



Agenda Date: 12/13/2005
Agenda Placement: 6G

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Hillary Gitelman - Director of Conservation, Development, & Planning
Building Inspection
REPORT BY: Hillary Gitelman, Director, 253-4805
SUBJECT: Action rescinding "County of Nap Conservation, Development and Planning Department Code Compliance Policies and Procedures Manual (3/10/98)"

RECOMMENDATION

Director of Conservation, Development and Planning requests adoption of a resolution rescinding the "County of Napa Conservation, Development and Planning Department Code Compliance Policies and Procedures Manual (3/10/98)", which is in conflict with current County policy to impose inspection fees on all construction work completed without necessary building permits as provided for in the County Policy Manual, Section 70.020.

EXECUTIVE SUMMARY

On August 23, 2005, the Board of Supervisors directed County staff to take three actions intended to enhance code enforcement capabilities. One of those actions was preparation of a resolution for Board consideration rescinding the "County of Napa Conservation, Development and Planning Department Code Compliance Policies and Procedures Manual (3/10/98)". That manual is in conflict with policies contained within the County Policy Manual. The current action would complete this task, effectively eliminating the outdated concept of a "grace" period for code violators, and clarifying that an "inspection fee" equivalent to twice the otherwise applicable permit fee is imposed for all construction work completed without benefit of building permits.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The County Policy Manual establishes an "inspection fee" or penalty equivalent to two times the regular permit fee for violations involving work done without a permit (i.e. requiring an applicant to pay a total of three times the permit fee). Despite this policy, the Conservation, Development and Planning Department has in place a procedure manual dated March 1998 that suggests this penalty only be applied if the property owner submits plans more than 30-60 days after the notice of violation. The procedure manual's incorporation of a 30-60 day "grace period" that is not consistent with County policy hinders effective code enforcement and on August 23, 2005, the Board directed staff to prepare a resolution rescinding the procedure manual. At the same time, the Board was presented with a flowchart summary of the Department's code enforcement process, which effectively summarizes current procedures, obviating the need for the 1998 manual.

SUPPORTING DOCUMENTS

A . Resolution Rescinding 1998 Procedures Manual

CEO Recommendation: Approve

Reviewed By: Andrew Carey