



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Adam Rush, Community Development Director

MEETING DATE: February 13, 2024

SUBJECT: Receive and File Code Enforcement Update and Statistics for the Month of December 2023

RECOMMENDATION:

Receive and File Code Enforcement Update and Statistics for the Month of December, 2023.

BACKGROUND:

The City's Code Enforcement Division ("Code") is currently staffed three full-time officers that are responsible for enforcement of the City's Municipal Code with cases that range from lack of a business license, to unsafe buildings, to street vendors and much more. Within the Code Enforcement Division, the City employs two Code Enforcement Officers, responsible for managing and organizing over 900 open cases, and a Supervising Officer. In addition to the typical code enforcement duties and responsibilities (e.g., unsafe buildings, unpermitted land use, no business license, construction without permit, and unregistered food vendors, just to name a few) Code Enforcement is also responsible for compliance with Fire Hazard/Weed Abatement. This Program includes the investigations, patrol, noticing, enforcement, and remediation of over 650 vacant lots, of potential fire hazards, the invoicing costs to the property owners for service rendered by the city's contractors. The Weed Abatement Officer notifies all property owners for the Summer and Fall fire seasons, which leaves two officers for Nuisance Complaints, which is before the traditional fire season begins. These duties, while important, reduce their ability to handle the day-to-day functions of other Code Enforcement duties by half. Code Enforcement activities typically do not recoup the cost associated with labor, nuisance abatement, and legal fees to name a few, through the collection of administrative citations and penalties. Revenue from code cases can be delayed months or years given the manner in which fines and penalties are assessed and ultimately collected, which will be mitigated by the Introduction of the Lien Reimbursement Ordinance. Further, the City is missing out on a potential revenue source associated with the Abandoned Vehicle Abatement (AVA) program administered by the California Highway Patrol and Riverside County. Code Enforcement requires additional staffing to enforce AVA Compliance.

	MONTH	YEAR-TO-DATE (YTD)
Cases Investigated	41	991
Cases Closed	38	281
All Open Cases	41	156
Citations Paid	\$0	\$0
Notices to Abate	1	12
Red Tagged Properties	0	17
Apply or Release Lien/Pendency	1	3

Civic Plus Inquiries	0	6
Public Records Request	0	12

JUSTIFICATION:

- The Code Enforcement Division is fully staffed with two Code Officers and one Code Supervisor. The current open case load, in combination with additional responsibilities such as: (1) Ramsey Street Beautification; (2) Enforcement of Unpermitted Mobile Food Vendors (3) Shopping Cart Retrieval; (4) Maintenance of Abandoned Buildings; and (5) Initiation of Litigation Proceedings for chronically non-compliant public nuisances and unsafe structures.
- Three Code Enforcement Officers completed a weeklong continuing education training in Monterey, CA in November to keep their California Association of Code Enforcement Officers (CACEO) certifications current and active.
- Two Code Enforcement Officers completed a “pepper-spray” certification
- The abandoned structures, located at 775 E. Lincoln St. were demolished
- Receivership lawsuits are being drafted for six (6) additional non-compliant properties that pose serious threats to the public health, safety, and welfare.

FISCAL IMPACT:

Preparation of this report did not incur any additional costs.

ALTERNATIVES:

None