

# ADMINISTRATIVE PENALTY CODE AMENDMENTS



CITY COUNCIL, ITEM 5.A  
OCTOBER 19, 2020

# ADMINISTRATIVE PENALTIES



- City is authorized by CA Government Code to impose penalties for violations of local ordinances
- Government Code sets maximum fine amounts for violations
- City's penalty amounts require updates for consistency with State law

# GOVERNMENT CODE PENALTY LIMITS



- Regular infractions:
  - 1st - \$100
  - 2nd - \$200
  - 3rd - \$500 within one-year period
  
- Building and Safety Code infractions:
  - 1<sup>st</sup> - \$130
  - 2<sup>nd</sup> - \$700
  - 3<sup>rd</sup> - \$1,300
  - \$2,500 thereafter within two-year period

# CUMULATIVE PENALTIES



- Government Code does not include an annual cap on cumulative penalties.
- SLMC currently sets a \$5,000 annual cap per violation.
- Staff recommends maintaining annual cap for single-family properties and eliminating cap for other property types.

# RECOMMENDATION



- Staff recommends that the City Council:
  1. **Adopt an ordinance** amending SLMC penalties for code violations for alignment with state law; and
  2. **Adopt a resolution** amending the San Leandro Administrative Code to reflect the updated penalty amounts in the City's Fee Schedule.