

RESOLUTION NO. 3359-2010

RESOLUTION OF THE FORT BRAGG CITY COUNCIL ADOPTING FEES FOR CODE ENFORCEMENT ACTIVITIES

WHEREAS, the Fort Bragg Municipal Code, Title 18 (Land Use & Development Code), and Government Code Sections 65104 and 66014 authorize the establishment of fees in order to recover and defray costs incurred in the processing of planning services, including the processing of code complaints and conducting inspections ("Planning and Building Services"); and

WHEREAS, the City maintains a comprehensive "Consolidated Fee Schedule" to provide members of the public and City staff with a convenient method for determining fees and charges that apply to certain City services; and

WHEREAS, the Consolidated Fee Schedule does not include fees associated with Code Enforcement activities; and

WHEREAS, the City has conducted an analysis of its Code Enforcement activities and the costs reasonably incurred in providing those services, the beneficiaries of those services, and the revenues produced by those paying fees and charges for such services; and

WHEREAS, pursuant to Government Code section 66016, the specific fees to be charged for such services must be adopted by the City Council after providing notice and holding an open and public meeting; and

WHEREAS, the City Council conducted an open and public meeting on April 26, 2010 to obtain comments on the proposed fee schedule; and

WHEREAS, based on all the evidence presented, the City Council finds as follows:

1. All notices and publications have been given in accordance with Government Code section 66016; and
2. Information regarding the proposed fee increases, including the cost or estimated cost required to provide the service for which a specific fee is levied, have been made available to the public for at least ten (10) days prior to the public meeting; and
3. The fees collected for providing miscellaneous services are not a source of additional general fund revenues nor are they a "special tax" as described in California Government Code section 50076; and
4. Modifications to current fees, as identified in Exhibit "A" have been reviewed and are found to not exceed the estimated reasonable cost of providing the code enforcement services for which the fees are levied.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby adopt the fees as shown on Exhibit "A", attached, showing the fees to be charged for the code enforcement activities described therein; and

BE IT FURTHER RESOLVED that the City Clerk is authorized and directed to update the Consolidated Fee Schedule to reflect the fees described in Exhibit "A".

BE IT FURTHER RESOLVED that these fees shall become effective upon adoption.

The above and foregoing Resolution was introduced by Councilmember Courtney, seconded by Councilmember Turner, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 26th day of April, 2010, by the following vote:

AYES: Councilmembers Turner, Courtney, Gjerde, Melo, and Mayor Hammerstrom.

NOES: None.


ABSENT: None.

ABSTAIN: None.



DOUG HAMMERSTROM,
Mayor

ATTEST:



Cynthia M. VanWormer, CMC
City Clerk

EXHIBIT "A"

CODE ENFORCMENT FEES

CATEGORY	FEE
<u>Code Enforcement Fees</u>	
<ul style="list-style-type: none"> ▪ Type 1 Code Enforcement Activity: sign permit, fence & retaining wall issues, expired permit, overgrown vegetation, lawn parking, inoperable vehicle, broken windows, and other similar code enforcement activities. 	\$150
<ul style="list-style-type: none"> ▪ Type 2 Code Enforcement Activity: building maintenance, unsafe dangerous building, nuisance conditions, condition of approval violation, illegal home occupation, blight, and other similar code enforcement activities. 	\$250
<ul style="list-style-type: none"> ▪ Type 3 Code Enforcement Activity: illegal second unit, construction without permits, change of use without permit, establishment of an un-permitted use, and other similar code enforcement activities. 	\$400
<ul style="list-style-type: none"> ▪ Double Fee for Non-Compliance with Request to Stop Violation. For code violations not abated within 45 days (or a longer time period as established by the Community Department Director, if warranted by the violation) of the code violation letter. 	Double Fee