

CITY COUNCIL

Darryl MooreCouncilmember District 2

CONSENT CALENDAR December 11, 2012

To: Honorable Mayor and Members of the City Council

From: Councilmember Darryl Moore, District 2

Councilmember Linda Maio, District 1 Councilmember Laurie Capitelli, District 5 Councilmember Susan Wengraf, District 6

Subject: Streamlining Enforcement of Zoning and Municipal Code Violations and

Public Nuisance Abatement Procedures

RECOMMENDATION

Direct the City Manager to propose methods of enforcing the zoning and municipal codes that would result in more timely compliance of problematic uses, including those in undisputable violation of our laws, and/or propose ways in which to streamline the nuisance abatement procedure and return with a report and suggestions to improve the process in 6 months.

BACKGROUND

The enforcement effort that transpired as a result of the numerous zoning and municipal code violations associated with the Perfect Plants Patients Group has highlighted the lengthy process that is required in order to abate a public nuisance. While there are a variety of due process requirements and necessary evidentiary thresholds, the time between when the violations first come to the City's attention to the time abatement procedures commence, seem to indicate some inefficiencies.

It is recommended that the City Manager investigate ways in which other jurisdictions in the State deal with nuisance abatement to assess whether there may be some improvements that could be made to the process in order to shorten the time in which it takes to abate public nuisances.

FISCAL IMPACTS OF RECOMMENDATION Unknown

CONTACT PERSON

Councilmember Darryl Moore, District 2

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