

The Humboldt County 2008 Code Enforcement Task Force Report's

17 UNANIMOUS RECOMMENDATIONS

1. The Board of Supervisors has a number of decisions to make regarding the future of the Code enforcement Unit (CEU). The CETF recommends that the Board make those decisions in light of our findings and recommendations. Such decisions should be made prior to any hiring, restructuring, or budgetary decisions regarding the CEU.
2. The CEU Manual needs to be rewritten. The CEU manual should be reviewed and revised to reflect operational parameters at regular intervals. The CEU manual should contain an "Enforcement Response Plan" to provide clear delineation of appropriate remedies and guideline thresholds for pursuing various code enforcement actions. The document must be formatted and edited so it may be easily used by staff and reviewing authorities, and proposed revisions to standards and procedures must be reviewed and approved by managing department(s) and the Board of Supervisors.
3. The CEU should adhere to the Statement of Responsibilities as adopted/ revised by the Board of Supervisors.
4. The Board of Supervisors should review the Statement of Responsibilities to encompass interdepartmental case referrals for voluntary compliance while maintaining its emphasis on serious health and safety violations as verified by the referring department.
5. The CEU needs better supervision/oversight, and a clear chain of command.
6. The civil and criminal roles of the CEU need to be clearly defined and separated, so that Code Enforcement is not used by other law enforcement agencies to pursue non-Code violations.
7. CEU should report to a single managing department.
8. When the CEU requests assistance or backup from law enforcement agencies for security during field activities, such assistance or backup shall be provided in accordance with a pre-established agreement which clearly specifies the role of law enforcement, chain of command, reporting structures, procedures for developing and approving operational plans, and mechanism for after-action reviews.
9. Code Enforcement investigators should not conduct warrant inspections

until after development and review (by an attorney not in a supervisory role over the CEU) of a procedure for legally and appropriately seeking and using such warrants, and such procedure should be subject to public scrutiny.

10. No-notice inspection warrants should be used only in clearly identified circumstances dealing with immediate health and safety needs and subject to a review process, and should not be used as a tool for non-Code Enforcement criminal law enforcement purposes.

11. The Board of Supervisors should ensure that Code Enforcement Oversight Committee meetings are attended.

12. The Code Enforcement Oversight Committee should perform a management role for the CEU, which includes: determining CEU priorities/resource allocation; reviewing interdepartmental coordination; ensuring that policies of the Board of Supervisors, including the Statement of Responsibilities, are followed; suggesting needed refinements to CEU procedures; and ensuring that the managing department for the CEU reports to the Board of Supervisors on CEU activities.

13. The Code Enforcement Oversight Committee shall maintain a written record, which shall be subject to periodic review. A case review function shall exist separately from the Code Enforcement Oversight Committee.

14. The CETF recognizes the need for the mediation and problem solving functions of an ombudsman in County interactions with the public and recommends that the Board of Supervisors establish a committee to define this role and clarify how this may be served.

15. The CETF recognizes that the public concerns regarding onerous and punitive enforcement actions are much broader in scope than the CEU. The CETF recommends that the BOS make a priority out of reviewing past documents touching on code compliance issues in the County (as found or referenced in this report) and consider appointment of a new committee to examine these broader enforcement issues, including but not limited to:

- * amnesty/clean slate issues
- * housing element implementation
- * permit process compliance/streamlining
- * decriminalization ordinance implementation
- * cost of implementation

16. The Board of Supervisors should appoint a blue-ribbon Land Use Clarification Committee. The Board of Supervisors should appoint a blue ribbon committee made up of a broad base of licensed professionals and officials with relevant portfolio to meet identify, evaluate, make findings and recommendations directed

toward the most practical solution of the many problems revealed in the CETF Subcommittee report on pages 129 to 132.

It is recommended that this blue ribbon committee should include, but not be limited to, the following professional, community, and governmental interests: Real Estate Industry; Title Companies; Banking Industry; Appraisal Industry; Insurance Industry; Farming; Ranching; Forestry Interests; "Suspect" parcel owners; Property Rights Organization; Civil Liberties Organization; Representative of County Departments of Planning, Recorder, Assessor.

17. The Board of Supervisors should appoint a blue ribbon workgroup to include the Environmental Health Department working cooperatively to examine the Experimental Disposal System Program (EDSP) adopted in 1984, determine its current status and areas in need of revision, report findings and recommendations to the Board of Supervisors on how to update and make the program more user friendly and more open to public participation. The workgroup should have representation of interested, experienced and knowledgeable citizens with special alternative system expertise together with the County Environmental Health Department officials.