



## CITY OF BANNING STAFF REPORT

**TO:** CITY COUNCIL

**FROM:** Douglas Schulze, City Manager

**PREPARED BY:** Adam Rush, Community Development Director  
Adam B. Rush, AICP

**MEETING DATE:** January 9, 2024

**SUBJECT:** Receive and File Code Enforcement Update and Statistics for the Month of September and October 2023

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### **RECOMMENDATION:**

Receive and File.

### **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 800 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.

Within the previous six months, the Division has implemented the following updates, upgrades, and improvements with the primary goal of increasing the number of closed cases through voluntary compliance, and if necessary, through legal action:

- Upgrading the Code Enforcement Reporting and Case Management System (e.g., Comcate.®).
- Upgrading the technology to achieve greater efficiency and allow Code Officers to work complexly mobile.
- Training and equipping new Code Enforcement Officers.
- Relocating Code Enforcement staff to their new offices (former City Manager Office).

- Continued enforcement of unpermitted food vendors; citation and disposal of unsafe food.

Lastly, outside of updates to Council, Code Enforcement can provide statistics to the public and City Council upon request.

**JUSTIFICATION:**

The following accomplishments have been achieved during the months of September and October of 2023:

- The Code Enforcement Division is fully staffed with the hire of Daniel Franco in September and Robert Hernandez in October. A new Community Development Department Analyst position that will share duties with Code Enforcement has been filled and the anticipated start date is mid to late November.
- Two Code Enforcement Officers attended a weeklong continuing education training in Monterey, CA in November to keep their California Association of Code Enforcement Officers (CACEO) certifications current and active.
- A Code Compliance Agreement was issued to potential buyer of 2735. If agreement is executed, compliance must be achieved by October 30th.
- Receivership lawsuits are being drafted for the following properties: 775 E. Lincoln St. and 1979 W. Ramsey St.
- Management Analyst hired in December to support the Department.

**FISCAL IMPACT:**

The Code Enforcement Division maintains regular statistics as part of its normal function; as such, no additional fiscal impact is incurred. The time to prepare a Summary of Statistics, format the Council Staff Report, and complete its preparation requires approximately two (2) hours of staff time for a Fiscal Impact of approximately \$240.00.

**ALTERNATIVES:**

No Relevant Alternatives Are Provided for a Standard Report.

**ATTACHMENTS:**

1. [Statistics.pdf](#)