

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FRESNO,
CALIFORNIA, AMENDING SECTIONS 1-302 AND 1-308
OF THE FRESNO MUNICIPAL CODE, RELATING TO
GENERAL ENFORCEMENT AUTHORITY.

THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 1-302 of the Fresno Municipal Code is amended to read:

SECTION 1-302. GENERAL ENFORCEMENT AUTHORITY;
ENFORCEMENT OFFICERS.

[(a)] The City Manager or any of his or her designated enforcing officers as set forth in this Code have the authority and powers necessary to gain compliance with the provisions of the Code and applicable laws. The term "enforcement officers" includes any city employee vested with authority to enforce the Code, [which also includes any employee or person under contract with the City Attorney appointed to investigate and/or prosecute violations of this Code]. These powers include the power to inspect public and private property and use whatever judicial and administrative remedies are available under the Code or applicable laws.

[(b)] Notwithstanding any Code provision otherwise, and in addition to any authority granted the Director or others, but excluding any authority granted solely to the Police Chief or Police Department, the City Attorney, pursuant to Charter section 803 (b), shall have the authority and

discretion to investigate and prosecute any violations of this Code by administrative citation, civil action, and/or criminal prosecution.]

SECTION 2. Subsection (k) of Section 1-308 is amended to read:

(k) Authority to Issue Administrative Citation. The following officers and employees have the authority to issue administrative citations and civil penalties: City Manager, [City Attorney,] Planning and Development Director, Director of Public Utilities, Public Works Director, Police Chief and Fire Chief, and Director of Parks and Recreation and any other person delegated such authority by any of the above.

SECTION 3. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its final passage.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____, 2018.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2018
Mayor Approval/No Return: _____, 2018
Mayor Veto: _____, 2018
Council Override Vote: _____, 2018

YVONNE SPENCE, MMC
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN,
City Attorney

BY: _____
Katie Doerr Date
Chief Assistant City Attorney

KBD:ns [80342ns/kbd] – 5/29/18