

# STAFF REPORT REGULAR MEETING

**AGENDA DATE:** October 18, 2022

**DEPARTMENT:** City Attorney and  
Community Sustainability

**TITLE:**

Ordinance No. 2022-23 – First Reading - Amending Chapter 2 “Administration,” Article X “Supplemental Code Compliance Procedures,” Section 2-86 “Code Citation Procedures; Appeals,” Section 2-87 “Civil Penalties,” and Section 2-88 “Classification of Infractions”

**SUMMARY:**

An ordinance amending the City’s Civil Citation process to streamline the contesting of a citation and to address penalties for the City’s new ordinance prohibiting smoking and vaping at City parks and the beach and to address graduated penalties for repeat noise ordinance violations.

**BACKGROUND AND JUSTIFICATION:**

The City has adopted supplemental code enforcement procedures in Chapter 2 “Administration,” Article X “Supplemental Code Enforcement Procedures.” Currently, the civil citation form includes the fine and the date of the scheduled special magistrate hearing if the violator wishes to contest the citation. The City wishes to amend the process to require a violator to make a written request for a hearing if he or she wishes to contest the violation. This will allow the City to better manage special magistrate agendas and hearings. Further, the City is amending its noise ordinance to allow for the issuance of City civil citations for noise violations. The civil citation penalties provision requires amending to include graduated penalties for noise ordinance violations and to also include violations of the City’s recently adopted ordinance that prohibits smoking and vaping in City parks and beach.

**MOTION:**

Move to approve/disapprove Ordinance No. 2022-23 on first reading, setting the second reading and public hearing for November 1, 2022.

**ATTACHMENT(S):**

Fiscal Impact Analysis – N/A  
Ordinance 2022-23