



## Kriss Worthington

Councilmember, City of Berkeley, District 7  
 2180 Milvia Street, 5<sup>th</sup> Floor, Berkeley, CA 94704  
 PHONE 510-981-7170 FAX 510-981-7177  
 kworthington@ci.berkeley.ca.us

### CONSENT CALENDAR

December 17, 2013

To: Honorable Mayor and Members of the City Council  
 From: Councilmember Kriss Worthington

Subject: City Manager Referral: Establishment of Code Enforcement Prioritization Policy and Possible Fee Adjustments

#### RECOMMENDATION

Refer to the City Manager to review the creation of a prioritization policy for code enforcement policy

#### BACKGROUND

The City of Berkeley has many code enforcement issues. The creation of a code enforcement prioritization policy would allow particular code violations to be addressed by ranking. Not all code enforcement issues receive the same level of attention and speed of response.

Places such as Veneta, Oregon, Wagoner County, Oklahoma, and Hawaiian Gardens, California have written their Code Enforcement Policy to prioritize cases, with more serious violations of code being addressed before less serious violations, despite the order in which they are received.

Code Enforcement Policy:

Veneta, Oregon: <http://www.ci.veneta.or.us/pdf/forms/CodeEnforcementPolicy.pdf>

Wagoner County, Oklahoma: <http://www.ok.gov/wagonercounty/documents/PZ-Code%20Enforcement%20Final%20Adopted%20Draft.pdf>

Hawaiian Gardens, California: <http://www.hgcity.org/PDFfiles/CodeEnforcementManual1.pdf>

#### FISCAL IMPACTS

Increased revenue if fees are adjusted and the use of existing staff time.

#### CONTACT PERSON

Councilmember Kriss Worthington 510-981-7170

Judi Abegania, Intern 510-981-7170

#### ATTACHMENT:

1. Code Enforcement Policy from the City of Veneta

## PRIORITIES FOR CODE ENFORCEMENT

It is the City's policy to investigate and attempt to resolve all reported and discovered code violations. There may be times when code violations cannot be given the same level of attention, when some code violations may receive no attention at all, or when the City may be unable to carry out the proactive code enforcement activities outlined in this manual. In such circumstances the most serious violations, as determined through application of the priorities and criteria in this section will be addressed before the less serious violations are addressed, regardless of the order in which the complaints are received. However, complaints alleging both priority and non-priority violations may be processed together to maximize efficiency.

A. Priority Cases. The Council has established the following priorities.

1. Violations that present an imminent threat to public health and safety or the environment;
2. Violations affecting storm drainage, wetlands and/or adjacent areas;
3. Building code violations consisting of non-permitted construction or failure to obtain permits for construction;
4. Building, Planning, Engineering and Environmental Health permit violations including failure to obtain required permits or failure to meet conditions and requirements of permits;
5. Land Use and Zoning violations; and
6. Multiple complaints received on the same property;

B. Non-Priority Cases. Complaints alleging code violations that do not fall within the priority rankings above will be processed in the order in which the complaints are received, and as resources allow.

Exception: At the discretion of Code Enforcement staff, complaints may be processed in any order that maximizes efficiency. Complaints concerning a particular type of code violation (e.g., occurring in a particular geographic area) may be processed together, regardless of the order in which the complaints are received.