

ORDINANCE NO. 580-AC

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF NEEDLES, CALIFORNIA, AMENDING NEEDLES MUNICIPAL
CODE CHAPTER 2A "ADMINISTRATIVE CITATIONS"
TO PROVIDE ONE (1) "COURTESY CITATION" WITH NO
FINE AND ONE "FIRST CITATION" WITH THE APPLICABLE FINE**

WHEREAS, the City of Needles ("City") is experiencing substantial activity related to vandalism, transient break-ins, substandard housing units, etc. requiring increased code enforcement participation; and

WHEREAS, the burden placed on code enforcement utilizing a four-citation process to provide appropriate representation of facts for each citation, including certified letters, photographs, follow-up telephone calls with property owners, site visits, staff reports, etc. is absorbing more than the available funding for the staffing levels required; and

WHEREAS, the time period, nine months, to bring a non-compliant property owner to an administrative hearing is too lengthy and too costly; and

WHEREAS, by reducing the citation process to one (1) courtesy citation with no fine and one (1) "first citation" with the applicable fine, the length of time for resolution of non-compliant properties and the expense associated with it, will be reduced substantially; and

WHEREAS, a public hearing notice for the Needles City Council was published in the Needles Desert Star on March 30, 2016; and

WHEREAS, on April 12, 2016 the Needles City Council held a duly noticed and advertised public hearing to receive oral and written testimony relative to the amendment to the Needles Municipal Code (NMC); and

WHEREAS, the Needles City Council has sufficiently considered all testimony and any documentary evidence presented to them in order to make the following determination:

SECTION 1. The City Council **HEREBY FINDS AND DETERMINES** that this activity is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Section §§ 15060 (c)(2), the activity will not result in a direct or reasonable foreseeable indirect physical change in the environment.

SECTION 2. The City Council **HEREBY FINDS AND DETERMINES** that facts do exist to approve an amendment to the Needles Municipal Code (NMC).

SECTION 3. The City Council **HEREBY APPROVES** Ordinance 580-AC for an amendment to the Needles Municipal Code (NMC) as follows:

Sec. 2A-04. Administrative Citation Fines.

(d) For violations of the Code, the City will issue one (1) "courtesy citation" with no fine. If the responsible party fails to correct the violation(s), the City may issue a "first citation" with the applicable fine. The City shall only be required to issue the first citation. Subsequent Administrative Citations may be issued for the same violation(s). The amount of the administrative penalty for failure to correct the violation shall increase at a rate specified herein.

SECTION 4. This action shall become final and effective thirty (30) days after this decision by the City Council as provided by the Needles City Code.

SECTION 5. The City Clerk shall certify to the adoption of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Needles, California, approve an amendment to the City Code.

INTRODUCED AND READ for the first time and ordered posted at a regular meeting of the City Council of the City of Needles, California, held on the 12th day of April, 2016, by the following roll call vote:

AYES: Council Members Evans, Frazier, Williams, Darcy and Richardson
NOES: Council Member Gudmundson
ABSENT: None
ABSTAIN: None


Mayor

Attest:


City Clerk

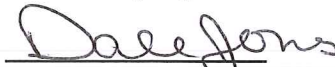
PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Needles, California, held on the 26th day of April, 2016.

AYES: Council Members Gudmundson, Evans, Frazier, Williams, Darcy and Richardson
NOES: None
ABSENT: None
ABSTAIN: None

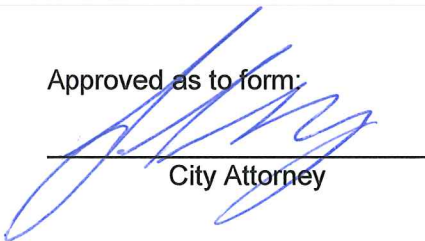

Mayor

(Seal)

Attest:


City Clerk

Approved as to form:


City Attorney