



219

**DEPARTMENT OF  
PLANNING AND DEVELOPMENT**

NEIGHBORHOOD SERVICES  
DIVISION

**CITY OF SACRAMENTO**  
CALIFORNIA

812 TENTH STREET  
SUITE 201  
SACRAMENTO, CA  
95814-2694

916-449-5948

October 8, 1991

City Council  
Sacramento, California

**APPROVED**  
BY THE CITY COUNCIL

OCT. 8 1991

OFFICE OF THE  
CITY CLERK

Honorable Members in Session:

**SUBJECT: CITATION AND ARREST AUTHORITY**

**LOCATION: CITYWIDE**

**SUMMARY**

This report recommends that the City Council grant Citation and Arrest Authority to certain employees of the Department of Planning and Development, Neighborhood Services Division, as authorized by Article III of Chapter 30 of the Sacramento City Code and California Penal Code Section 836.5.

**STAFF RECOMMENDATION**

It is recommended that the City Council approve the attached resolution granting Citation and Arrest Authority to personnel of the Neighborhood Services Division, Department of Planning and Development, listed in the resolution.

## **BACKGROUND**

The Neighborhood Services Division currently has Citation and Arrest Authority for enforcement of City Code sections relating to nuisance, zoning, litter, weed abatement, signs, trailer camps, public camps, swimming pool fences, abandoned vehicles on the public right-of-way, advertising vehicles for sale on the street, street and sidewalk vending, maintenance of vehicles on the public right-of-way, parking on private property and adult-related businesses. Also, enforcement of State Codes relating to registration of vehicles, parking on sidewalks, removal of vehicles which constitute hazards, abandonment of vehicles, maintaining a public nuisance, and littering on public or private property.

With the enactment of Section 25.150-1, (Ordinance 91-022, March 12, 1991) relating to parking of commercial vehicles in excess of 10,000 pounds or more on private property in residential and limited commercial zones, Council must grant authority to enforce the code.

In order to stop certain people who use the sidewalks to display their merchandise outside their businesses, thereby obstructing the sidewalks, it is respectfully requested that Council grant authority to enforce three sections of Chapter 38, Sacramento City Code, under Article VI, Sidewalk Obstructions; Pedestrian and Vehicle Interference. The sections are, 38.62, Signs, posts, structures or obstructions of any kind placed on the sidewalks, except as provided; 38.63, Certain uses of sidewalks permitted. The receiving and delivering of goods by merchants. 38.70, Conducting or managing any business so as to block, etc., sidewalk, which hinders pedestrians or blocks the entrance or prevents free ingress and egress into any other business. The division has received complaints from businesses which operate legally and the general public to rid the sidewalks of merchandise which is not only an eyesore but an obstruction to the free passage of pedestrians.

This resolution revises the Citation and Arrest Authority currently held by employees of the Neighborhood Services Division.

## **FINANCIAL DATA**

The granting of Citation and Arrest Authority has no fiscal impact.

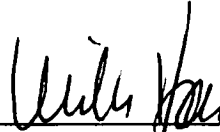
**POLICY CONSIDERATIONS**

The granting of Citation and Arrest Authority to personnel of the Neighborhood Services Division, for enforcement of local ordinances and state codes is consistent with City Council policy.

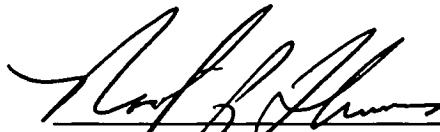
**MBE/WBE EFFORTS**

Not applicable as no goods or services are being purchased.

Respectfully submitted,



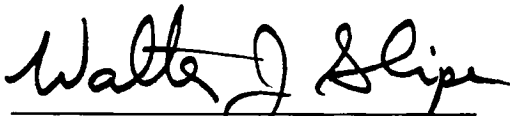
Michael Hanamura, Manager  
Neighborhood Services Division



Robert P. Thomas, Acting Director  
Planning and Development *TK*

RECOMMENDATION APPROVED:

October 8, 1991  
CITYWIDE



Walter J. Slipes, City Manager

Contact Person: Thomas L. Long, 449-5946

**RESOLUTION NO. 91-789**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**APPROVED**  
BY THE CITY COUNCIL

OCT. 8 1991

OFFICE OF THE  
CITY CLERK

**RESOLUTION GRANTING CITATION AND ARREST AUTHORITY  
TO CERTAIN INDIVIDUALS FOR PURPOSES OF ENFORCING  
CERTAIN CHAPTERS OF THE CITY CODE, VEHICLE CODE  
AND PENAL CODE, AND REPEALING RESOLUTIONS  
89-866, 90-286, AND 90-455**

**BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:**

**SECTION 1.**

In order to enforce certain provisions of the City Code, California Vehicle Code and Penal Code, those persons hereinafter named are hereby granted Citation and Arrest Authority for the purpose of enforcing those particular provisions of the City and State codes hereinafter specified, and for those limited purposes only.

**NAMES**

Michael H. Hanamura  
Thomas L. Long  
Brian S. Ramsey  
Clark W. Allred  
Gary Atchley  
Angelina Bahner  
Alice J. Callison  
Dennis J. Kubo  
Lester E. Lyman  
Scott F. Mitchell

Neighborhood Services Manager  
Ass't. Neighborhood Services Manager  
Senior Nuisance Abatement Officer  
Nuisance Abatement Officer  
Nuisance Abatement Officer  
Nuisance Abatement Officer  
Nuisance Abatement Officer  
Nuisance Abatement Officer  
Nuisance Abatement Officer  
Nuisance Abatement Officer

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

**TO ENFORCE**

**CITY CODES**

**Chapter 3. Advertising and Signs**

**Chapter 7. Auctions and Other Sales**

**Article IV - Street and Sidewalk Vending**

**Division 1. General**

**Sections 7.52 through 7.54**

**Division 2. Old Sacramento Third of July Celebration**

**Sections 7.55 and 7.56**

**Division 3. Vendor's Permit Requirements**

**Section 7.60**

**Article V - Outdoor Sales and Display of Merchandise**

**Sections 7.72 through 7.79**

**Chapter 9. Building Code**

**Article XVI - Swimming Pools**

**Section 9.521**

**Chapter 19. Garbage, Rubbish, Weeds, and Waste Matter**

**Article 1 - General**

**Sections 19.113; 19.121; 19.123**

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**Chapter 25. Motor Vehicles and Traffic**

Article VII - Stopping, Standing and Parking on Street

Sections 25.104 (a) (b); 25.107 (a); 25.111

Article IX - Off Street Parking and Loading Facilities

Sections 25.150 and 25.150-1

Article XV - Vehicle Repair in Residential Zones

Sections 25.400 through 25.404

**Chapter 28. Permits**

Article IV - Adult Related Establishments

Sections 28.41 and 28.44

**Chapter 38. Streets and Sidewalks**

Article VI - Sidewalk Obstructions; Pedestrian and Vehicle Interference

Sections 38.62; 38.63; 38.70

**Chapter 44. Trailer Camps and Public Camps**

Article 1 - General

Sections 44.1 and 44.1-1

Article II - Trailer and Trailer Camps

Section 44.2

**Chapter 61. Nuisance Code**

**Comprehensive Zoning Ordinance**

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DATE ADOPTED: \_\_\_\_\_

**CALIFORNIA VEHICLE CODE**

**Section 4000 - Registration Required**

**Section 22500 - Prohibited Stopping, Standing or Parking**

- (f) On a sidewalk except electric carts when authorized by local ordinance.

**Section 22523 - Abandonment Prohibited**

**Section 22651 - Circumstances Permitting Removal**

- (b) When any vehicle is parked or left standing upon a highway in a position so as to obstruct the normal movement of traffic upon a highway.
- (o) When any vehicle is found upon a highway with a registration expiration in excess of one year before the date it is found on the highway.

**Section 22669 - Removal of Abandoned Vehicles**

- (d) Motor vehicles which are parked, resting, or otherwise immobilized on any highway or public right-of-way and which lack an engine, transmission, wheels, tires, doors, windshield, or any other part or equipment necessary to operate safely on the highways of this state, are hereby declared a hazard to public health, safety, and welfare and may be removed immediately upon discovery by a peace officer or other designated employee of the state, county, or city.

**CALIFORNIA PENAL CODE**

**Section 373 (a) - Maintaining or Permitting Public Nuisance After Abatement Notice.**

**Section 374.4 - Littering on Public or Private Property.**

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

**NAMES**

Rachel P. Crane	Vehicle Abatement Officer
Fannie L. Griffin	Vehicle Abatement Officer
Darlene E. Kime	Vehicle Abatement Officer
David R. Maldonado	Vehicle Abatement Officer
Caroline A. McNorton	Vehicle Abatement Officer
Robert L. Rose	Vehicle Abatement Officer

**TO ENFORCE**

**CITY CODES**

**Chapter 25. Motor Vehicle and Traffic**

Article VII - Stopping, Standing and Parking on the Street

Sections 25.104 (a) (b); 25.107 (a); 25.111

Article IX - Off Street Parking and Loading Facilities

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Article XV - Vehicle Repair in Residential Zones

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Article I - General

Sections 44.1 and 44.1-1

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DATE ADOPTED: \_\_\_\_\_

**SECTION 2.**

Those individuals granted Citation and Arrest Authority pursuant to Section 1, shall have no authority to use firearms in their activity and shall have Citation and Arrest Authority only when on duty, during their regular work hours or when on special assignment at the direction of the Director of the Department of Planning and Development or his/her authorized designee.

**SECTION 3.**

Nothing herein shall be read to limit the power or authority of any duly appointed law enforcement officer of the City to enforce those chapters of the City Code heretofore set forth.

**SECTION 4.**

This resolution is enacted pursuant to Article III of Chapter 30 of the Sacramento City Code and Section 836.5 of the California Penal Code.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_