

Resolution No. 2006-248

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE ADOPTING
THE FEE SCHEDULE FOR NUISANCE ORDINANCE 35-2006**

WHEREAS, the City Council of the City of Elk Grove (the "Council") on August 9, 2006 duly adopted Ordinance 35-2006, creating a new and comprehensive nuisance ordinance (the "Nuisance Ordinance");

WHEREAS, in the Nuisance Ordinance the Council declared its intent to provide a comprehensive plan to address and resolve public nuisances;

WHEREAS, the Council determines that fees which consist of re-inspection fees, certificate of nuisance process fees, summary abatement fees, and other related fees (collectively referred to herein as the "Fees") be collected to allow City departments to enforce, address and resolve the violations of the Nuisance Ordinance (the "Services");

WHEREAS, because some of the Fees are described in Government Code section 66014, (i) notice of the time and place of this meeting as well as a general description of the matter to be considered are to be mailed at least 14 days prior to the date of this meeting to those parties (if any) who have filed requests for such notification, and since no requests were filed no notices were mailed and (ii) data indicating the amount of the estimated cost required to provide the Services and the resources anticipated to fund the Services were available to the public prior to the date of this meeting;

WHEREAS, notice of the public hearing regarding the Fees was given pursuant to the requirements of Government Code sections 66016, 66018 and 6062a;

WHEREAS, at the time and place set forth in the notice, this Council held a public hearing on the Fees and duly considered all presentations made;

WHEREAS, the amount of the Fees do not exceed the estimated reasonable cost of providing the Services;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elk Grove that:

Section 1. Recitals. The foregoing recitals are true and correct and this Council so finds and determines.

Section 2. Establishment of the Fees. The Fees are hereby established in the amounts set forth below for the purpose of funding the cost of providing the Services.

City Department	Applicable Code Section	Fee Amount
Community Enhancement	Sections 16.18.600, 16.18.610, 16.18.620 First non-compliance reinspection fee from Notice and Order	\$480
Community Enhancement	Sections 16.18.600, 16.18.610, 16.18.620 Second and subsequent non-compliance reinspections fees from Notice and Order	\$125
Community Enhancement	Section 16.18.1213 Title search/Certificate of Nuisance/Certificate of Compliance process	\$110 per process, plus pass-through cost from title company (\$75 currently)
Community Enhancement	Section 16.18.1400, 16.18.1407 Summary abatement	\$295 per abatement, plus actual cost of contractor
Community Enhancement	Section 16.18.110 (3) Boarding permit	\$160 for permit, including one compliance inspection
Building Department	Boarding permit issuance – Administrative fee	\$75
Elk Grove Police Department	Sections 16.18.600, 16.18.610 Each non-compliance reinspection	\$80 per Officer

Administrative Citations are charged as set forth in Schedule of Fines Resolution No. 2005-151, passed and adopted by the City Council on May 25, 2005.

Administrative Hearings are charged as set forth in Resolution No. 2005-118, passed and adopted by the City Council on April 27, 2005.

Section 3. Collection of the Fees The Fees levied pursuant to this resolution shall be due to the City at the time the Service is provided.

Section 4. Penalties – Interest. Any person who fails to pay a Fee when due shall pay interest at the rate of one and one-half percent (1 ½ %) per month or portion thereof, (exclusive of penalties) from the date the Fee is due.


Section 5. Effective Date. The resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 27th day of September 2006.



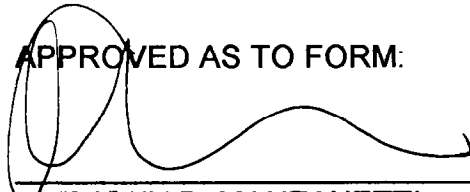
RICK SOARES, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



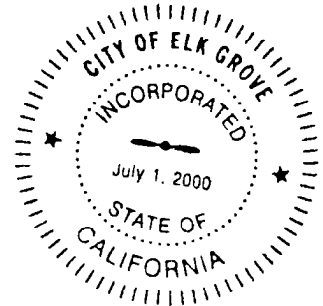
ANTHONY B. MANZANETTI,
CITY ATTORNEY

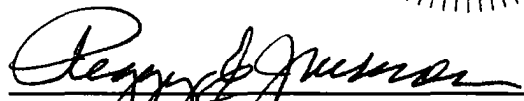
**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2006-248**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on September 27, 2006 by the following vote:

AYES : COUNCILMEMBERS: Soares, Scherman, Briggs, Cooper, Leary
NOES : COUNCILMEMBERS: None
ABSTAIN : COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None





**Peggy E. Jackson, City Clerk
City of Elk Grove, California**