



CITY OF CARSON

Legislation Text

File #: 2021-582, Version: 1

Report to Mayor and City Council

Tuesday, July 20, 2021

Discussion

SUBJECT:

CONSIDER INTRODUCTION OF ORDINANCE NO. 21-2116, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING SECTION 5702 (MAINTENANCE OF PROPERTY) OF CHAPTER 7 (PROPERTY MAINTENANCE) OF ARTICLE V (SANITATION AND HEALTH) OF THE CARSON MUNICIPAL CODE TO ADD TO LIST OF ENUMERATED PUBLIC NUISANCES THAT ARE SUBJECT TO ABATEMENT PROCEDURES (CITY COUNCIL)

I. SUMMARY

City may declare certain property conditions as a public nuisance which provides City with the ability to engage in abatement procedures by rehabilitation, demolition, removal or repair pursuant to the procedures set forth in its Municipal Code. The City previously adopted the City's Health Code as set out in CMC Section 5100, which essentially adopted Division 1 of Title 11 of the Los Angeles County Code, but violations of the Health Code were never specifically called out as a public nuisance under Section 5702 of the CMC. This means that certain properties where public health conditions exist such as those containing an infestation of insects, vermin, or rodents, currently cannot be abated utilizing the process outlined in Section 5703, which provides in part that property maintained in violation of CMC 5702 "shall be abated by rehabilitation, demolition, removal or repair pursuant to the procedures set forth in this Chapter."

Adoption of Ordinance No. 21-2116 will allow the City to avail itself of the abatement procedures set out in the CMC for violations of the Health Code for an expanded list of property conditions covered by the Health Code by declaring them to constitute a public nuisance.

II. RECOMMENDATION

INTRODUCE and READ by title only, with further reading waived, ORDINANCE NO. 21-2116, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING SECTION 5702 (MAINTENANCE OF PROPERTY) OF

CHAPTER 7 (PROPERTY MAINTENANCE) OF ARTICLE V (SANITATION AND HEALTH)
OF THE CARSON MUNICIPAL CODE TO ADD TO LIST OF ENUMERATED PUBLIC
NUISANCES THAT ARE SUBJECT TO ABATEMENT PROCEDURES”

III. ALTERNATIVES

TAKE any action the City Council deems appropriate.

IV. BACKGROUND

Chapter 7 (Property Maintenance) of Article V (Sanitation and Health) of the Carson Municipal Code (“CMC”) was enacted to enable the City of Carson (“City”) to declare that all property maintained in violation of CMC Section 5702 to be a public nuisance subject to abatement by rehabilitation, demolition, removal or repair pursuant to the procedures set forth in said Chapter 7. City previously adopted the City’s Health Code as set out in CMC Section 5100, which essentially adopted Division 1 of Title 11 of the Los Angeles County Code, but violations of the Health Code were never specifically called out as a public nuisance under Section 5702 of the CMC. This means that certain properties where public health conditions exist such as those containing an infestation of insects, vermin, or rodents, currently cannot be abated utilizing the process outlined in Section 5703, which provides in part that property maintained in violation of CMC 5702 “shall be abated by rehabilitation, demolition, removal or repair pursuant to the procedures set forth in this Chapter.”

Adoption of Ordinance No. 21-2116 will allow the City to avail itself of the abatement procedures set out in Chapter 7, Article V of the CMC for an expanded list of property conditions covered by the Health Code by declaring them to constitute a public nuisance, including, but not limited to, where properties contain an infestation of insects, vermin, or rodents, along with any condition of a building that qualifies the building as a “substandard building” as defined in Health and Safety Code Section 17920.3.

V. FISCAL IMPACT

Unknown at this time.

VI. EXHIBITS

1. Ordinance No. 21-2116 (pgs. 3-6)

Prepared by: City Attorney's Office