



Legislation Details (With Text)

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**On agenda:** 8/21/2014      **Final action:**

**Title:** \*BILL NO. B-32 - (Intro. 7/31/2014) (For adoption) - Amending the Fresno Municipal Code to add Article 6.5 of Chapter 10, authorizing citizens to file Administrative Complaints for Municipal Code violations involving public nuisances.

**Sponsors:** City Attorney's Office

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord adding Art 6.5; Ch 10.pdf

Date	Ver.	Action By	Action	Result
8/21/2014	1	City Council	tabled	Pass

**REPORT TO THE CITY COUNCIL**

**August 21, 2014**

**FROM:** DOUGLAS T. SLOAN, City Attorney  
City Attorney's Office

**BY:** MARY RATERMAN-DOIDGE, Deputy  
City Attorney's Office

**SUBJECT**

\*BILL NO. B-32 - (Intro. 7/31/2014) (For adoption) - Amending the Fresno Municipal Code to add Article 6.5 of Chapter 10, authorizing citizens to file Administrative Complaints for Municipal Code violations involving public nuisances.

**RECOMMENDATION**

It is recommended that the City Council approve the attached ordinance adding Article 6.5 of Chapter 10 to the Fresno Municipal Code authorizing citizens to file Administrative Complaints for certain Municipal Code violations involving public nuisances.

**EXECUTIVE SUMMARY**

The attached ordinance amends the Fresno Municipal Code by allowing private citizens to file Administrative Complaints for Municipal Code violations involving public nuisances which may be

resolved through mediation or a hearing.

## **BACKGROUND**

This ordinance provides an alternative method of enforcing Municipal Code violations. Establishing a program allowing private citizens to file administrative complaints for certain enumerated public nuisances will enhance compliance with code regulations to protect the public's health, safety, and quality of life.

This program will be voluntary, and does not take the place of existing methods for enforcement of violations of the Municipal Code. The adoption of this ordinance will simply give private citizens an opportunity to combat code violations, as an alternative to the existing method of code enforcement by the Community Revitalization Department.

The City intends to defray the administrative cost by establishing a fee associated with processing and resolving Administrative Complaints. Staff intends to bring back to Council for approval the filing fee amount required to pay for processing complaints and staff time, along with supporting documents.

## **ENVIRONMENTAL FINDINGS**

This is not a "project" for the purposes of CEQA pursuant to CEQA Guidelines, section 15378(b)(5), as it is an administrative activity that will not result in direct or indirect physical changes to the environment. The City has existing code enforcement procedures; this ordinance simply adds an alternative administrative procedure.

## **LOCAL PREFERENCE**

Local preference was not considered because this ordinance does not include a bid or award of a construction or services contract.

## **FISCAL IMPACT**

There will be no significant fiscal impact from this proposed addition to the Fresno Municipal Code because the administration of this ordinance should be cost neutral when a filing fee will be charged to pay all processing costs, limited City Attorney time may be used, and this ordinance operates on a voluntary basis.

Attachment: Ordinance