



Legislation Details (With Text)

**File #:** 21-0806      **Version:** 1      **Name:** CD3 - Evaluation of Nuisance Violation Fine Structure

**Type:** Agenda Item      **Status:** Approved

**File created:** 8/9/2021      **In control:** City Council

**On agenda:** 8/17/2021      **Final action:** 8/17/2021

**Title:** Recommendation to request City Manager to work with the City Attorney’s Office, the City Prosecutor’s Office, and the Code Enforcement Bureau, to provide a report on the current nuisance violation fine structures and the feasibility of increasing penalties and/or fines or fees on property owners/managers or tenants depending on staff’s recommendations, to allow for more effective enforcement tools and resources to address nuisance activities. This should also include evaluating options for fines or fees to be based on income qualifications, and if community service was feasible in place of fines where appropriate. This report will also include evaluating opportunities and the feasibility of bolstering the Code Enforcement ordinances and relevant provisions of the Municipal Code and aligning with best practices.

**Sponsors:** COUNCILWOMAN SUZIE A. PRICE, THIRD DISTRICT, COUNCILWOMAN MARY ZENDEJAS, FIRST DISTRICT, COUNCILWOMAN CINDY ALLEN, SECOND DISTRICT, COUNCILMAN AL AUSTIN, EIGHTH DISTRICT

**Indexes:**

**Code sections:**

**Attachments:** 1. 081721-R-16sr.pdf

Date	Ver.	Action By	Action	Result
8/17/2021	1	City Council	approve recommendation	Pass

Recommendation to request City Manager to work with the City Attorney’s Office, the City Prosecutor’s Office, and the Code Enforcement Bureau, to provide a report on the current nuisance violation fine structures and the feasibility of increasing penalties and/or fines or fees on property owners/managers or tenants depending on staff’s recommendations, to allow for more effective enforcement tools and resources to address nuisance activities. This should also include evaluating options for fines or fees to be based on income qualifications, and if community service was feasible in place of fines where appropriate. This report will also include evaluating opportunities and the feasibility of bolstering the Code Enforcement ordinances and relevant provisions of the Municipal Code and aligning with best practices.

**INTRODUCTION:**

In recent years there have been significant changes made by the State of California that are designed to assist with the overall creation of additional housing as a response to the state’s well documented housing crisis. Housing is certainly a priority throughout the state and unlike many cities throughout California, Long Beach is making meaningful progress in proactively creating housing development opportunities. However, with some of the state’s recent housing policies, such as the opportunity to create large-scale ADUs within residential neighborhoods, several unintended consequences have been identified. The unintended consequence that are likely to arise from allowing a 3-bedroom 2-bathroom home to now

include an ADU that totals 11 bedrooms and 11 bathrooms, for example include potential parking impacts, noise impacts, trash accumulation and other concerns.

With these changes in zoning in mind, it is appropriate for the City Council to receive a report on existing nuisance violation policies and regulations, enforcement, and fine structures, as well as recommendations on the feasibility of amending such policies/regulation to allow for meaningful enforcement of municipal code violations that commonly impact quality of life for the surrounding community.

This matter was reviewed by Revenue Management Officer Geraldine Alejo on July 30, 2021.

The recommendation requests that the City Manager to work with the City Attorney's Office, the City Prosecutor's Office, and the Code Enforcement Division, to provide a report on the current nuisance violation fine structures, the feasibility of increasing penalties, and resources to address nuisance activities. The requested action is anticipated to have a moderate to significant impact on staff hours beyond the budgeted scope of duties and a moderate impact on existing City Council Priorities.

Approve recommendation.

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