

# Case Management Structure Policy and Procedures

## 1.1 PURPOSE AND SCOPE

The purpose of this policy is to promote accountability, consistency in case work, cross training, distribution of the workload, and provide diversity in assignments. Code Enforcement will be practicing a rotating compartmentalization approach to case management. Each Code Enforcement Officer will train in each role within the case management structure. Code Enforcement cases will be comprised of contributions from multiple Code Enforcement Officers. Once proficient in each role, Code Enforcement Officers will rotate roles for the following reasons:

- (1) Aptitude for a specific role(s)
- (2) Time-based rotation
- (3) As needed by the Division or Department.

All requests made by staff requesting placement in specific roles will be considered by the Division management team. The role descriptions are detailed on the following pages but are subject to change as the Division gains knowledge and experience within this structure.

## 1.2 BACKGROUND

The Code Enforcement Division historically operated with only two to three Code Enforcement Officers for the entire County. Additionally, the Code Enforcement Division became formalized in 2017, where it began to develop key processes to carry out investigations and enforcement methods. During this time, each Code Enforcement Officer was assigned to address each case on their case load from start to finish, including all enforcement actions. As the Division's processes were developed and work volume grew, so did the need to ensure consistency and efficiency for all efforts made by the Division to ensure fairness and equity for the public it serves. As a solution, the Division opted to formalize a case management structure that provides requirements for each step of the investigative and enforcement process, and ensure accountability for each officer.

## 1.3 ROLE TITLE AND PROCEDURES

### **INTAKE**

*Intake* is the initial contact point for all community interactions, complaints, departmental referrals, and directed enforcement actions. Complaints, referrals, and directed enforcement locations will be logged into TRAKiT, which will begin the Code Enforcement process.

The entries will be assigned a TRAKiT CodeTRAK designation based on the nature of the complaint (e.g., IC\_2023-0000). A restriction will be placed on the parcel via LandTRAK, indicating a Code Enforcement investigation has been initiated. Any information tracking or spreadsheet population regarding the number and type of entries will be entered.

#### *Intake* Role and Key Objectives:

Role Description: The *Intake* role can be filled by either administrative staff or a Code Enforcement Officer. It is of utmost importance to be courteous but firm when dealing with the public and other Departments or Agencies. Additionally, obtaining as much information as possible at the onset is advisable in order to build the strongest possible foundation. The information that is entered, and how it is entered, must be consistent and accurate.

Advancing the Entry: Once a restriction has been placed, the entry logged into TRAKiT (along with any available supporting information), assigned a designation and the information tracking is complete, the entry can be moved to the officer assigned to the corresponding geographic sector (North or South) for *Pre-Investigation*.

Deliverables: Complaints received. Complaints Logged (entries created) and forwarded. Returns.

## ***PRE-INVESTIGATION***

During this stage of the Code Enforcement process, the entries will be examined for specific qualifications and corresponding actions taken. Based on the nature of the situation, a determination will be made as to whether the entry falls within Code Enforcement's jurisdiction. One aspect of the entry, or the entire entry, may require referral to another Division, Department, or Jurisdictional Authority. If the entry is duplicative of an active investigation, the complainant information will be transferred to the active investigation, and the duplicative entry closed with an explanation recorded using TRAKiT's Chronology Notes. If the entry is either not within Code Enforcement's jurisdiction, not as reported, or referred in its entirety, and the entry closed, then the complainant will be contacted, and a detailed Chronology Note will be added.

TRAKiT will be loaded with relevant case information including (but not limited to):

- (1) Recorded Deeds, including the most current property owner information
- (2) Secretary of State registration for LLCs, including the Agent for Service of Process
- (3) Recent aerial imagery
- (4) Parcel map
- (5) Overlapping jurisdiction information (e.g., Coastal Zone)
- (6) Any other information that would help establish ownership and physical data related to the site (e.g., real estate listings, online advertisements, etc.)

### *Pre-Investigation* Role and Key Objectives:

Role Description: The *Pre-Investigation* role will be filled by journey level Code Enforcement Officers with broad knowledge of jurisdictional responsibility, physical knowledge of the County, experience with Planning and Building Division functions, and technical skills related to information research. *Pre-investigation* sets the foundation for the next step, and by vetting the entries, the process creates efficiency.

Accountability Measure: The Pre-Investigator must review all submissions from Intake for completeness and accuracy. Once the review is complete, all responsibility for the entry is assumed by Pre-Investigation. If corrections or additional information is required, then the entry shall be moved back to *Intake* with a clear written request to Intake and copied to the direct Supervisor.

Advancing the Entry: Once the entry has been examined for Code Enforcement jurisdiction, relevant referrals made, additional complainant information transferred to an active investigation, and research information loaded, the entry can then be moved to the investigating officer assigned to the corresponding geographic sector, North or South, for *Investigation*.

Deliverables: Entries received. Referrals. Entries forwarded by designation. Returns.

## ***INVESTIGATION***

The first step in *Investigation* is the prioritization of the investigating officer's case load to establish in which order entries will be engaged. Priorities are established by the Board of Supervisors and the Director of the Department. Each investigating officer will discuss how best to implement their priorities with their direct Supervisor. With priorities established and direction provided, the next step in an individual entry is for the investigator to collect any additional information required to determine what the potential violation is (and what it is not), and the likelihood that a violation exists. The investigating officer will contact the complainant (if known) to gather specific information and to provide an update. This is a key step in community outreach. This also allows for the investigating officer to have a better understanding of the complainant's concerns and offers an opportunity for the investigator to explain what Code Enforcement can do to address the complaint (as well as what may not be addressed based on the type of concern).

Next, the investigating officer will establish contact between Code Enforcement, the Property Owner and/or the Responsible Party (note that these last two could be one and the same). Investigating officers must make every effort to make contact using all means at their disposal, including but not limited to:

- (1) phone calls
- (2) direct mailing

- (3) in-person contact
- (4) posting requests for contact.

It is imperative that every attempt is documented in TRAKIT Chronology Notes.

During the course of investigation, evidence will be collected and examined. In cases where the nature of the violation exceeds the general knowledge or experience of the investigating officer, a Determination Request will be submitted to the Planning and/or Building Division for an official assessment by subject matter experts. Grading and Best Management Practice implementation determinations are made by the Code Enforcement Division with support from the Building Official using a grading analysis document (Attachment 1).

Throughout the ensuing communication, the Property Owner will be informed of any violation(s) and provided with an opportunity to come into compliance. The investigating officer will communicate, in detail, what actions need to be taken to achieve compliance. Code Enforcement must ensure all permits are obtained (when required) for appropriate County cost recovery, and fair application of the law, regardless of how "big or small" the structure or impact is.

Once violation(s) are confirmed by the investigating officer, the investigating officer will update the LandTRAK restriction using the 9/14/22 Violation Fee Procedure (Attachment 2). The investigating officer has the discretion to provide the property owner with an inspection report (Attachment 3). The purpose of the inspection report is to catalog the observed violation(s) and the corresponding corrective actions required to achieve compliance. This report will be scanned into TRAKIT to memorialize the investigative results. Additionally, the report will provide clear instructions to the property owner on what specific violations exist and what corrective actions need to be taken to correct them. Completed inspection reports will be retained electronically for potential use by Code Enforcement Officers in the *Enforcement* role if further enforcement actions are taken by the Division.

Assisting responsible parties in achieving compliance may require multiple communications to "walk them through" the process within a reasonable amount of time. The primary purpose of the officer assigned to investigation is compliance. In the case of active construction, a Stop Work Notice shall be issued per the Stop Work Order (SWO) Procedure (Attachment 4). Additionally, whenever a SWO is issued and there is evidence that work is being done by a licensed or unlicensed contractor, the name(s) and contact information of the party performing the work will be obtained and a Contractor State License Board (CSLB) Building Department Referral Form (Attachment 5) shall be completed and sent to the CSLB with all known information noted in the referral. A copy of any referral made to CSLB will be retained by the Department and attached to the case in TRAKIT.

If the Property Owner achieves compliance at the location in question, the investigating officer will thoroughly document the investigation, remove the LandTRAK restriction, and close the case after contacting the complainant. If all required permits are in the application stage but have not yet been issued (i.e., permit applications have been submitted to the Planning and Building Department and are still under review), the investigating officer can refer the entry to *Remediation* for monitoring.

If the Property Owner(s) are non-responsive, or permissions for site inspections are not granted, the investigating officer will make every effort to obtain evidence that a violation exists and report accordingly. It is the responsibility of the investigating officer to demonstrate through evidence and precise documentation the need for formal enforcement action. A presentation of the case will be reviewed by the investigating officer's direct Supervisor to ensure that the criteria and standards are met.

*Investigation* Role and Key Objectives:

Role Description: The *Investigation* role will be filled by both journey-level Code Enforcement Officers and entry-level Code Enforcement Officers with oversight of journey-level Officers and Code Enforcement Supervisors. Key skills will be: problem solving, tact, time-management, and a proclivity for positive but firm community interaction.

Accountability Measure: The Investigator must review all submissions by *Pre-Investigation* for completeness and accuracy. Once the review is complete, all responsibility for the entry is assumed by Investigation. If corrections or additional information are required, then the entry shall be moved back to Pre-Investigation with a clear written request to Pre-Investigation and copied to the direct Supervisor.

Advancing the Entry: Once priorities have been exercised, violations identified, LandTRAK restriction updated, the complainant contacted, communication established with the Property Owner and Responsible Party, the violations successfully explained, an opportunity to comply given (with reasonable time frames established by the investigating officer), refusal to comply acknowledged, accurate documentation cataloged, case criteria and standards met, and all pathways to compliance exhausted, the entry can be submitted to Enforcement.

Deliverables: Entries received. Complainants successfully contacted. Responsible Parties successfully contacted. Determination requests. Inspection Reports. Entries closed with compliance. Entries forwarded to *Remediation* or *Enforcement*. Returns.

### ***ENFORCEMENT***

When entries arrive at the *Enforcement* portion of the case management process, a physical file will be created for evidence retention (e.g., certified mail receipts, wet signature documents, etc.). Any complaints or referrals will be converted to "cases" in TRAKiT with the corresponding CodeTRAK designation (e.g., BI/BC/ZI/ZC\_2023-0000). The order in which Enforcement cases are engaged will be prioritized in the same way as *Investigation* cases.

The Property Owner(s) should be contacted for an additional opportunity to comply and be informed that Code Enforcement will take formal enforcement action at this time. If the Property Owner makes an effort to comply, and there are no Life or Safety concerns, Code Enforcement shall continue to communicate the corrective actions required and work with them within a reasonable timeframe. Enforcement's primary purpose is compliance.

If the Property Owner achieves compliance at the location in question, the officer overseeing enforcement will thoroughly document any communication and/or formal enforcement actions, remove the LandTRAK restriction, and close the case after contacting the complainant. If the required permits are in the application stage but have not yet been issued, the officer overseeing enforcement can refer the entry to Remediation for monitoring.

If no resolution is reached, formal enforcement actions shall commence, with each document being developed based on the specific violation and the specific site, and then reviewed by the direct Supervisor. Formal enforcement shall include but is not limited to:

- (1) Notice of Violation(s) (NOV)
- (2) Administrative Citation(s) (AC)
- (3) Recordation of Notice of Violation(s) against the subject property

Recordation of Notice of Violation(s) are commonly referred to as a "Lien", although no monetary value is attached. Filing a lien against a property with the Recorder's Office is intended to both leverage compliance and notify potential buyers that violations exist on the property. All formal actions must comply with Division and Department Policies and Procedures. Special care MUST be applied to how documents are served to Property Owners and Responsible Parties to conform to the Mendocino County Code and State Law.

*Enforcement* Role and Key Objectives:

Role Description: The *Enforcement* role will be filled by journey level Code Enforcement Officers. Due to the highly technical nature of the *Enforcement* role, accuracy, attention to detail, subject matter knowledge, and critical thinking skills are required. This role must strictly adhere to all Division, Department, and County policies and procedures, particularly with regard to service requirements.

Accountability Measure: *Enforcement* must review all submissions by *Investigation* for completeness and accuracy. Once the review is complete, all responsibility for the entry is assumed by *Enforcement*. If corrections or additional information is required, then the entry shall be moved back to *Investigation* with a clear written request to Investigation and copied to the direct Supervisor.

Advancing the Case: Once the case has been created, outreach communication deemed ineffective, all formal actions properly executed, proper service achieved, the TRAKiT case properly documented and updated, and reviewed by a direct Supervisor, the case can be submitted to the Supervisor for *Multi-Departmental Enforcement (MDE)*.

Deliverables: Entries received. Cases created. Actions taken by type. Cases closed with compliance. Cases forwarded to *Remediation* or *MDE*. Returns.

## **REMEDIATION**

The function of *Remediation* is to track entries or cases with a clearly defined strategy for compliance. This strategy will have been established by the previous role. These locations typically will have submitted building permit applications under review. Additionally, there should not be further formal Enforcement Actions suggested at the time they are submitted to *Remediation* - rather a need to monitor and encourage compliance as fast as reasonably possible, NOT based on the building permit default timeline. The *Remediation* person will assess received individual case statuses that are pending potential closure by monitoring for issued/final permits (e.g., building, use, CDP, etc.) or need for final inspections to show the site is in compliance.

Should a permit expire, a correction letter goes unanswered, or a timeline (as set by Code Enforcement, Building, or Planning Department) not be met, *Remediation* shall engage the Property Owner or Responsible Party to ensure that every effort is being applied to achieve compliance. As a general practice, it is NOT necessary for Code Enforcement to wait for a permit to expire prior to engagement. The timeline for compliance will be established by *Investigation* or *Enforcement* based on the specific circumstances of each location, typically much shorter than the time allotted for completion of a building permit. Information and follow up communication shall be provided and documented in TRAKIT Chronology Notes.

If an entry or case has a clearly defined strategy for compliance but did not require any additional building permits or any additional formal action, the officer overseeing *Remediation* shall contact the Property Owner and perform follow up inspections based on an appropriate timeline and/or compliance strategy.

If the Property Owner achieves compliance at the location in question, the officer overseeing *Remediation* will thoroughly document any communication and/or additional actions, remove the LandTRAK restriction, and close the case after contacting the complainant.

When a Release of Lien request is submitted for a property which has a lien recorded by Code Enforcement, the officer overseeing remediation shall provide all the information and corrective actions required. Additionally, if a compliance inspection is requested and completed with a determination that compliance was achieved, a Release of Lien shall be completed.

*Remediation* Role and Key Objectives:

Role Description: The *Remediation* role will be filled by both journey-level Code Enforcement Officers and entry-level Code Enforcement Officers with oversight of journey-level Officers and Code Enforcement Supervisors. Key skills will be problem solving, tact, time-management, and a proclivity for positive but firm community interaction.

Accountability Measure: *Remediation* must review all submissions by *Enforcement* and *Investigation* for completeness and accuracy. Once the review is complete, all responsibility for the entry is assumed by *Remediation*. If corrections or additional information is required, then the entry shall be moved back to *Enforcement* or *Investigation* with a clear written request to *Enforcement* or *Investigation* and copied to the Direct Supervisor.

Advancing the Case: If the Property Owner does not perform and compliance is not achieved, the case shall be brought to the direct Supervisor for consideration and possible reassignment to *Enforcement*.

Deliverables: Cases received. Cases closed with compliance. Cases forwarded. Returns.

## **MULTI-DEPARTMENTAL ENFORCEMENT**

The *Multi-Departmental Enforcement (MDE)* role will typically rely on coordination with other Divisions, Departments, and Jurisdictions. After a thorough review of the cases submitted by *Enforcement*, *MDE* shall determine what the best elevated enforcement course of action should be. This may take many forms, including, but not limited to:

- (1) Creating and submitting an inspection warrant to a Judge and coordinating the corresponding action at the

- property location
- (2) Preparing a lawsuit for review by County Council to seek an injunctive order against a Property Owner to stop or remediate a violation
- (3) Facilitating summary and administrative abatement orders and actions,
- (4) Facilitating settlement negotiations between the Division, the Department, County Council, and the responsible party
- (5) Monitoring compliance plans and settlement agreements for benchmarks and timelines
- (6) Processing appeals submitted to the Division and coordinating the subsequent hearings
- (7) Collection of penalties

*MDE* Role and Key Objectives:

Role Description: The *MDE* role will be filled by experienced Code Enforcement Officers who demonstrate an aptitude for both attention to detail and the ability to present information in a variety of formal environments.

Accountability Measure: *MDE* must review all submissions by *Enforcement* for completeness and accuracy. Once the review is complete, all responsibility for the entry is assumed by *MDE*. If corrections or additional information is required, then the entry shall be moved back to *Enforcement* with a clear written request to *Enforcement* and copied to the direct Supervisor.

Deliverables: Cases received. Cases closed with compliance. Concluded actions by type and outcome. Penalties collected. The attached documents are subject to change to by the Division and the Department on an as-needed basis. When Code Enforcement Officers utilize these documents, it is imperative that they use the most recent version.

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**Attachments:**

- (1) Grading Determination Worksheet
- (2) 9/14/22 Violation Fee Procedure
- (3) Inspection Report, Notice of Violation, and Administrative Citation template
- (4) Stop Work Order Procedure
- (5) CSLB Building Department Referral Form

# MENDOCINO COUNTY CODE ENFORCEMENT GRADING DETERMINATION WORKSHEET

## Inspection Information

Inspection Date: \_\_\_\_\_

Investigating Officer: \_\_\_\_\_

Officer Title: \_\_\_\_\_

Property Address: \_\_\_\_\_

\_\_\_\_\_

APN: \_\_\_\_\_

Complaint or Case #: \_\_\_\_\_

## Area(s) of Disturbance:

(If there are separate areas of disturbance at one location, please use an additional sheet of paper using the same formula)

### Location # 1

1.) Conditions present as described in Mendocino County Code (MCC) Sec. 18.70.050 – Definitions:

- EROSION is the wearing away of the ground surface as a result of the movement of wind, water or ice.
- EXCAVATION is the mechanical removal of earth material.
- FILL is a deposit of earth material placed by artificial means.
- GRADING is any excavating or filling or combination thereof.

2.) Approximate length of disturbed area: \_\_\_\_\_

Description of length measurement (Example: Southernmost edge of the fill slope, or GPS coordinates):

\_\_\_\_\_

3.) Approximate width of disturbed area: \_\_\_\_\_

Description of width measurement:

\_\_\_\_\_

4.) Estimated average depth of excavation and fill: \_\_\_\_\_

5.) Approximate excavation slope at the steepest point: \_\_\_\_\_

6.) Approximate fill slope at the steepest point: \_\_\_\_\_

# Calculations

## Approximate Cubic Yards:

Length in feet (No. 2) x Width in feet (No. 3) x Depth in feet (No.4) = \_\_\_\_\_

Take the total and divide by 27 (the amount of cubic feet in a yard) = \_\_\_\_\_

## Best Management Practices (BMPs) Required

MCC Sec. 16.30.070 - Requirements for reducing pollutants in storm water.

(B.) Any person performing construction and/or grading work anywhere in the County shall implement appropriate Best Management Practices to prevent the discharge of debris, contaminants or construction waste, from the grading or construction site, or from grading or construction materials, tools and equipment, from entering into the storm drainage system. Best Management Practices as appropriate for each project, shall include but not be limited to the use of the following:

Are these conditions satisfied? Please mark "Yes", "No", "N/A (Not Applicable)", or "UTD (Unable to determine)"

- \_\_\_\_\_ 1. Scheduling construction activity.
- \_\_\_\_\_ 2. Preservation of natural features, vegetation and soil.
- \_\_\_\_\_ 3. Drainage swales or lined ditches to control stormwater flow.
- \_\_\_\_\_ 4. Mulching or hydroseeding to stabilize disturbed soils.
- \_\_\_\_\_ 5. Erosion control to protect slopes.
- \_\_\_\_\_ 6. Protection of storm drain inlets (gravel bags or catch basin inserts).
- \_\_\_\_\_ 7. Perimeter sediment control (perimeter silt fence, fiber rolls).
- \_\_\_\_\_ 8. Sediment trap or sediment basin to retain sediment on site.
- \_\_\_\_\_ 9. Stabilized construction exits.
- \_\_\_\_\_ 10. Wind erosion control.
- \_\_\_\_\_ 11. Other soil loss BMP acceptable to the enforcing agency.
- \_\_\_\_\_ 12. Material handling and waste management.
- \_\_\_\_\_ 13. Building materials stockpile management.
- \_\_\_\_\_ 14. Management of washout areas (concrete, paints, stucco, etc.).
- \_\_\_\_\_ 15. Control of vehicle/equipment fueling to contractor's staging area.
- \_\_\_\_\_ 16. Vehicle and equipment cleaning performed off site.
- \_\_\_\_\_ 17. Spill prevention and control.
- \_\_\_\_\_ 18. Other housekeeping BMP acceptable to the enforcing agency.

If "No" to **ANY** of these required conditions, the BMPs associated with that condition must be implemented immediately. Proceed to the next step.



## Grading Exempt from a Building Permit

1.) Do any of these conditions exist? Please mark “Yes”, “No”, “N/A (Not Applicable)”, or “UTD (Unable to determine)”

\_\_\_\_\_ MCC Sec. 18.70.030(B)(1) When approved by the building official, grading in an isolated, self-contained area if there is no danger to private or public property.

\_\_\_\_\_ MCC Sec. 18.70.030(B)(2) An excavation below finished grade for basements and footings of a building, retaining wall or other structures authorized by a valid building permit. This shall not exempt any fill made with the material from such excavation or exempt any excavation having an unsupported height greater than five (5) feet after the completion of such structure.

\_\_\_\_\_ MCC Sec. 18.70.030(B)(3) Cemetery graves.

\_\_\_\_\_ MCC Sec. 18.70.030(B)(4) Refuse disposal sites controlled by other regulations.

\_\_\_\_\_ MCC Sec. 18.70.030(B)(5) Excavations for wells or tunnels or utilities.

\_\_\_\_\_ MCC Sec. 18.70.030(B)(6) Mining, quarrying, excavation, processing, stockpiling of rock, sand, gravel, aggregate or clay where established and provided for by law, provided such operations do not affect the lateral support or increase the stresses in or pressure upon any adjacent or contiguous property.  
Additionally see MCC Sec. 22.16.040 - Surface Mining and Reclamation Exemptions.

\_\_\_\_\_ MCC Sec. 18.70.030(B)(7) Exploratory excavations under the direction of soil engineers or engineering geologists.

If “Yes” to **ANY** of these conditions, the grading associated with that condition may be exempt from a grading permit pending a review by the Building Division and/or the Building Official’s designee. Otherwise, proceed to next step.

2.) Do any of these conditions exist? Please mark “Yes”, “No”, “N/A (Not Applicable)”, or “UTD (Unable to determine)”

\_\_\_\_\_ MCC Sec. 18.70.030(B)(8)(1) An excavation is more than two feet in depth.

\_\_\_\_\_ MCC Sec. 18.70.030(B)(8)(2) An excavation which creates a cut slope greater than five (5) feet in height.

\_\_\_\_\_ MCC Sec. 18.70.030(B)(8)(2) An excavation steeper than one and one-half (1½) horizontal to one (1) vertical.

\_\_\_\_\_ MCC Sec. 18.70.030(B)(9) A fill more than one (1) foot in depth placed on natural terrain with a slope flatter than five (5) horizontal to one (1) vertical.

\_\_\_\_\_ MCC Sec. 18.70.030(B)(9) A fill placed on natural terrain with a slope greater than five (5) horizontal to one (1) vertical.

\_\_\_\_\_ MCC Sec. 18.70.030(B)(9) A fill greater than three (3) feet in depth.

\_\_\_\_\_ MCC Sec. 18.70.030(B)(9) A fill intended to support structures.

\_\_\_\_\_ MCC Sec. 18.70.030(B)(9) A fill that exceed fifty (50) cubic yards on any one (1) lot.

\_\_\_\_\_ MCC Sec. 18.70.030(B)(9) A fill that obstructs a drainage course.

If “Yes” to **ANY** of these conditions, then a grading building permit is required. Proceed to the next step.

## Grading in the Coastal Zone

### Sec. 18.70.027 - Grading as "Development" in the Coastal Zone.

Section 20.308 of the Mendocino County Code (Mendocino County Coastal Zoning Code) defines "grading" within the coastal zone as any excavation or filling or combination thereof involving transfer of more than two (2) cubic yards of material. Within that same section, "development" is defined as a term that includes grading. Section 20.532.010 of the Mendocino County Coastal Zoning Code states, in part, that any development shall be required to secure a coastal development permit, with certain exemptions provided in section 20.532.020. As such, grading activities within the County's coastal zone generally require a Coastal Development Permit. Although a grading permit may not be required for activities within the coastal zone as exempted by 18.70.030(b), a coastal development permit may still be required. In addition to consistency with this chapter, grading activity within the coastal zone must also be consistent with Chapter 20.492 of the Mendocino County Code (Grading, Erosion, and Runoff) and Chapter 16.30 of the Mendocino County Code (Stormwater Runoff Pollution Prevention Procedure).

Do these conditions exist? Please mark "Yes", "No", or "UTD (Unable to determine)"

\_\_\_\_\_ The property is located in the Coastal Zone.

\_\_\_\_\_ There is excavation or filling or combination thereof involving transfer of more than two (2) cubic yards of material.

If "No" to **ANY** of these conditions, the grading associated with this inspection location is exempt from a Coastal Development permit. If "Yes" or "UTD" to these conditions, then Code Enforcement shall submit a determination request to the Planning Division regarding the development. Proceed to the next step.

## Engineered Grading

1.) Do any of these conditions exist? Please mark "Yes", "No", "N/A (Not Applicable)", or "UTD (Unable to determine)"

\_\_\_\_\_ MCC Sec. 18.70.060(C) Grading in excess of five thousand (5,000) cubic yards.

Requirement: Approved grading plan prepared by a civil engineer.

\_\_\_\_\_ MCC Sec. 18.70.060(C) The Building Official determines that special conditions or unusual hazards exist.

\_\_\_\_\_ MCC Sec. 18.70.090(B) The slope of cut surfaces are steeper than is safe for the intended use.

Requirement: Soils engineering or an engineering geology report, or both stating that the site has been investigated and giving an opinion that a cut at a steeper slope will be stable and not create a hazard to public or private property.

\_\_\_\_\_ MCC Sec. 18.70.090(B) The slope of the cut is steeper than two (2) horizontal to one (1) vertical.

Requirement: Soils engineering or an engineering geology report, or both stating that the site has been investigated and giving an opinion that a cut at a steeper slope will be stable and not create a hazard to public or private property.

\_\_\_\_\_ MCC Sec. 18.70.100(B) Fill slopes constructed on natural slopes steeper than two to one (2:1).

Requirement: An approved soils engineering report.

\_\_\_\_\_ MCC Sec. 18.70.100(B) The ground surface is not prepared to receive fill as indicated by:

- a.) Remaining vegetation, noncomplying fill, topsoil, and other unsuitable materials,
- b.) Lack of scarifying to provide a bond with the new fill,
- c.) Where slopes are steeper than five to one (5:1) and the height is greater than five (5) feet, there is no benching into sound bedrock or other competent material.
  - i. The bench under the toe of a fill on a slope steeper than five to one (5:1) shall be at least ten (10) feet wide. The area beyond the toe of fill shall be sloped for sheet overflow or a paved drain shall be provided. When fill is to be placed over a cut, the bench under the toe of fill shall be at least ten (10) feet wide but the cut shall be made before placing the fill.

Requirement: A determination by a soils engineer, or an engineering geologist, or both, regarding a suitable foundation for fill.

\_\_\_\_\_ MCC Sec. 18.70.100(C) Detrimental amounts of organic material in fills.

Requirement: Approved soils engineering report.

\_\_\_\_\_ MCC Sec. 18.70.100(C) Rock or similar irreducible material with a maximum dimension greater than twelve (12) inches buried or placed in fills.

Requirement: Approved soils engineering report.

\_\_\_\_\_ MCC Sec. 18.70.100(D) Fills are not compacted to a minimum of ninety (90) percent of maximum density.

Requirement: Approved soils engineering report.

\_\_\_\_\_ MCC Sec. 18.70.100(E) The slope of fill surfaces are steeper than is safe for the intended use.

Requirement: Approved soils engineering report.

\_\_\_\_\_ MCC Sec. 18.70.100(E) Fill slopes steeper than two (2) horizontal to one (1) vertical.

Requirement: Approved soils engineering report.

If “Yes” to **ANY** of these conditions, then an engineered grading building permit is required. Proceed to the next step.

## Code Enforcement Grading Determination

The Code Enforcement Division has determined the grading described in this document at the specified location:

- Requires additional BMPs.
- May be exempt from a grading permit pending a review by the Building Department and/or the Building Official’s designee.
- Requires a “regular grading” building permit.
- Requires a determination from the Planning Division regarding the requirement of a Coastal Development Permit.
- Requires an “engineered grading” building permit.

The following supporting document(s) are attached:

Aerial, satellite, or ground images.

Supporting document: \_\_\_\_\_

Supporting document: \_\_\_\_\_

The total number of additional pages: \_\_\_\_\_

If there are no supporting documents, please state the extenuating circumstances (for example: the inspection was stopped due to inclement weather conditions and no photographs could be taken successfully):

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

Additional Notes:

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

**Submitted by:**

Sign: \_\_\_\_\_

Date: \_\_\_\_\_

Print name: \_\_\_\_\_

**Direct Supervisor review and approval:**

Sign: \_\_\_\_\_

Date: \_\_\_\_\_

Print name: \_\_\_\_\_

**Code Enforcement Division Manager review and approval:**

Sign: \_\_\_\_\_

Date: \_\_\_\_\_

Print name: \_\_\_\_\_



## **VIOLATION FEE PROCEDURE**

**DATE: SEPTEMBER 14, 2022**

**TO: PLANNING AND BUILDING SERVICES STAFF**

**FROM: JOHN BURKES, CODE ENFORCEMENT MANAGER**  
**ADRIENNE THOMPSON, ADMINISTRATIVE SERVICES MANAGER**

PURPOSE OF THIS PROCEDURE: To ensure consistency in the application of investigative fees to building permits and planning applications when a Code Violation is discovered.

AUTHORITY: This procedure is based primarily on the authority in Mendocino County Code Chapter 18, Building Regulations and Chapter 20, the Zoning Ordinance, Division I, II and III.

PROCEDURE: Whenever Code Enforcement or a Building Official designee investigates a county parcel, regardless of the complaint, case, or investigation status in TRAKIT's CodeTRAK, the following procedure shall be followed:

- When a complaint, case, or investigation is initiated on a parcel by Code Enforcement, **prior to the confirmation of the violation and prior to the application of additional fees**, a "note" will be placed in LandTRAK under the Restrictions drop down as follows:

<u>Notes</u>	<u>Type</u>	<u>Date Added</u>	<u>User</u>	<u>Date Cleared</u>	<u>User</u>	<u>Restriction</u>
	WARNING	(Date)	(User)	N/A		CE INVESTIGATION

- When a violation or violations are **confirmed** via an investigation by Code Enforcement and supported by proper evidence, a "note" will be placed in LandTRAK under the Restrictions drop down for each violation type as follows:

**For residential building violations:**

<u>Notes</u>	<u>Type</u>	<u>Date Added</u>	<u>User</u>	<u>Date Cleared</u>	<u>User</u>	<u>Restriction</u>
	VIOLATION	(Date)	(User)	N/A		BV FEE X2-SFR, SHIP CONT.

**For commercial building violations:**

<u>Notes</u>	<u>Type</u>	<u>Date Added</u>	<u>User</u>	<u>Date Cleared</u>	<u>User</u>	<u>Restriction</u>
	VIOLATION	(Date)	(User)	N/A		BV FEE X3-HOOPS, DRY SHED

**For zoning violations (residential or commercial):**

<u>Notes</u>	<u>Type</u>	<u>Date Added</u>	<u>User</u>	<u>Date Cleared</u>	<u>User</u>	<u>Restriction</u>
	VIOLATION	(Date)	(User)	N/A		ZV FEE X2 - USE PERM, CDP <b>or</b> ZV COMM FEE X3 - USE PERM, CDP

- Under the Restriction section of the Restriction drop down, Code Enforcement will place the following:
  - Building Violation ("BV") or Zoning Violation ("ZV"); then
  - FEE and the respective multiplier, X2 for residential and X3 for commercial; OR

- c. NO FEE for violations that do not receive a multiplier, including but not limited to amnesty or "Under Review" Cannabis Cultivation Permits; then
  - d. A condensed list of the violations that will receive the respective fees.
4. It is the responsibility of **Code Enforcement** to determine when these fees apply. Particularly as it pertains to parcels that have an "Under Review" Cannabis Cultivation Permit. However, should the applicant self-report a violation, such as "Existing cabin", Building or Administrative staff may assign the single (1x) violation fee and the prefix, BV\_ to the permit.
  5. When Administrative staff or Planning staff are reviewing the application for permit fees, the Restriction placed by Code Enforcement will indicate the correct administration of violation fees.
  6. No fees adopted by the Board of Supervisors may be "waived" by any person in the County. If an applicant wishes to contest a fee, or request a reduction of those fees, they must submit a letter to the Board of Supervisor for consideration.

Procedure Initiated by JB and AT

Procedure Approved by: Julia Krog Date: 9/21/2022  
Director of Planning and Building Services



# County of Mendocino

- INSPECTION REPORT (IR)** - Identification of violation(s) present at the subject location
- NOTICE OF VIOLATION (NOV)** - Determination of reasonable time to correct identified violation(s)
- ADMINISTRATIVE CITATION (AC)** - A civil penalty assessed for failure to correct identified violation(s)

<u>Issuance Date:</u>	<u>IR, NOV, or AC No:</u>
<b>RESPONSIBLE PARTY</b>	
<u>Name:</u>	
<u>Mailing Address:</u>	
<b>VIOLATION INFORMATION</b>	
<u>Date &amp; Time Observed:</u>	<u>Case No:</u>
<u>Location:</u>	
<b>DESCRIPTION OF VIOLATION(S)</b> (Mendocino County Code ("MCC"))	
<b>CORRECTIVE ACTION REQUIRED</b> (including correction deadline(s) - NOV and AC)	
<b>PENALTY</b>	
<i>*See Reverse Side For Payment Information</i>	
<input type="checkbox"/> None (IR / NOV) <input type="checkbox"/> One-time penalty <input type="checkbox"/> Per-day penalty            Penalty Amount: \$	
<u>Issuing Officer: (Print)</u>	(Signed)

**IMPORTANT INFORMATION AND INSTRUCTIONS ON REVERSE SIDE**

**ISSUING DEPARTMENT:**

County of Mendocino  
**Department of Planning and Building Services**  
pbs@mendocinocounty.org  
www.mendocinocounty.org/government/planning-building-services

Ukiah Office:  
860 North Bush Street  
Ukiah, California, 95482  
PHONE: 707-234-6650  
FAX: 707-463-5709

Fort Bragg Office:  
120 West Fir Street  
Fort Bragg, California 95437  
PHONE: 707-964-5379  
FAX: 707-961-2427

**AFTER CORRECTING THE VIOLATION(S), CONTACT THE CODE ENFORCEMENT DIVISION OF THE ISSUING DEPARTMENT AT (707) 234-6650 TO SCHEDULE AN INSPECTION TO VERIFY COMPLIANCE.**

Penalties may continue accruing until County verification. Failure to correct the violation(s) may result in additional code enforcement actions, including but not limited to imposition of monetary penalties, increased monetary penalties, or the filing of a lawsuit.

**INSPECTION REPORT:** If the “Inspection Report” (“IR”) box is checked, this is an identification of violation(s) present at the subject property. Please correct the violation(s) immediately.

**NOTICE OF VIOLATION:** If the “Notice of Violation” (“NOV”) box is checked, this is your notice pursuant to Mendocino County Code (“MCC”) §1.08.070 and §1.04.130. Please correct the violation(s) immediately.

**ADMINISTRATIVE CITATION:** If the “Administrative Citation” box is checked: Correct the violation(s) and pay the monetary penalties, or contest this Administrative Citation (see below for guidance). Unless otherwise stated, a request for an appeal will NOT cause a recurring penalty to cease accruing. At the discretion of the Department, you may also enter into a compliance agreement that may significantly reduce your penalty. To inquire about compliance agreements, you will need to contact the Department. The specified penalty is effective immediately upon imposition. If the penalty is recurring, the total penalty amount for the Citation will increase as specified. If the increment of recurrence is daily, the additional penalty will accrue every 24 hours. The recurring penalty will cease to accrue on the earlier of either (1) the confirmation by the County that the violation has been corrected, (2) the service of a subsequent administrative citation for the same recurring violation, or (3) the expiration of ninety (90) days after service.

**PAYMENT INFORMATION:**

All monetary penalties become due and payable to the County either (1) immediately upon service of the Citation for a non-recurring penalty, or (2) on the first day that the penalty no longer accrues for a recurring penalty. All penalties must be paid either within 30 days of the service of a Citation (for a non-recurring penalty), or 30 days after the penalties cease accruing (for a recurring penalty).

Payment may be sent by mail, accompanied by a copy of the citation, and addressed to: **Mendocino County Planning and Building Services Department, 860 N. Bush St., Ukiah, CA 95482**; payment may also be paid in person at either the Ukiah or Fort Bragg Office (identified above). If by mail, payment may be made by check or money order, made out to “Mendocino County Planning and Building Services Department”; if in person, payment may be made by check, money order, cash or credit card.

**PAYING THE MONETARY PENALTY DOES NOT RELIEVE YOUR RESPONSIBILITY EITHER FOR CORRECTING THE VIOLATION(S) OR FOR CONTACTING THE ISSUING DEPARTMENT TO SCHEDULE A COMPLIANCE INSPECTION.**

**APPEALING THE ADMINISTRATIVE CITATION – RIGHTS AND PROCEDURES:** A person identified as a Responsible Party may contest this Citation by giving notice to the Issuing Department by **submitting a “Notice of Appeal” to the Issuing Department within ten (10) days**, either from service of the Citation (pertaining to a non-recurring penalty), or from the first day that penalties cease accruing (pertaining to a recurring penalty). The Notice of Appeal may be submitted on a form obtained from the Issuing Department, or on a written document titled “Appeal of Administrative Citation” and containing at minimum, the following information: (1) name, address and phone number of appellant; (2) sufficient information to identify this Citation, such as the citation number; and (3) the grounds for contesting the Citation. **The County may reject an incomplete, untimely and/or invalid appeal, without further consideration of the merits.** To be valid, the appeal must state a grounds for appeal that is authorized by MCC Ch. 1.08, including but not limited to a hardship waiver request pertaining to second, or subsequent, citation under the conditions specified in MCC §1.08.100. A rejected request for appeal does NOT extend the time to provide the Issuing Department a Notice of Appeal. **FAILURE TO PROVIDE THE ISSUING DEPARTMENT A TIMELY, COMPLETE AND VALID NOTICE OF APPEAL WILL CONSTITUTE A WAIVER OF YOUR RIGHT TO APPEAL THIS ADMINISTRATIVE CITATION.**

Please note that if the administrative hearing officer upholds the validity of the citation on appeal, you may be required to reimburse the County for all or part of the administrative hearing officer's costs.

If an appellant is unsatisfied with the determination of a hearing officer, the appellant may contest such determination by following the procedures identified in MCC Section 1.08.140. If you need further clarification about this Citation, the processes and instructions described herein, or have any other questions related to this Citation, please contact the issuing officer or the Code Enforcement Division of the Issuing Department at (707) 234-6650. Additional information about contesting this citation also can be found in MCC Sections 1.08.090 through 1.08.140.

The MCC can be accessed on the web at: [https://library.municode.com/ca/mendocino\\_county/codes/code\\_of\\_ordinances](https://library.municode.com/ca/mendocino_county/codes/code_of_ordinances).

**ADDITIONAL INFORMATION:**





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## Stop Work Order Procedure

### PURPOSE

The purpose of this procedure is to ensure consistency in the issuance and enforcement of Stop Work Orders (SWO) as a tool to achieve compliance whenever the Department finds any work regulated by the Mendocino County Code (MCC) Chapters 18 and 20, or the California Building Code (CBC) being performed in a manner that is contrary or in violation of the provisions of these codes; or without a permit; or beyond the scope of an issued permit; or dangerous and unsafe. This procedure does not preclude simultaneously seeking any other remedy prescribed by law.

### AUTHORITY

The authority for the issuance of a SWO is contained in the California Building Code (CBC) §115.1, as the CBC has been adopted by Mendocino County pursuant to MCC § 18.04.025. In addition, MCC § 20.216.005, 20.552.005 and 20.736.005 authorize Stop Work Orders for planning and zoning violations and MCC § 18.08.015 and MCC Chapter 1.08 authorize penalties for violations of the MCC which include adopted state and county building codes.

As authorized in those sections, any violations may be punishable by fines as specified in Government Code section 25132 and MCC Chapter 1.08. Further, the use of the SWO does not preclude simultaneous or cumulative use of any other established method of enforcement for violations.

The relevant authorizing sections for this procedure read as follows:

#### California Building Code

*115.1 – Authority: Whenever the building official finds any work regulated by this code being performed in a manner that is contrary to the provisions of this code, without a permit, beyond the scope of the issued permit, in violation of the Mendocino County Code or Zoning Ordinance, or dangerous or unsafe, the building official is authorized to issue a stop work order.*

*115.2 – Issuance: The stop work order shall be in writing and shall be posted in a visible location near the location where the work is being conducted. If the owner or owner's agent is not on site at the time of posting, a notice advising the reasons for the stop work order issuance shall be hand delivered or mailed first-class to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, the conditions under which the cited work will be permitted to resume, and the name and contact information of the official or agency issuing the order.*

*115.3 - Unlawful Continuance: Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.*

MCC 18.04.075 – Violations and Penalties

(A) *Violation of this Chapter may be an infraction, and may be punishable by fines as specified in Government Code Section 25132 or any successor statute. Further these violations may be redressed by civil action through the Office of County Counsel.*

(1) *A separate offense shall be deemed for each and every week the first citation is issued, and shall be punishable as herein provided.*

(B) *Any violation of provision of this Chapter may cause to be filed for the record with the Recorders of the County in which the real property is located a notice of such violation and a lien of the estimated permit costs and penalties (such fees shall be further evaluated at the time of restitution). The notice shall specify the names of the record owners and particularly describing the real property, provided that, at least thirty (30) days prior to recording such notice the owner of the parcels or units to be affected by the notice of violation, shall be advised in writing of the intention to record the notice specifying the time, date and place at which the owner may present evidence to the Department of Planning and Building Services as to why such notice should not be recorded. The decision of Planning and Building Services may be appealed to the Board of Supervisors.*

MCC 20.216.010 – Enforcement Legal Procedures and Penalties

(A) *Violation of this Division may be an infraction, and may be punishable by fines as specified in Government Code Section 25132 or any successor statute. Further such violations may be redressed by civil action through the Office of the County Counsel.*

(1) *A separate offense shall be deemed for each and every week the first citation is issued, and shall be punishable as herein provided.*

(B) *Any violation of provisions of this Division may cause to be filed for the record with the Recorders of the County in which the real property is located a notice of such violation and a lien of the estimated permit costs and penalties (such fees shall be further evaluated at the time of restitution). The notice shall specify the names of the record owners and particularly describing the real property, provided that, at least thirty (30) days prior to recording such notice and/or lien the owner of the parcels or units to be affected by the notice of violation, shall be advised in writing of the intention to record the notice specifying the time, date and place at which the owner may present evidence to the Department of Planning and Building Services as to why such notice should not be recorded. The decision of Planning and Building Services may be appealed to the Board of Supervisors.*

California Government Code § 25132

(a) *Violation of a county ordinance is a misdemeanor unless by ordinance it is made an infraction. The violation of a county ordinance may be prosecuted by county authorities in the name of the people of the State of California, or redressed by civil action.*

(b) *Every violation determined to be an infraction is punishable by (1) a fine not exceeding one hundred dollars (\$100) for a first violation; (2) a fine not exceeding two hundred dollars (\$200) for a second violation of the same ordinance within one year; (3) a fine not exceeding five hundred dollars (\$500) for each additional violation of the same ordinance within one year.*

(c) *Notwithstanding any other provision of law, a violation of local building and safety codes determined to be an infraction is punishable by (1) a fine not exceeding one hundred dollars (\$100) for a first violation; (2) a fine not exceeding five hundred dollars (\$500) for a second violation of the same ordinance within one year; (3) a fine not exceeding one thousand dollars (\$1,000) for each additional violation of the same ordinance within one year of the first violation.*

## MCC Chapter 1.08

Any Responsible Party violating any provision of the Mendocino County Code may be issued an Administrative Citation by an Enforcement Officer in accordance with the provisions of this chapter.

Each and every day a violation of the provisions of the Code exists constitutes a separate and distinct offense and shall be subject to Citation.

A civil fine, as indicated in the Chapter, shall be assessed by means of an Administrative Citation issued by the Enforcement Officer and shall be payable directly to the Department which issued the Citation.

### **POLICY**

It is necessary to develop and implement a uniform SWO procedure to assist in addressing unpermitted building and construction, and/or work and construction contrary to an issued permit in Mendocino County. As a priority, it is the Department's policy that immediate action will be taken by use of the following procedure to stop work when unpermitted building and construction is encountered, where other more severe remedies may not be warranted or necessary to gain compliance. The decision to use the SWO or other remedies will be based upon the nature and circumstances surrounding the conditions giving rise to the investigation and the relative egregiousness of the violations. For severe or unusual violations regulatory and enforcement personnel shall consult with their immediate supervisor when deciding which process would be the most appropriate to achieve compliance.

### **PROCEDURE**

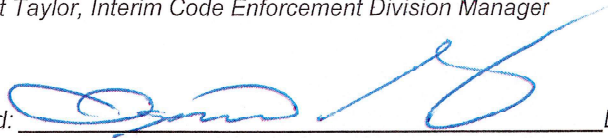
Whenever regulatory or enforcement personnel (Building Official, Building Inspectors and Code Enforcement Officers) of Planning and Building Services observes, or discovers by way of complaint, any work regulated by the codes referenced in this procedure that are being performed in a manner that are contrary to the provisions of these codes; without a permit; beyond the scope of the issued permit; in violation of these codes; or is dangerous or unsafe, the regulatory personnel encountering the violation shall issue a stop work order as soon as practical using the following procedure:

1. Before a SWO is issued, the issuing personnel will first determine that the work being performed requires a permit and query the records of the Department to determine that no required permits have been issued, or if permits have been issued that the work in question is not within the scope of work allowed by the issued permit.
2. The issuing personnel shall accurately and legibly prepare a SWO to be posted using the Department approved form (attached). Verbal advisement in lieu of preparing and posting the authorized form or the use of any other form shall not be authorized.
3. When preparing and posting a SWO, the issuing personnel shall retain copies for the Department record and gather any other necessary evidence, including photographs of the unpermitted work at the time of observation and document any relevant statements obtained from those contacted at the scene.
4. The issuing personnel should make every effort to contact those responsible for the work being stopped and advise the remedy for correcting the violations and the consequences for continuing the work.
5. The SWO shall be affixed at a practical location on the work site so that it is clearly visible to the casual observer.
6. A SWO case file shall be prepared with all supporting documents, and case activity information will be entered into TRAKiT.

7. If the unpermitted work continues after the issuance of the SWO the Code Enforcement Division may issue, to the property owner, those doing the work, or both, appropriate administrative citations and/or take enforcement action using any other remedy prescribed by law.
8. If work stops as a result of the SWO and after 14 days the property owner(s) et al. have not responded to the Department correspondence; applied for required permits; or began the process of engaging any other regulatory requirement(s), a Notice of Violation (NOV) shall be prepared utilizing the Department's NOV Procedure (refer to the NOV procedure). Other remedies may be undertaken based on the severity of the violations as provided for by law.
9. Only the Director/Building Official or the issuing personnel may rescind the SWO and/or allow the permitted work to resume when all regulatory requirements are satisfied. No other personnel may rescind a SWO.
10. When a SWO is rescinded the case may be closed and notations shall be made in the case record and/or TRAKIT.
11. Whenever a SWO is issued and there is evidence that work is being done by a licensed or unlicensed contractor, the name(s) and contact information of the party performing the work will be obtained and a Contractor State License Board (CSLB) Building Department Referral Form shall be completed and sent to the CSLB with all known information noted in the referral. A copy of any referral made to CSLB will be retained by the Department and attached to the case in TRAKIT.

*Policy Initiated By: Trent Taylor, Interim Code Enforcement Division Manager*

Revised Policy Approved: \_\_\_\_\_



Date: 12/18/17

*Ignacio Gonzalez  
Director of Planning and Building Services*

# **STOP WORK ORDER**

By order of the Mendocino County Chief Building Official you are hereby required to stop all unpermitted construction immediately. Work may be resumed only after issuance of the required permit(s) and clearance to resume work by an authorized regulatory official. Violating a Stop Work Order is a violation the 2016 California Building Code § 115.3 as adopted by Mendocino County Code §18.04.025(B), and is **punishable by Administrative Penalties and/or other Actions.**

Contact Mendocino County Planning and Building Services  
Ukiah (707) 234-6650 Fort Bragg (707) 964-5379  
As Soon As Possible, But No Later Than: \_\_\_\_\_

BETWEEN THE HOURS OF  
8:00 A.M. to 4:00 p.m.  
MONDAY THROUGH FRIDAY

Date: \_\_\_\_\_ Inspected By: \_\_\_\_\_

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

Type of work observed:

(Circle all that apply)

Building    Electrical    Mechanical    Plumbing    Other: \_\_\_\_\_

**DO NOT REMOVE THIS NOTICE**



**CONTRACTORS STATE LICENSE BOARD**

9821 Business Park Drive, Sacramento, CA 95827  
 Mailing Address: P.O. Box 26000, Sacramento, CA 95826  
 800.321.CSLB (2752) | www.cslb.ca.gov | CheckTheLicenseFirst.com

STATE OF CALIFORNIA  
 Governor Edmund G. Brown Jr.

## Building Permit Violation Referral

This form is to report any contractor who fails to pull a building permit for construction activity.

**FAX completed form to: 916.255.4184**

COMPLAINANT				CONTRACTOR INFORMATION			
PLEASE CHECK TO REMAIN ANONYMOUS <input type="checkbox"/>				CONTRACTOR NAME <input type="checkbox"/> PRIME <input type="checkbox"/> SUB			
NAME				DBA			
AGENCY OR COMPANY NAME				LICENSE NUMBER			
STREET ADDRESS				STREET ADDRESS			
CITY	COUNTY	STATE	ZIP CODE	CITY	COUNTY	STATE	ZIP CODE
PHONE NUMBER	E-MAIL ADDRESS			LICENSE NUMBER	WERE EMPLOYEES PRESENT? <input type="checkbox"/> YES <input type="checkbox"/> NO		
				IF YES, HOW MANY?			

PROJECT INFORMATION (if available)							
OWNER OF CONSTRUCTION SITE AND/OR AWARDDING BODY				PROJECT STREET ADDRESS			
STREET ADDRESS				CITY	STATE	ZIP CODE	
CITY	STATE	ZIP CODE		<input type="checkbox"/> RESIDENTIAL <input type="checkbox"/> COMMERCIAL	APPROXIMATE DATE OF WORK		
PHONE NUMBER				DESCRIPTION OF WORK			
DID YOU NOTIFY THE LOCAL BUILDING DEPARTMENT OF WORK BEING DONE WITHOUT A PERMIT? <input type="checkbox"/> YES <input type="checkbox"/> NO							

**FOR OFFICE USE ONLY**

COMPLAINT NUMBER				TYPE CONST	INV	ORG	PRTY	DATE RECEIVED			SPECIAL PROJECT	DATE STATE EXP			ER INIT	ASSIGNED TO ER		
F	Y						MO	DA	YR		MO	DA	YR		MO	DA	YR	
F	Y																	
LICENSE NUMBER				CLOSURE LETTER	DISPOSITION	DATE CLOSED			STATUS CHANGE									
				C			MO	DA	YR	C			C			C		
SECTIONS VIOLATED				C						DATE	DATE	DATE	DATE					



## Building Permit Violation Referral (continued)

### Filing a Complaint for Failure to Obtain a Building Permit

Building permits are required by law as a public safety measure. Permits ensure that construction is performed in compliance with state and local codes, including safety standards. On June 11, 2009, the Contractors State License Board (CSLB) voted unanimously to place a high priority on enforcing building permit requirements, and an Industry Bulletin was subsequently issued on November 30, 2009, to alert licensees that CSLB would be accelerating building permit enforcement efforts, beginning January 2010.

Failure to obtain a building permit is a violation of Contractors License Law. Further, construction performed without a permit can expose a homeowner to additional liability and costs. When a contractor performs a work improvement that requires a permit without that permit, it is a violation of Business and Professions (B&P) Code Sections 7110 and 7090. Contractors who violate the law are subject to disciplinary action by CSLB, including assessment of civil penalties of up to \$5,000

per violation, an order of correction to pay the cost of permit fees as well as any assessed penalties imposed by the local building department, and suspension or revocation of the license.

Upon receipt of a building permit complaint, CSLB will contact the contractor regarding the permit allegation and take the appropriate disciplinary action.

### File a Complaint by Mail or Fax

To file your complaint, begin by downloading the Building Permit Complaint form or call 1.800.321.CSLB (2752) to request that a complaint form be mailed to you.

1. Fill out and sign the complaint form.
2. Mail or fax the completed form to:

Sacramento Intake & Mediation Center  
P.O. Box 269116  
Sacramento, CA 95826-9116  
916.255.4184 (fax)