to be granted Citation and Arrest Authority in the Code Enforcement Department and rescinding Resolution No. 2004-798.

Contact: Ron O'Connor, Code Enforcement Manager, (916) 808-8183

Presenters: Ron O'Connor, Code Enforcement Manager

Department: Code Enforcement

Division: None

Organization No: 4651

Summary:

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 attached Resolution provides the names of the specific individuals in the Code Enforcement Department who have received the required training and are recommended for Citation and Arrest Authority.

Committee/Commission Action: None

Citation and Arrest Authority to Certain Employees of the Code Enforcement Department

Background Information:

On June 3, 1997, the City Council adopted Resolution 97-285 which granted Citation and Arrest Authority to enforcement staff of the Neighborhood Services 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 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.

Financial Considerations:

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

Environmental Considerations:

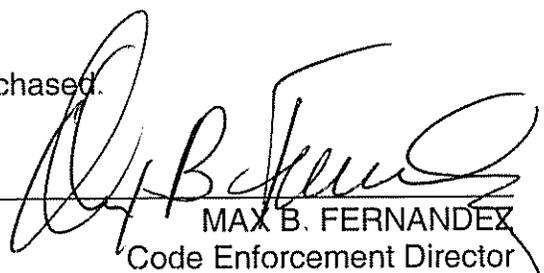
The accompanying resolution of authorization does not constitute a project under CEQA guidelines.

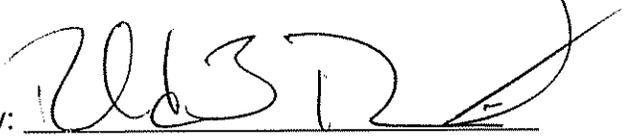
Policy Considerations:

The staff recommendation is consistent with Council priorities and policies related to compliance with the City's Codes, cost recovery, and the City's goals to enhance and preserve the neighborhoods.

Emerging Small Business Development (ESBD):

Not applicable. No goods or services are being purchased.

Respectfully Submitted by: 
MAX B. FERNANDEZ
Code Enforcement Director

Approved by: 
RICHARD J. RAMIREZ
Deputy City Manager

Recommendation Approved:

ROBERT P. THOMAS
City Manager

Table of Contents:
Pg 1 – 2 Report
Pg 3 – 8 Resolution

RESOLUTION NO.

Adopted by the Sacramento City Council

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 Neighborhood Services 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

JOB CLASSIFICATIONS

Max Fernandez	Area Director
Dennis Kubo	Program Manager
Josh Pino	Principal Building Inspector
Ron O'Connor	Code Enforcement Manager
Robert L. Rose	Code Enforcement Manager
Clark Allred	Senior Code Enforcement Officer
Rodney C. Arnold	Senior Code Enforcement Officer
Tamera J. Browning	Senior Code Enforcement Officer
Caroline McNorton	Senior Code Enforcement Officer
Brian S. Ramsey	Zoning Investigator
Angelina Bahner	Code Enforcement Officer
Donna M. Barton	Code Enforcement Officer
Calvin E. Coley	Code Enforcement Officer
Larry Eccleston	Code Enforcement Officer
Lindley Freeman	Code Enforcement Officer
Jean M. Frederick	Code Enforcement Officer

Citation and Arrest Authority to Certain Employees of the Code Enforcement Department

Jesse Galindo	Code Enforcement Officer
Janie Green	Code Enforcement Officer
Stephen R. Grove	Code Enforcement Officer
James Harrison	Code Enforcement Officer
Beverly Howell	Code Enforcement Officer
William H. Hutcheon	Code Enforcement Officer
Livio Innocenti	Code Enforcement Officer
Jason Khan	Code Enforcement Officer
Pamela La Rue	Code Enforcement Officer
Bruce Lewis	Code Enforcement Officer
Belinda Losoya	Code Enforcement Officer
Pamela Maestas	Code Enforcement Officer
Julia Mason	Code Enforcement Officer
Joe Perez	Code Enforcement Officer
Jose Rodriguez	Code Enforcement Officer
Benjamin Rolison	Code Enforcement Officer
Roger Zuniga	Code Enforcement Officer
Larry Cyrus	Neighborhood Resources Coordinator
Noel Eusebio	Neighborhood Resources Coordinator
Brian Strong	Neighborhood Resources Coordinator

TO ENFORCE CITY CODES

Title 5.

Permits

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

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's Permit Requirements
Section 5.88.080

Chapter 5.88 - Outdoor Sales and Display of Merchandise
Sections 5.88.190 through 5.88.210

Chapter 5.108 - Entertainment Establishments

Chapter 5.112 - Self-Service Tobacco Merchandising
Tobacco Retailers

Chapter 5.138 - All Sections

Chapter 5.140 - Tobacco Vending Machines

Citation and Arrest Authority to Certain Employees of the Code Enforcement Department

- 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
- 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
- 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.

Citation and Arrest Authority to Certain Employees of the Code Enforcement Department

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.

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.

<u>NAMES</u>	<u>JOB CLASSIFICATIONS</u>
Josh Pino	Principal Building Inspector
Ron O'Connor	Code Enforcement Manager
Dennis Kubo	Program Manager
Greg Johnson	Supervisory Building Inspector
Elia Kentera	Supervisory Building Inspector
Don Marcheschi	Building Inspector IV
Jack Mc Donald	Building Inspector IV
Randy Stratton	Building Inspector IV
Andy Chavez	Building Inspector III
Arthur Cosley	Building Inspector III
Leonard Duclos	Building Inspector III
Chad Garber	Building Inspector III
Juan Trevino	Building Inspector III
John Vanella	Building Inspector III
Gene Caluya	Building Inspector III
Kyle Caluya	Building Inspector III
Richard Leiker	Building Inspector III
Maurice Schranz	Building Inspector III
Charles Sherman	Building Inspector III
Livio Innocenti	Code Enforcement Officer

TO ENFORCE CITY CODES:

- Title 5. **Permits**
Chapter 5.108 - Entertainment Establishments
Chapter 5.112 - Self-Service Tobacco Merchandising
Chapter 5.138 - Tobacco Retailers
Chapter 5.140 - Tobacco Vending Machines

Citation and Arrest Authority to Certain Employees of the Code Enforcement Department

- 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 II - Water Meters
 Article III - Construction of Water Mains - Subdivision Within City Limits
 Chapter 13.04.950 - Substandard water fixtures prohibited
 Chapter 13.08.280 - Penalties

- Title 15. **Buildings and Construction**
 All Chapters
 All Sections

- Title 17. **Zoning**
 Chapter 17.232.050 - Penalty

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. 2004-798 is hereby rescinded.