



## **Introduce an Ordinance – Modifying Provisions of PMC Concerning Nuisance Abatement Procedures and Related Code Enforcement**

*PINOLE CITY COUNCIL  
MARCH 7, 2023*



# Purpose

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Changes to the abatement procedures found in Chapter 8.24 to reduce delay in initiating the City's abatement procedures

Changes to Chapter 8.25 intended to provide the more effective and efficient procedures to address situations where hazardous and blight conditions are being caused by property owners/occupants leaving debris and/or other obstructions on sidewalks and in streets.

**NUISANCE EXAMPLES  
(VISIBLE FROM STREET)**

Outdoor Storage (junk, inoperative vehicles, containers, boxes, boats, machinery, clotheslines, scrap metal, etc)

Overgrown/Dead  
Landscaping/ Vegetation

Trash, Litter, Trimmings, Oil  
and Debris

Dilapidated buildings, fences,  
gates

**DEFINITION OF  
“ABATE”**

To repair, replace, remove, destroy or otherwise remedy the condition in question by such means and in such a manner and to such an extent as the enforcement officer in his or her judgement determines is necessary in the interest of the general health, safety and welfare of the community.



# Background

## Chapter 8.24: addresses abatement of private property nuisances

- Purpose: reduce unsafe, dangerous or hazardous threats to the health and welfare of the public
  - Courtesy Notice (14 days)
  - Notice and Order (14 days)
  - Appeal Opportunity
  - Show Cause Hearing
  - City Abatement
  - Property Lien to Recover Cost

## Chapter 8.25: addresses admin. citation and penalty procedures

- Purpose: encourage voluntary and complete compliance for the protection and benefit of the entire community
  - Notice of Violation
  - 30 days to correct
  - Appeal Opportunity
  - Civil fines + administrative penalties + abatement procedure





## PMC Modifications

## Process Improvements

1

Ability to immediately issue notice of violation (shortens process by at least 14 days)

Courtesy notice an optional step allows for right-sized action dependent on case

2

Eliminate mandatory Order to Show Cause Hearing. Retain ability to appeal notice and order

Shortens process by at least 3 weeks, allows for streamlining

3

Establish an Administrative Hearing Officer to replace Board of Appeals

Easier to coordinate, more efficient decisions and actions

4

Replace all appeal procedures before the Board of Appeals with Administrative Hearing Officer

Consistency throughout procedures

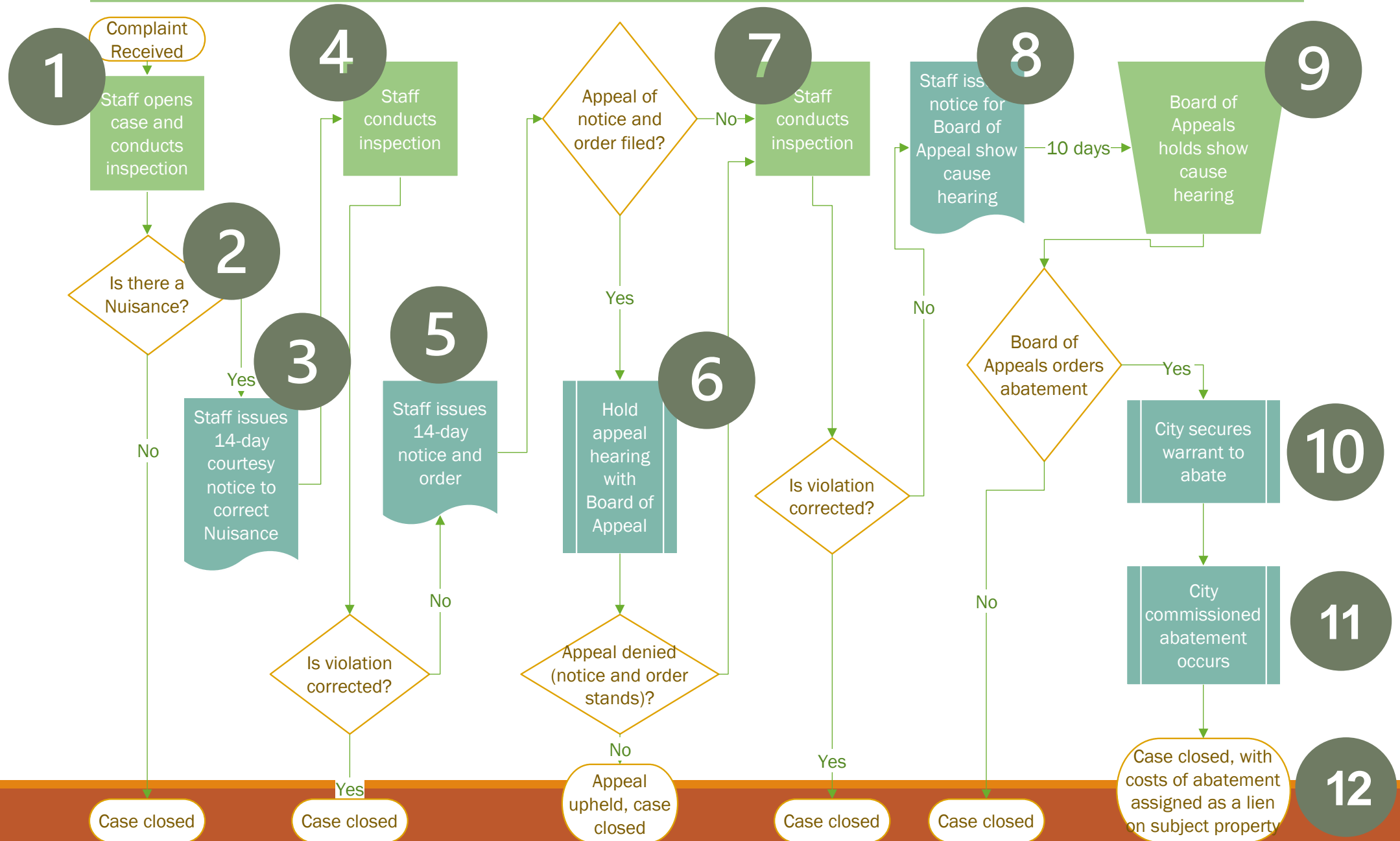
5

Shorten time to correct a non-emergency violation from 30 to 14 days prior to admin. fine

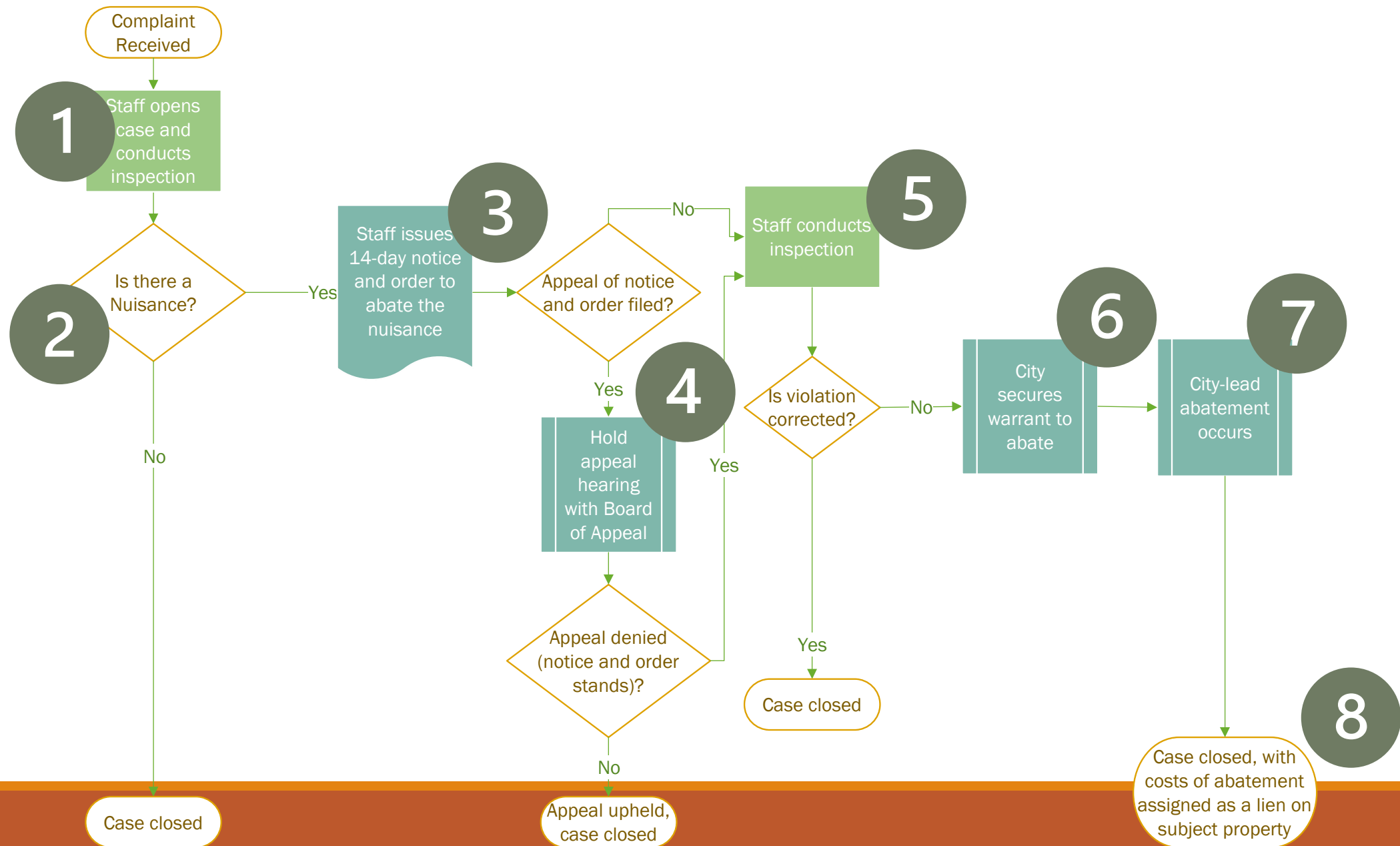
Increased citation cadence is anticipated to increase responsiveness to compliance



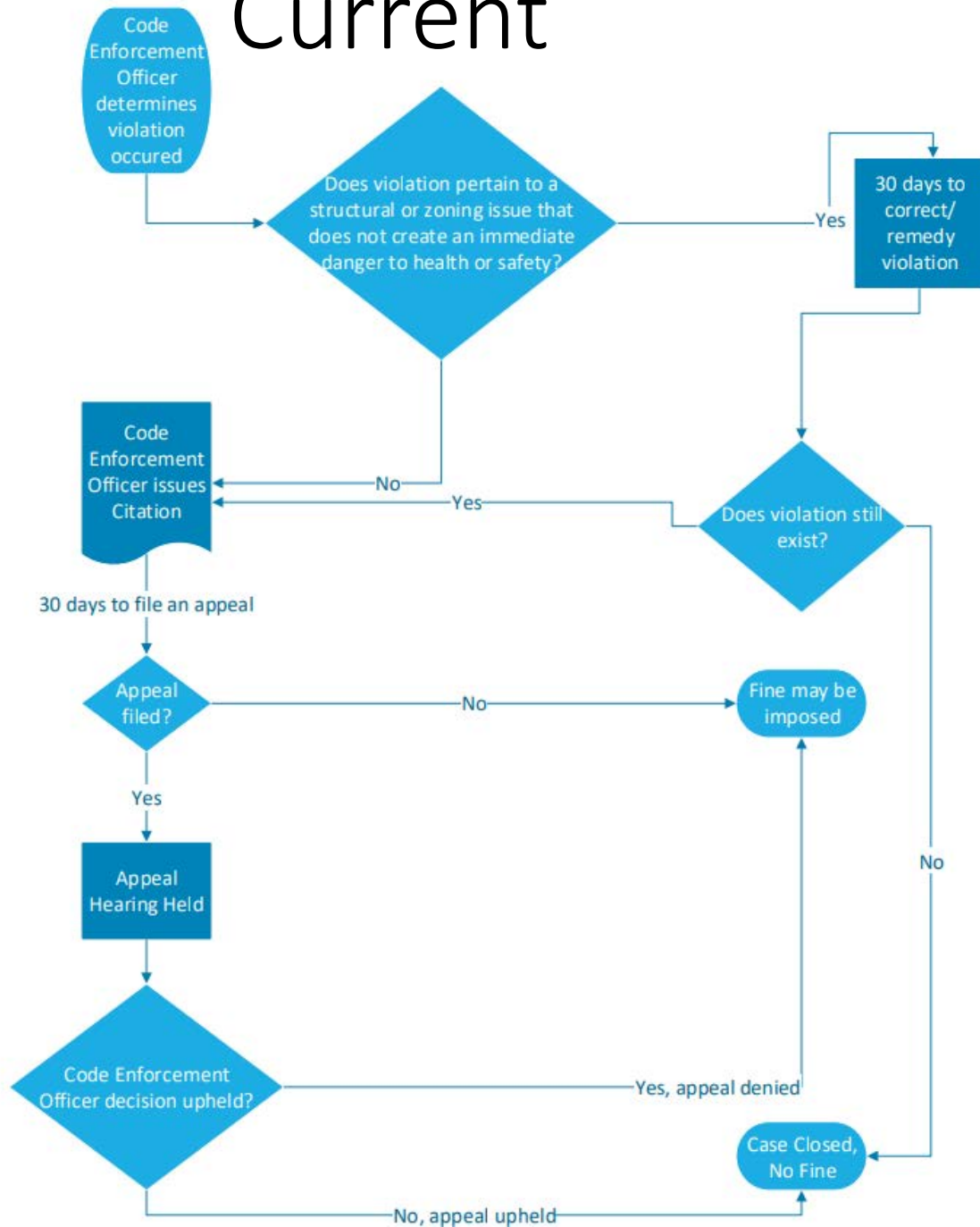
## Current Nuisance Abatement Process



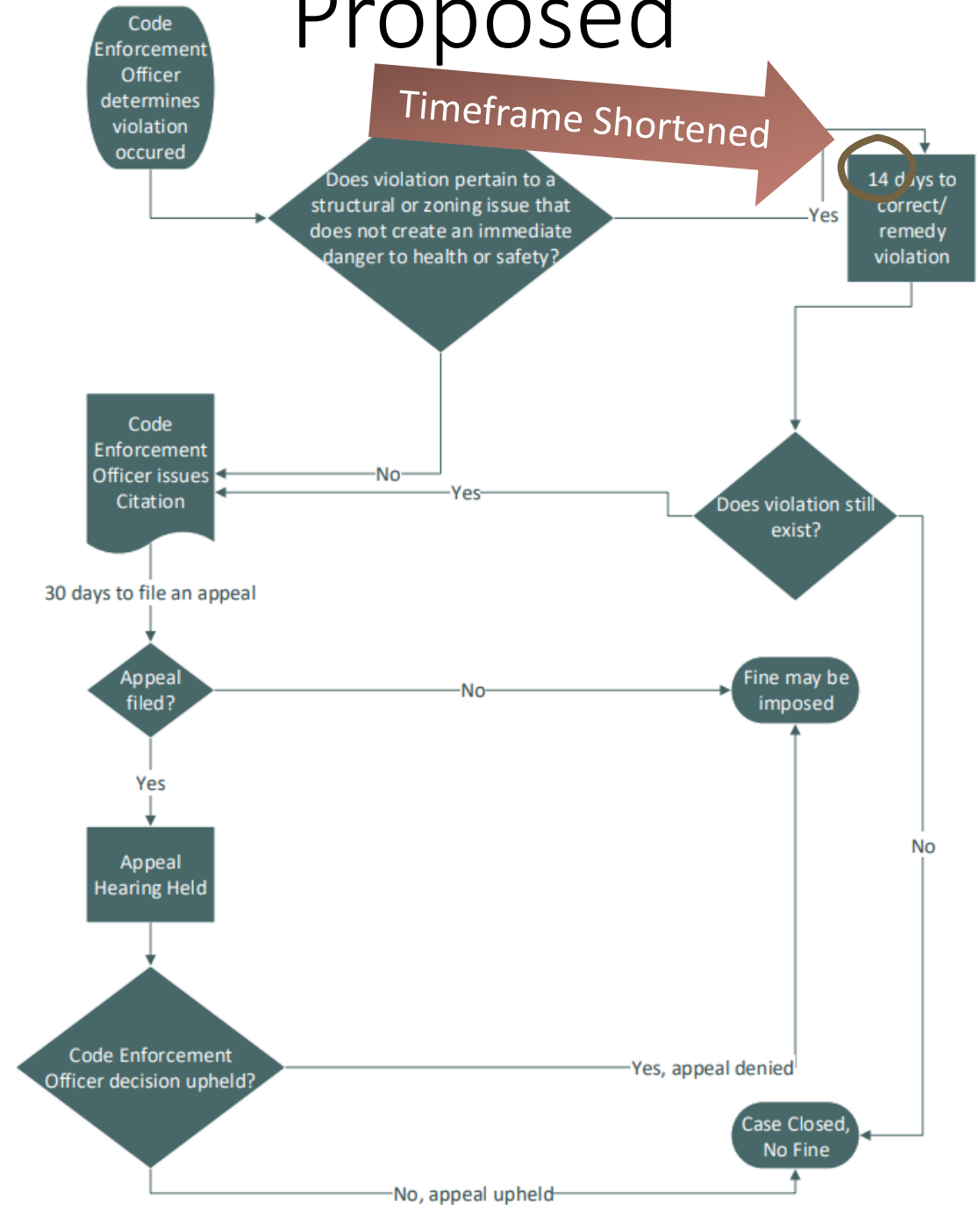
## Proposed Streamlined Nuisance Abatement Process



# Current



# Proposed





# Staff Recommendation

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City Council waive the first reading and introduce an ordinance (Attachment A) amending Chapter 8.24 “Community Preservation” and Chapter 8.25 “Administrative Citations and Penalties” of the Pinole Municipal Code to modify provisions concerning the City’s nuisance abatement procedures and related code enforcement.