

# Code Compliance FAQ's

## 1. Are Complainants Kept Confidential?

Yes. It is department policy not to disclose information regarding complainants.

## 2. Can Someone Appeal a Code Compliance Citation?

Yes. Citations may be appealed if one believes no violation exists. Specific instructions are provided with each citation on how to appeal. However, if upon appeal citation is upheld, the appellant must pay all enforcement fees associated with the case.

## 3. Do Most People Comply with Just a Warning?

Yes. Some people may not know they were in violation and immediately comply with the codes after being notified. However, please note that some violations will be cited without any warning.

## 4. Do Violators Get Charged Money?

Yes. Violators are responsible for all costs of enforcement. In addition, punitive penalties and/or civil penalties can be imposed.

## 5. Does the Code Compliance Program Recognize Extenuating Circumstances when Enforcing the Codes?

Yes. The Codes must always be followed, but Code Compliance Officers have the discretion to allow extensions of time and to establish "compliance programs" when violators are facing severe circumstances such as loss of a job or a family illness or death.

## 6. Examples of Priority and Other Housing Violations

Priority Violations:

- Surfacing sewage
- Lack of required utilities (water, gas, electricity)
- Lack of hot water
- Vacant, open and accessible property being used in an unauthorized manner
- Lack of heat
- Lack of water
- Collapsing roof

Other Violations:

- Plumbing leak
- Vector infestation
- Electrical malfunction
- Unsanitary premises
- Roof leak

- Broken windows
- Holes in wall
- Rodent harborage

### **7. How can I Recognize a Code Enforcement Officer?**

Most Officers wear a standard uniform that identify them as a "City of Adelanto Community Safety Officer". Please note that both Code Compliance and Animal Care & Control Officers are assigned and fall under the Community Safety Department. If you have a question as to an Officer's identity or if they are in "plain clothes", the Officer will present you with photo identification and/or a badge. If you still are not sure, you may call Adelanto City Hall or the San Bernardino County Sheriff's Department to verify the Officer's employment.

### **8. How do I Report a Violation?**

Go online or call Adelanto City Hall.

### **9. How does Code Compliance Respond to Code Complaints?**

Upon receiving the complaint, a case is initiated. If the violations are considered a "Priority" violation the case will be forwarded to a Code Compliance Officer for an inspection to occur. An officer will contact the tenants, if any, and conduct an onsite inspection of the property to verify the stated issue/s. If violations are found at the time of the inspection, a Notice of Violation and/or citation will be issued to the property owner. There may be costs associated with inspections resulting in confirmed violations. Ongoing violations can result in administrative penalties.

### **10. What does the term "abatement" mean?**

It means the elimination or removal of a nuisance. E.g. Vehicle abatement is the removal of an abandoned vehicle from the public right-of-way.

### **11. What Happens if Someone Does Not Pay a Code Compliance Bill?**

Depending on the type of fines or fees owed, Code Compliance Staff will seek to recover those fees either through the California Franchise Tax Board's Intercept Program or file a lien on the property, known as a Notice of Pendency, with the San Bernardino County Recorder's Office.

### **12. What Happens When Someone is in Violation of the Codes?**

Depending upon the type of violation, the person with the code violation may be contacted by Code Compliance staff and asked to voluntarily abate (correct) the violation. They may be notified of the specific violation and given a time frame in which to comply.

### **13. What Happens When Someone Refuses to Comply with the Codes?**

When someone refuses to comply with the codes, the Code Compliance Officer may issue a criminal or administrative citation, schedule a hearing, tow a vehicle, file a lawsuit, or file criminal charges.

#### **14. What is a Conditional Use Permit (CUP)?**

It is a permit to use your property in a way that normally would not be allowed in a particular zone, which with the application of special conditions of approval and design guidelines may be appropriate. CUP's are costly and require approval and public hearings. See the City of Adelanto Planning Department for more information.

#### **15. Why are some San Bernardino County codes different than City of Adelanto codes?**

First, the County answers to the San Bernardino County Board of Supervisors, while the City answers to the Adelanto City Council, both elected but independent bodies. Second, the County must meet the needs of a more diverse population than the city. While the City of Adelanto is largely urbanized with a dense population, the County covers a much larger area, with population that live in agricultural or rural neighborhoods with different needs than urban centers.