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CITY OF SACRAMENTO  
CALIFORNIA

April 13, 1994

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JOE ROBINSON

Law and Legislation Committee  
Sacramento, California

Honorable Members in Session:

**SUBJECT: An Ordinance Amending Section 61.16.1609 of the Sacramento City Code (Neighborhood Nuisance Code) to Provide an Informal Meeting with the Executive Director of the Human Rights/Fair Housing Commission to Tenants of Properties Subjected to Neighborhood Nuisance Code Enforcement**

**LOCATION/COUNCIL DISTRICT:** City-wide

**STAFF RECOMMENDATION**

This report recommends that the City Council enact an ordinance which will amend the Neighborhood Nuisance Code to provide informal meetings with the staff of the Human Rights/Fair Housing Commission to tenants of properties subjected to Neighborhood Nuisance Code enforcement.

**CONTACT PERSON:** Diane Balter, Deputy City Attorney, 264-5346

**FOR COMMITTEE MEETING OF:** MAY 17, 1994

**SUMMARY**

This report recommends that the City Council enact an ordinance which will amend the Neighborhood Nuisance code to provide informal meetings with the staff of the Human Rights/Fair Housing Commission to tenants of properties subjected to Neighborhood Nuisance Code enforcement. The purpose of the informal meeting is to let the tenant establish that he or she is not causing a nuisance and has been erroneously targeted by the City or the property owner. The Commission staff would send a letter describing the results of the informal meeting to the tenant, the owner, and the Director of the Neighborhood Services Department.

Law and Legislation Committee  
Re: Neighborhood Nuisance Code Amendment  
April 13, 1994  
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**BACKGROUND INFORMATION**

The Neighborhood Nuisance Code (Chapter 16 of Title 61, Sacramento City Code) was adopted by the City Council on September 21, 1993. At that time, a provision which would have provided informal meetings with City staff to tenants who feel they are erroneously targeted by the City or a property owner in connection with Neighborhood Nuisance Code enforcement was deleted from the ordinance.

The Executive Director of the Human Rights/Fair Housing Commission is now proposing that the Neighborhood Nuisance Code be amended to offer tenants an informal meeting, but with Commission staff rather than City staff. At the meeting, the tenant would be given the opportunity to demonstrate that he or she is not causing a nuisance. The Commission staff would send a letter describing the results of the informal meeting to the tenant, the owner, and the Director of the Neighborhood Services Department.

The Executive Director of the Human Rights/Fair Housing Commission has indicated that she has discussed this proposal with staff of the Sacramento Valley Apartment Association and the Sacramento Board of Realtors, and that they are not opposed to an informal meeting provision. The amendment is also acceptable to Councilmember Steinberg, the original proponent of the Neighborhood Nuisance Code.

**FINANCIAL CONSIDERATIONS**

This report has no financial implications.

**POLICY CONSIDERATIONS**

This amendment makes only a minor change to Neighborhood Nuisance Code enforcement procedures, and will not have any negative effect on the enforcement program.

**MBE/WBE**

This report does not relate to the procurement of goods or services.

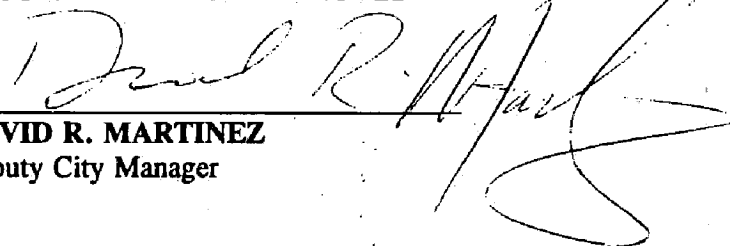
Respectfully submitted,

WILLIAM L. OWEN  
Interim City Attorney

By: 

DIANE B. BALTER  
Deputy City Attorney

**RECOMMENDATION APPROVED**

  
DAVID R. MARTINEZ  
Deputy City Manager

# ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

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

**AN ORDINANCE AMENDING SECTION 61.16.1609 OF THE SACRAMENTO CITY CODE RELATING TO PROVISION OF AN INFORMAL MEETING WITH THE EXECUTIVE DIRECTOR OF THE HUMAN RIGHTS/FAIR HOUSING COMMISSION TO TENANTS OF PROPERTIES SUBJECTED TO NEIGHBORHOOD NUISANCE CODE ENFORCEMENT**

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

## **SECTION 1.**

Section 61.16.1609 is hereby amended to read as follows:

61.16.1609 Citation and order; issued.

- (a) Whenever the director has inspected or caused to be inspected any premises and has found and determined that the premises are in violation of this code, the director may issue a citation and order to abate the nuisance as provided herein. Before a citation and order is issued, the director shall communicate with the owner to request that the owner voluntarily cooperate with the City to abate the nuisance, and encourage the owner to participate in a mediation program designed to foster cooperation between property owners, interested persons, and the City.
- (b) No citation and order shall be issued hereunder if the owner is making good faith efforts to abate the nuisance. Indicia of good faith may include prompt responses to City communications and requests, active professional property management, and taking steps to repair physical conditions which contribute to the nuisance.
- (c) (1) Whenever the director notifies an owner or manager of rental residential property orally or in writing of a nuisance alleged to be caused by a specific tenant or the tenants of a specific unit, the director shall

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FOR CITY CLERK USE ONLY

ORDINANCE NO.: \_\_\_\_\_

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

concurrently give written notice thereof to the specific tenant(s) or unit and the Executive Director of the Human Rights/Fair Housing Commission. The written notice shall state that the tenant(s) have the right to contest the allegations of nuisance at an informal meeting with the Executive Director of the Human Rights/Fair Housing Commission as described in subparagraph (4). Notice to the tenant or unit need not be given when the director determines that doing so would endanger persons or compromise an ongoing police investigation.

- (2) Whenever the director notifies an owner or manager of rental residential property orally or in writing that a nuisance exists at their property, the director shall concurrently issue a written notice to the tenants of the property and the Executive Director of the Human Rights/Fair Housing Commission. The notice shall generally describe the nuisance and the City's remedies under this code. The notice shall also state that tenants may contact the Director to provide or receive information about their building. The notice shall also state that tenants who are served with 30-day eviction notices shall have the right to an informal meeting with the Executive Director of the Human Rights/Fair Housing Commission as described in subparagraph (4).
- (3) Whenever the director issues a citation and order to abate a nuisance at a rental residential property, the director shall concurrently issue a written notice to the tenants of the cited property and the Executive Director of the Human Rights/Fair Housing Commission. The written notice shall state that tenants who are served with 30-day eviction notices shall have the right to an informal meeting with the Commission as described in subparagraph (4).
- (4) The Executive Director of the Human Rights/Fair Housing Commission, or the Executive Director's designee, shall hold an informal meeting pursuant to subparagraphs (1), (2) or (3) no later than 10 business days after the tenant's request. At the meeting, the tenant shall be given the opportunity to demonstrate that he or she is not causing a nuisance. The Executive Director, or the Executive Director's designee, shall mail certified copies of a letter describing the results of the informal meeting to the tenant, the owner, and the Director of Neighborhood Services within two business days after the meeting. The Executive Director will forward to the Director of Neighborhood Services each month a statistical summary of all informal meetings held.

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

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(4)(5) The director shall establish procedures for providing all tenants with notice of subsequent proceedings and actions pursuant to this chapter.

(d) The city attorney shall review and approve each citation and order before it is issued.

DATE PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE:

ATTEST:

\_\_\_\_\_  
MAYOR

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

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DATE EFFECTIVE:

ATTEST:

\_\_\_\_\_  
MAYOR

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CITY CLERK

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ORDINANCE NO.: \_\_\_\_\_

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

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