



Code Enforcement Division

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Planning and Economic Development

100 Santa Rosa Ave Rm 3

Santa Rosa, CA 95404

Code Enforcement

The Code Enforcement Division is responsible for ensuring that City Codes are implemented on private property in Santa Rosa to address general health, life, fire and safety issues facing residents. This involves responding to complaints received.

Code Enforcement is dedicated to working in partnership with community stakeholders including residents, landlords, business owners, contractors, city staff and outside agencies. Our goal is to promote and maintain safe, desirable living and work environments. By working together with the community, Code Enforcement helps reduce crime, protects the health and well-being of residents, maintain property values and preserves and enhances the community for future generations.

What does Code Enforcement do?

- Hazardous or unsafe buildings
- Substandard housing
- Health and safety issues
(Examples: lead, asbestos, mold)
- Trash, debris and blight
- Illegal camping on private property
- Unpermitted construction
- Graffiti
- Noise
- Smoking ordinance
- Cannabis cultivation – personal cultivation and commercial
- COVID-19 Health Order Violations
- Failing septic systems
- Short-Term Rentals
- Zoning violations: (examples: Unpermitted land uses in residential or commercial zones, Neighborhood preservation/Landmark Alteration
- Accessibility/ADA complaints
- Grading violations
- Animal violations (examples: roosters, coop maintenance, location, livestock)
- Illicit discharge, stormwater violations
Environmental hazards, erosion and sediment control & prevention
- Neighborhood Preservation
- Nuisances: Garbage cans, signs, weeds/vegetation in public right of way, abandoned, inoperable vehicle(s) on private property
- Home occupation
- Auto repair

What Code Enforcement does not enforce

- Civil disputes (property line disagreements, a neighbor's tree hanging over the fence, shared fences aka a good neighbor fence)
- Mobile home parks (referred to California Department of Housing and Community Development)
- Creeks and waterways
- City parks
- Schools or other government entities: i.e highways (CalTrans), SMART train, county, state or federal owned properties
- Unincorporated areas, county jurisdiction
- Public property (homeless, trash and debris, abandoned or inoperable vehicles, graffiti)

Exemptions from Landmark Alteration Permits

Per Zoning Code Chapter 20-58, the following list are items that are exempt from Landmark Alteration Permits:

- Repairs of existing siding or trim materials that are determined by the Director to match the original design and materials;
- Repainting, even when it includes a color change, unless the repainting is for the purpose of creating signage for the building;
- Installation of rain gutters or downspouts;
- Installation of skylights on areas of the roof that are not visible from the public right-of-way;
- Installation of a window air conditioning unit, on a side or rear elevation only;
- Demolition or removal of a non-historic building;
- Re-roofing a house with materials determined by the Director to be similar to the original era;
- Replacement windows and doors that are determined by the Director to match the original design and materials;
- Solar panels, and integral parts of the solar panel system including supporting posts or poles, not including proposed new structures, such as a carport or other similar structures proposed in conjunction with the solar panel system. If proposed solar panels would have the possibility of creating a life or safety issue, such as excessive glare to local residences, sensitive facilities (airport) or water resources, the solar panels shall require a Minor Use Permit or Conditional Use Permit depending on the severity of the issues; or
- Modifications to structures that are identified as non-contributors to their respective preservation district, if changes are not readily visible from other properties.

Minor Landmark Alteration Permits are considered by the Zoning Administrator.
Major Landmark Alteration Permits are considered by the Cultural Heritage Board.

Code Enforcement's role in Historic and Cultural Preservation

The Code Enforcement division receives a complaint or investigates a private property within a Historic District zoning designation. Code Enforcement along with Planning collaborate to ensure that violations or improvements performed on the property comply with the City's Design Guidelines for historic properties. Determinations for review procedures consider the following: Landmark Alteration Permit required either Minor or Major, Design Review or exempt; Zoning Code 20-58.060

Examples of Minor LMA:

- Repair or replacement of broken or damaged materials;
- Alteration of or addition to the side or rear of a building
- Installation of roof ventilators or skylights that are visible from the public right of way
- New landscaping features and site features including fences, walkways, decks, etc.
- Accessory structure

Examples of Major LMA:

- Major renovation or restoration
- Substantial alterations to an existing structure that do not match the original design;
- Removing or enclosing an existing porch or adding a new porch
- Substantial additions
- New primary dwellings
- Demolition or removal of an existing historic building
- A fence that also requires a Conditional Use Permit or Variance
- A project involving historic resources that will be approved by the Design Review Board or Commission.

Process and Administrative Procedure

Inspection Processes:

Consent to Inspect Letter: Notify the owner and tenant and request an inspection of premises

Exterior Inspections: Nuisance cases or vacant lots are typically inspected from the public right of way.

- *Courtesy and Violation letters* clearly state alleged/confirmed violation(s) and provide required steps to resolve the violation(s)

Inspection Refusal: If an inspection or entry is refused for health & safety, substandard violations, Code staff may route the case to the City Attorney's Office for a Warrant Inspection.

Violation(s) observed:

- **Notice of Violation Letter:** Mail to responsible party and grant a reasonable time to resolve violation
- **Failure to Abate Letter** Mail to responsible party and grant a reasonable time to resolve violation
- **Notice of Non-Compliance** recorded on property title
- **Administrative Hearing** An informal hearing with a Hearing Officer whereby City Staff and the property owner present evidence of violations of the property. Fines and penalties for violations on property
- **Administrative Citation:** For non-compliance, in the amount of \$100 - \$500.

To close a case, a compliance inspection, verification photographs or required approvals and permits obtained is required to close a code enforcement case

Remedies and Abatement

- **Compliance:** Seeking voluntary compliance is the goal
- **Education:** Our primary option is education, since many individuals may be unaware that a violation exists. Our team works with the responsible party to provide a time frame to resolve the issue(s) without a penalty.
- **Administrative Citations:** For non-compliance, in the amount of \$100 - \$500.
- **Administrative Costs:** This is a remedy after an order is given by Hearing Officer through an Administrative Hearing. This enables staff to collect and assess through an Assessment Lien any costs that are unpaid. Assessment Liens must be approved by City Council.
- **Abatement:** This remedy is used where staff in conjunction with the City Attorney's Office file an order with the Sonoma County Superior court to abate violations on a property that is considered a public nuisance. Unpaid costs can result in a property lien.
- **Judicial Remedies** For certain cases, criminal prosecution or civil injunction may be sought.





Questions?

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