



# City of Lemon Grove Code Enforcement Manual



June 2020

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## **SECTION I - INTRODUCTION**

The Lemon Grove Municipal Code provides the authority to issue administrative citations for violations of the City Municipal Code (hereafter "City Code or "Code"). The City Code provides for escalating fines for noncompliance. The Code also defines the service procedures for issuing a citation, addresses hardship waivers, and identifies the process for appeals. The purpose of this Code section is to encourage compliance by applying a monetary penalty for continued non-compliance.

The purpose of this Procedures Manual is to establish the process by which code enforcement is implemented by the City. The operational policies and procedures identified in this Procedures Manual comply with applicable Municipal Code sections.

## **SECTION II – VIOLATIONS APPROPRIATE FOR ADMINISTRATIVE CITATION**

The City Code allows for the use of various tools to encourage or require abatement of Code violations. The issuance of an administrative citation for a Code violation serves as a tool for those violations that do not impose immediate health and safety risk. The issuance of a citation should be used for violations that are clear-cut, relatively un-complex and easily correctable. As with any enforcement tool, the decision to use administrative citations should include assessment of how effective it is likely to be in gaining compliance and whether or not it is appropriate to the situation.

## **SECTION III – PRIORITIZATION OF COMPLAINTS**

City staff inspects every complaint it receives. When a violation is confirmed, the appropriate action is taken. Due to staff and time constraints, it is sometimes necessary to prioritize complaints and violations. When this happens, complaints are prioritized as follows:

- Immediate risk to public health and safety
- High risk to health and safety through potential environmental impacts
- Work begun, or actions taken without the necessary permits
- Aesthetic and nuisance violations

## **SECTION IV – REACTIVE/PROACTIVE COMPLAINTS**

### **A. REACTIVE (COMPLAINT BASED) ENFORCEMENT**

The Zoning Ordinance, and other regulatory codes adopted by the City are principally enforced on a complaint basis. This is designed to encourage a resident, neighborhood associations, block watch programs, or other City departments to actively participate in the enforcement/compliance process.

In the interest of providing improved customer service, all complainants will be asked to provide a name, phone number and email address. Note: all recorded complainant contact information is maintained confidential to the extent allowed by law.

If a complaint is not patently obvious, the City may require the complainant to provide additional evidence of the violation such as photographs, a survey or access to their property to confirm a violation exists.

## **B. PROACTIVE ENFORCEMENT**

The City may observe and respond to code violations during regular business, visit areas for reactive enforcement, or proactive code enforcement sweeps.

# **SECTION V – ADMINISTRATIVE CITATION ISSUANCE POLICY**

## **A. To Whom Citations Can Be Issued**

An administrative citation may be issued to the party responsible for the violation. In general, the Responsible Person as defined in the Municipal Code Section 1.24.020 will be one or more of the following:

1. The owner, tenant, or occupant of real property;
2. The holder or the agent of the holder of any permit, entitlement, or review;
3. The party or the agent of a party to an agreement covered by this chapter;
4. The owner or the authorized agent of any business, company, or entity subject to this chapter; or
5. The parent or legal guardian of any such person under the age of eighteen years and who violates any ordinance, regulation, permit, entitlement, review, or agreement described in Section 9.32.040.

Any or all of these persons or entities may be cited for the violation when a citation is justified.

## **B. Service of Citation Procedures**

The issuance of an administrative citation should be on the appropriate City form (Exhibit A). The form should be completed in full and should be delivered to the Responsible Person per Section 1.24.040 in the following manner:

1. Personal Issuance – the enforcement officer shall attempt to personally serve the Responsible Person with the citation and, if possible, obtain the signature of the Responsible Person on the administrative citation form. If the Responsible Person refuses to sign the administrative citation form, the citation will remain valid.
2. Service by Mail – if the enforcement officer is unable to locate the Responsible Person, the administrative citation shall be mailed to the Responsible Person by certified mail with a requested return receipt. The administrative citation shall also be sent by first class mail. If the administrative citation sent by certified mail is returned unsigned, the letter mailed first class shall be deemed effective noticing of the violation.
3. Service by Posting Notice – if the enforcement officer does not succeed in personally delivering the administrative citation and certified mail and first class mail fails to reach the Responsible Person, the enforcement officer shall post the administrative citation on the property in violation.

After the administrative citation has been served to the Responsible Person by any of the means above, the enforcement officer shall complete a declaration of service (Exhibit B).

## **C. Form of Citation**

The administrative citation form should include the following information:

1. Date, approximate time, and address or definite description of the location where the violation(s) was observed;
2. The code sections or conditions violated and a description of the violation(s);

3. An order to the responsible person to correct the violations within the time specified, if applicable, and an explanation of the consequences of failure to correct the violation(s);
4. The amount of the fine for the violation(s);
5. An explanation of how the fine shall be paid and the time period by which it shall be paid;
6. A notification that payment of the fine does not excuse or discharge the failure to correct the violation and does not bar further enforcement action by the city;
7. A statement that if the fine is not timely paid, a late payment penalty of twenty-five percent of the amount of the fine will be added to the fine;
8. Identification of rights of appeal, including the time within which the citation may be contested and the place to obtain a request for hearing form to contest the administrative citation; and
9. The name and signature of the enforcement officer, the name and address of the responsible person, and, if possible the signature of the responsible person.

#### **D. Fine Schedule**

The administrative citation form should indicate whether the administrative citation is a warning or the amount of the fine. If the violation is not a critical health and safety risk, the enforcement officer shall first allow the Responsible Person(s) to abate the violation(s) within a 15-day warning period.

If the Responsible Person(s) are not able to address the violation(s) within a 15-day warning period, the enforcement officer may grant additional time through a contract or agreement (Exhibit C) that outlines the necessary steps and time periods needed to address the violation(s). As an example, a Responsible Person imported dirt onto a property and the quantity of dirt requires a grading permit. In order to resolve the violation, the Responsible Person may submit a schedule for preparing grading plans, submitting for permits, and completing any necessary work. In the event the Responsible Person does not meet the agreed upon schedule, the enforcement officer may issue a citation. Any agreements shall be documented through a contract or agreement (Exhibit C) and signed by the Responsible Person.

In the event the violation(s) are not corrected within the warning period or approved contract schedule, fines shall be assessed in the following amounts:

1. A fine not exceeding one hundred dollars for a first violation;
2. A fine not exceeding two hundred dollars for a second violation of the same ordinance or permit within eighteen-month period from the date of the first violation;
3. A fine not exceeding five hundred dollars for the third violation of the same ordinance or permit within eighteen-month period from the date of the first violation.
4. A fine not exceeding one thousand dollars for each additional violation of the same ordinance or permit within eighteen-month period from the date of the first violation.

#### **E. Satisfaction of Citation**

If a warning administrative citation is issued and the violation(s) is corrected within the specified warning period, the case shall be closed. However, if fines are levied, in order to satisfy the administrative citation, the Responsible Person shall correct the violation within

the specified time and pay the fine within thirty (30) days from the correction date listed on the administrative citation.

## **SECTION VI – APPEAL OF ADMINISTRATIVE CITATION**

### **A. Process of Appeal**

A recipient of an administrative citation may contest the violation or whether he or she is the Responsible Person for the violation. To contest the administrative citation, the recipient must complete a Request for an Appeal Hearing form (Exhibit D). The form should be completed in full and returned to the City within thirty (30) days from the correction date identified on the administrative citation.

The request for an appeal hearing must be accompanied by either an advance deposit of the fine or a Request for a Hardship Waiver (Exhibit E). If the hardship waiver is denied, the Responsible Person shall deposit the fine amount within ten (10) days of receiving the notice of denial.

In the event the administrative citation is excused by the Hearing Officer, the City shall refund the deposited fine.

### **B. Hardship Waiver**

A person filing a request for an appeal hearing may also request a hardship waiver of the fine deposit by checking a box on the appeal form. To allow time for the review of the hardship waiver request, the request for the appeal hearing shall be submitted to the City within fifteen (15) days from the correction date on the administrative citation.

The hardship waiver request must include a sworn affidavit, together with any supporting documents or materials demonstrating the person's actual financial inability to deposit the amount of the fine. The City Manager will inform the Responsible Person in writing of whether the waiver was approved. The City Manager's determination is final and is not subject to appeal or judicial review.

If the hardship waiver is denied, the Responsible Person shall deposit the fine within ten (10) calendar days of the City Manager's notice. Failure to deposit the fine shall cancel the request for the appeal hearing and renders the fine delinquent.

### **C. Selection of Hearing Officer**

The City Manager shall select a fair and impartial hearing officer from a panel of hearing officers selected by the City Council for the administrative citation hearing. The hearing officer shall not be a Lemon Grove city employee. The employment, performance evaluation, compensation and benefits of the hearing officer, if any, shall not be directly or indirectly conditioned upon the amount of administrative citation fines upheld by the hearing officer.

### **D. Hearing Procedure**

The following describes the rules and procedures for conducting an appeal hearing:

1. No hearing to contest an administrative citation before a hearing officer shall be held unless and until a request for hearing form has been completed and submitted, and, the fine has been deposited in advance, or a an advance deposit hardship waiver has been issued.

2. A hearing before the hearing officer shall be set for a date that is not less than fifteen and not more than sixty days from the date that the request for hearing is filed in accordance with the provisions of this chapter. The responsible party requesting the hearing shall be notified of the time and place set for the hearing at least ten days prior to the date of the hearing.
3. At least ten days prior to the hearing, the recipient of an administrative citation shall be provided with copies of the citations, reports and other documents submitted or relied upon by the enforcement officer. If, after copies of documents have been provided to the responsible party, the city determines to submit to the hearing officer additional documents then, whenever possible, a copy of such documents shall be provided to party prior to the hearing. No other discovery is permitted. Formal rules of evidence shall not apply.
4. The hearing officer shall only consider evidence that is relevant to whether the violation(s) occurred and whether the responsible person has caused or maintained the violation(s). Courtroom rules of evidence shall not apply. Relevant hearsay evidence and written reports may be admitted whether or not the speaker or author is present to testify if the hearing officer determines that the evidence is reliable. Admission of evidence and the conduct of the hearing shall be controlled by the hearing officer in accordance with the fundamentals of due process. The hearing officer may limit the total length of the hearing to one hour, and shall allow the responsible party at least as much time to present its case as is allowed the city.
5. At the hearing, the responsible party requesting the hearing shall be given the opportunity to present, either themselves or through a representative, evidence and testimony concerning the administrative citation. The city's case shall be presented by an enforcement officer or by any other authorized agent of the city.
6. The failure of the responsible party, either personally or through counsel, of an administrative citation to appear at the administrative citation hearing shall constitute a forfeiture of the fine and a failure to exhaust his or her administrative remedies.
7. The hearing officer may consolidate administrative citations issued to the same responsible person.
8. The hearing officer may continue the hearing and request additional information from the enforcement officer or the recipient of the administrative citation prior to issuing a written decision.

#### **E. Hearing Officer's Decision**

After considering all of the testimony and evidence submitted at the hearing, the hearing officer may announce a decision orally, but in any event, shall prepare a written decision. The decision shall be provided to the parties within ten days of the hearing and shall either affirm the issuance of the citation was issued or dismiss the citation. The decision shall briefly state the reasons for the conclusion of the hearing officer. The city may serve the notice of decision for the administrative hearing to the responsible person personally or through certified and first class United States mail. The decision of the hearing officer shall be final. If the hearing officer determines that First Amendment rights are involved, the decision shall be issued orally at the conclusion of the hearing and shall be effective immediately. A written decision shall thereafter be issued as provided herein below.

If the hearing officer affirms the issuance of the administrative citation, then the deposit with the city shall be retained by the city. If a hardship waiver was granted, the decision shall set forth a payment schedule for the fine.

If the hearing officer determines that the administrative citation should be canceled and the fine was deposited with the city, then the city shall refund the deposit within ten days of the hearing officer's decision.

The hearing officer shall not have the power to reduce the fine. The hearing officer may impose conditions and deadlines to correct any violations or require payment of any outstanding penalties.

**F. Administrative Costs**

The hearing officer is authorized to assess any reasonable costs. Administrative costs may include scheduling and processing of the hearing and all subsequent actions.

**SECTION VII – CITATION FINES (WAIVERS AND PENALTIES)**

**A. Failure to Pay Fines**

The failure of any person to pay the civil fines imposed by an administrative citation within the time specified on the citation may result in the filing of a claim with the Small Claims Court or the Superior Court for recovery of the fine. The only issue to be adjudicated by the court shall be whether or not the fines were paid. A person cited may only obtain judicial review of the validity of the citation by writ of mandate after exhausting their administrative remedies by requesting and participating in an administrative hearing before a hearing officer. In the court action, the city may also recover its collection costs, including the cost of the hearing officer, and any court fees, according to proof.

In lieu of or in addition to the filing of a court action, the city may impose a code enforcement lien, in the amount of the fine plus interest and late charges, on the real property upon which the violation occurs. Any lien imposed pursuant to this chapter shall attach upon the recordation of a notice of code enforcement lien in the office of the county recorder.

The city at its discretion may pursue any and all legal and equitable remedies for the collection of unpaid fines, interest and penalties. The use of one recovery method does not preclude the use of any other recovery method.

**B. Late Payment Penalty**

Any responsible party who fails to pay a fine imposed by this chapter on or before the date that payment is due, shall also be liable for the payment of a late payment charge of twenty-five percent of the fine. In addition, delinquent fines shall accrue interest at the rate of ten percent per month, excluding penalties, from the due date.

**C. Reduction of Cumulative Fines**

If the violation is corrected within a reasonable time after the decision of the hearing officer, the city manager shall have the discretion to reduce any cumulative fines to a total of not less than one thousand dollars upon good cause shown by the responsible person. The determination of the City Manager shall be final and shall not be subject to appeal or judicial review. Fines shall not otherwise be reduced.



## **SECTION VIII – OTHER PROCEDURES**

### **A. Hostile Encounters**

An enforcement officer shall not initiate physical force to halt, restrain or attempt to physically engage a code violator. If an enforcement officer is threatened by hostile or aggressive behavior or with bodily harm during the course of performing his or her duties, the enforcement officer shall leave the scene immediately, contact the Sheriff's Department, contact his or her immediate supervisor, and document the incident as part of the code case file.

If there is or has been past aggressiveness or hostility from a resident, the enforcement officer shall not attempt to personally deliver notices and/or citations without the presence of a Sheriff Deputy. Otherwise, the enforcement officer may deliver notices and/or citations by way of mail as specified in this manual.

### **B. Entry Upon Private Property**

No enforcement officer shall enter upon private property except in an attempt to contact the owner or occupant of the property or to post or deliver a notice and/or citation. The enforcement officer may access the property with the consent of the property owner or occupant or with a search warrant issued by the court.

### **C. Release of Information**

In order to preserve effectiveness and not jeopardize investigative activities and to protect the privacy of residents, the following procedures apply to the release of information, once a case file is created:

1. Except in accordance with the direction of the City Attorney or to comply with a subpoena, the City shall not disclose:
  - a. That a complaint about a particular incident has been filed,
  - b. The fact that a case is pending, or
  - c. That a particular complaint is under investigation.
2. The City shall advise the complaining party that the complaint has been received and is under investigation.
3. Upon request, in accordance with the Public Records Act, the City shall disclose:
  - a. The date on which a citation has been set for court trial,
  - b. The date which has been set for a hearing before a Hearing Officer,
  - c. The fact that a civil lawsuit has been filed and served.
4. Upon the closing of a case initiated by a private party's complaint, the complainant will be advised of the result, if so requested by the complainant.
5. Any information developed during the investigation shall be released only to City personnel actively and directly involved in the enforcement action.

### **D. Retributive Complaints**

In instances when a complaint is filed, found to be valid, and a warning is issued, the enforcement officer shall not act on any retributive complaints from the Responsible Person until the original violation is corrected.

### **E. Excessive Complaints**

The purpose of this section is to address situations where one individual or group inappropriately use the Code Enforcement system. As an example, a single complaint expands into multiple complaints to address a priority issue area for the individual or group.

The City has limited resources, in both staffing and funding, to manage complaints and code violations. The City has the right to choose how to best use these resources in a fashion that prudently utilizes taxpayer resources. In instances of multiple complaints from an individual or group addressing a single issue, the City may choose to address one complaint at a time, rather than responding to all of the complaints simultaneously. As an example, if a single complainant reports fence height violations at 10 different properties, the enforcement officer may process the 10 complaints over a 30 period, rather than addressing all of the complaints within 72 hours.

The City does not intend to ignore complaints; staff will continue to take the appropriate enforcement action when a legitimate City Code violation exists. Depending on the nature of the Code violation and the impact the Code violation has on the health, welfare and safety of the City and its residents, the City staff will prioritize the list of pending complaints it receives.

#### **F. Repeat / Recurring Violations**

The Repeat / Recurring Violation process is designed to provide resolution through an expedited enforcement / compliance mechanism for responsible parties who repeatedly violate City ordinances and who have demonstrated an inability, or unwillingness, to responsibly maintain their property. Repeat / Recurring violators are deemed to be those properties that receive more the three written warnings within a six month period.

The Repeat / Recurring Violation Warning Notice will be a notice of violation that will be mailed directly to the responsible party(s), via U.S. Mail, to the address as listed on the San Diego County Assessor Record. This written notice will advise the responsible party that repeat / recurring violations may be present on their property and require immediate action. All repeat / recurring violations shall not be eligible for the contract / agreement process described in Section VI.D of this policy manual.



## CITY OF LEMON GROVE ADMINISTRATIVE CITATION

<b>A) TYPE OF VIOLATION</b>					
Circle One:	Warning	1 <sup>st</sup> Citation \$100	2 <sup>nd</sup> Citation \$200	3 <sup>rd</sup> Citation \$500	4 <sup>th</sup> Citation \$1,000
Payment of \$_____ is due no later than _____ to the City of Lemon Grove. The City accepts cash, check or credit card.					
<b>If the violation is not corrected by the date specified therein and/or payment is not received by the date above, the next level of citation may be issued, other enforcement actions may occur, and penalties may be assessed (25% and interest at the rate of 10% per annum). Payment of fine does not excuse or discharge the failure to correct violation identified below.</b>					
<b>B) RESPONSIBLE PARTY INFORMATION</b>					
Person(s) Cited: 1) _____ 2) _____					
Circle One:	Property Owner	Tenant	Business Owner	Other _____	
Mailing Address: 1) _____					
2) _____					
Business Name (if applicable): _____					
<b>C) VIOLATION(S) INFORMATION</b>					
Date (Violation Observed): _____			Time (Violation Observed): _____		
Location of Violation: _____					
(Street Address)			(APN)		
Violation(s) Observed (Code Section and Description): _____ _____					
<b>D) CORRECTION(S) REQUIRED TO BE COMPLETED BY:</b> _____ _____ _____ _____					
<b>E) SERVICING CITATION INFORMATION</b>					
Enforcing Officer Name		Phone No.	Signature	Date	
_____		_____	_____	_____	
Citation Served (circle one):      In Person      By Mail      Posted on Property					
This citation may be appealed within thirty (30) days from date of correction identified in Section D. To request an appeal, a Request an Appeal Hearing form (available at City Hall or on the City website <a href="http://www.lemongrove.ca.gov">www.lemongrove.ca.gov</a> ) should be completed and returned to City Hall. In the event a Hardship Waiver is requested, the Request for an Appeal Hearing and Hardship Waiver forms are required within fifteen (15) days from the correction date identified in Section D.					
WHITE-ORIGINAL			CITATION CARD-OWNER		

1 CITY OF LEMON GROVE  
3232 Main Street  
2 Lemon Grove, CA 91945  
Telephone: (619) 825-3800  
3 Fax: (619) 825-3804

4 I, Paolo Romero, declare as follows:

5 I am employed by the City of Lemon Grove, whose address is 3232 Main Street, Lemon  
6 Grove, CA 91945. I am over eighteen years of age and am not a party to this action.

7 On [June 2, 2020], I served the following document(s):

8 1. [list documents being served]

9 addressed to the party(ies) listed below:

10 [include name and address of person/entity being served] [include name and address of person/entity  
being served]

11  
12 [ ] **BY FIRST CLASS MAIL** I enclosed the documents in a sealed envelope or package  
13 addressed to the persons at the addresses listed above and placed the envelope for  
14 collection and mailing following the City’s ordinary business practices. I am readily  
15 familiar with this City’s practice for collecting and processing correspondence for mailing.  
On the same day that correspondence is placed for collection and mailing it is deposited in  
the ordinary course of business with the United States Postal Service, in a sealed envelope  
with postage fully prepaid.

16 [ ] **BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED** I placed each such  
17 sealed envelope, with postage thereon fully prepaid for Certified Mail, Return Receipt  
18 Requested for collection and mailing at the City of Lemon Grove, Lemon Grove,  
19 California, following ordinary business practices. I am familiar with the practice of the  
City of Lemon Grove for collection and processing of correspondence, said practice being  
that in the ordinary course of business, correspondence is deposited in the United States  
Postal Service the same day as it is placed for collection.

20 [ ] **BY PERSONAL SERVICE** I caused such envelope to be personally delivered to the  
parties listed above.

21 I declare under penalty of perjury under the laws of the State of California that the above is  
22 true and correct

23 Executed on June 2, 2020, at Lemon Grove, California.

24 \_\_\_\_\_  
25 \_\_\_\_\_  
26 Paolo Romero



**CITY OF LEMON GROVE**

3232 Main Street  
Lemon Grove, CA 91945  
Telephone (619) 825-3800  
Fax (619) 825-3804

**CONTRACT/AGREEMENT TO RESOLVE A VIOLATION**

Name: \_\_\_\_\_

Address of Violation: \_\_\_\_\_

Day Phone: \_\_\_\_\_ Other Phone: \_\_\_\_\_

Mailing Address (if different): \_\_\_\_\_

Violation of Code (see Section C of Citation): \_\_\_\_\_  
\_\_\_\_\_

Please state the steps necessary to resolve the violation and timeframe needed to complete each step:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Example:*

*Step 1: Sign contract with architect and submit contract to City – 2 weeks (DATE)*

*Step 2: Architect prepares plans – 4 weeks (DATE)*

*Step 3: Submit plans to City for plan check – 1 week (DATE)*

*Step 4: Permit Issuance – 6 weeks (DATE)*

*Step 5: Complete construction/inspection process – 8 weeks (DATE)*

*Step 6: Violation Resolved – 1 week (DATE)*

***Appellant's Statement***

I declare under penalty of perjury that the facts stated are true and correct to the best of my knowledge and that I understand and acknowledge that failure to meet the timelines specified above will result in a monetary citation.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

***OFFICIAL USE ONLY***

Received on: \_\_\_\_\_  
Date

Within Deadline: \_\_\_\_\_  
Yes or No

Completed Form: \_\_\_\_\_  
Yes or No



**CITY OF LEMON GROVE**

3232 Main Street  
Lemon Grove, CA 91945  
Telephone (619) 825-3800  
Fax (619) 825-3804

**REQUEST FOR APPEAL HEARING  
FOR AN ADMINISTRATIVE CITATION**

Name: \_\_\_\_\_

Address of Violation: \_\_\_\_\_

Day Phone: \_\_\_\_\_ Other Phone: \_\_\_\_\_

Mailing Address (if different): \_\_\_\_\_

Violation of Code (see Section C of Citation): \_\_\_\_\_  
\_\_\_\_\_

Please state the reason(s) for the request. The Municipal Code allows the recipient of an Administrative Citation to contest whether a violation(s) exist or whether they are the Responsible Person. If you require more space, please attach additional sheets.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

***Appellant's Statement***

I declare under penalty of perjury that the facts stated are true and correct to the best of my knowledge.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Process for Submitting Request for an Appeal Hearing:

- 1) An individual requesting an appeal hearing must submit this form to the City **on or before 30 days** from the date of correction identified in Section D of the Citation.
- 2) The individual requesting an appeal **must deposit with the City the amount of the citation fine** along with this form.
- 3) If the individual requesting the appeal hearing requests a Hardship Waiver, this form and the Request for a Hardship Waiver are due **on or before 15 days** from the date of correction identified in Section D or the Citation.
- 4) A Request for Hardship Waiver form is available at City Hall.
- 5) A hearing will be established between 15 and 60 days from receipt of this form with a Hearing Officer appointed by the City Council of the City of Lemon Grove.

**OFFICIAL USE ONLY**

Received on: \_\_\_\_\_  
Date

Within Deadline: \_\_\_\_\_  
Yes or No

Completed Form: \_\_\_\_\_  
Yes or No



**CITY OF LEMON GROVE**  
 3232 Main Street  
 Lemon Grove, CA 91945  
 Telephone (619) 825-3800  
 Fax (619) 825-3804

**REQUEST FOR HARDSHIP WAIVER  
 FOR ADVANCE DEPOSIT REQUIREMENT**

Name: \_\_\_\_\_

Address of Violation: \_\_\_\_\_

Day Phone: \_\_\_\_\_ Other Phone: \_\_\_\_\_

Mailing Address (if different): \_\_\_\_\_

Fine Amount on Citation: \_\_\_\_\_ Present Employer: \_\_\_\_\_

Social Security # \_\_\_\_\_ Driver's License # \_\_\_\_\_

List of Family Members Living with You:

<u>Name</u>	<u>Relationship</u>	<u>Age</u>	<u>Employer</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**Total Family Income** (before taxes and deductions from ALL sources):

Employment: \$ _____	Child Support: \$ _____
Spouse Employment: \$ _____	Spousal Support: \$ _____
Unemployment: \$ _____	Pension/Retirement: \$ _____
Welfare/SSI/ADC: \$ _____	Other: \$ _____

**TOTAL INCOME: \$ \_\_\_\_\_**

**Monthly Expenses**

Rent/Mortgage: \$ _____	Payroll Deductions: \$ _____
Child Care: \$ _____	Medical Expenses: \$ _____
Transportation Costs: \$ _____	

**TOTAL EXPENSES: \$ \_\_\_\_\_**

**Assets**

Savings Account: \$ \_\_\_\_\_  
Other Cash Assets: \$ \_\_\_\_\_

Checking Account: \$ \_\_\_\_\_  
Other Assets: \$ \_\_\_\_\_

**TOTAL ASSETS:** \$ \_\_\_\_\_

Submit with Request for Hardship Waiver form copies of (if applicable):

- ▶ Last year's tax return (with W-2s or 1099s)
- ▶ Pay stubs for last 2-week period
- ▶ Other \_\_\_\_\_
- ▶ Utility billing with Lifeline rates
- ▶ Recent Chapter 7 Bankruptcy filing

I declare under penalty of perjury that the information contained herein are full and true statements of my assets and obligation to the best of my knowledge and belief. The undersigned authorizes the City of Lemon Grove to contact my employer, if any, listed above without further notice.

I understand that this hardship consideration is for the deferral of the administrative citation fine during the appeal hearing process. If during the appeal hearing process the citation is found to be valid, the full amount of the citation fine is due and payable.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Process for Submitting Request for a Hardship Waiver:**

- 1) An individual requesting a Hardship Waiver must submit this form with the Request for an Appeal Hearing **on or before 15 days** from the date of correction identified in Section D of the Citation.
- 2) The Hardship Waiver will be reviewed by the City Manager, or his or her designee.
- 3) The City Manager's determination in granting the Hardship Waiver is final and not subject to appeal or judicial review.
- 4) If the Hardship Waiver is denied, the appellant is required to deposit the fine amount within ten (10) calendar days of the City Manager's Notice of Denial. Failure to deposit the fine shall cancel the request for an appeal hearing and will render the fine delinquent.

<b>OFFICIAL USE ONLY</b>		
Received on: _____ Date	Within Deadline: _____ Yes or No	Completed Form: _____ Yes or No



**CITY OF LEMON GROVE**

**APPLICATION FOR ADMINISTRATIVE CITATION HEARING OFFICER**

**Please submit this application form with a cover letter. You may include a resume if you desire.**

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Business Phone: \_\_\_\_\_

Current Employer: \_\_\_\_\_ Title: \_\_\_\_\_

Business Address: \_\_\_\_\_

Statement of Occupational Experience: \_\_\_\_\_

Why do you want to be an Administrative Citation Hearing Officer? \_\_\_\_\_

A Hearing Officer will be required to conduct an administrative citation appeal hearing, receive testimony, analyze the City's Municipal Code and prepare a written decision. What related experience or knowledge do you have that will aid in performing these duties?

List any past or current community or public service appointments with dates served: \_\_\_\_\_



\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**NOTE: NO APPOINTMENT WILL BE MADE WITHOUT AN APPLICATION ON FILE.**

Please return completed form to  
City of Lemon Grove, 3232 Main St, Lemon Grove, CA 91945 (619) 825-3800

<b>Code Enforcement Work Program</b>		
<b>Goals:</b>	<b>1. Define expectations related to the Code Enforcement Procedure Manual</b> <b>2. Increase independence of the Code Enforcement Officer</b> <b>3. Reduce backlog of “on hold” Code Enforcement cases</b>	
<b>Actions</b>	<b>Objectives</b>	<b>Measurements</b>
Proactively identify graffiti	Identify graffiti prior to receiving referrals from the public or City staff	No more than two graffiti referrals per week that were not previously discovered by the Code Enforcement Officer
Complete contracts for all warnings that will not be resolved in 15 days	Identify steps and deadlines to resolve contract cases	Independently monitor and advise responsible person of deadlines 72 hours prior to expiration
Set reminders in Outlook for contract deadlines	Independently manage open cases without requests from City staff	No cold cases in the Weekly Summary that do not have a pending deadline (after all contracts have been created)
Reduce the number of “on hold” Code Enforcement cases	Complete contracts for all “on hold” Code Enforcement cases	Complete two contracts per week until all “on hold” cases have contracts
Proactive site visits and contacts	Reduce the backlog of “on hold” cases through proactive contacts	Seek to have no more than 20 open code cases per week
Schedule a minimum of one Friday, Saturday, or Sunday work day per month	Reduce weekend code violations	Measure, track, and reduce weekend code violations
Follow the warning and citation process in the Manual	Reduce questions for when to issue a citation	No cold cases; issue citations for missed contract deadlines
<p><i>FUTURE ITEM: Work with Community Development Manager to update the temporary sign regulations, conduct business education, and enforce weekend sign/temporary use permit regulations on weekend work days.</i></p>		