TO: HONORABLE CITY COUNCIL

FROM: CITY MANAGER DEPARTMENT: PUBLIC WORKS

DATE: JUNE 3, 2002 CMR:264:02

SUBJECT: USE OF ORDINANCE PROVISIONS FOR ADMINISTRATIVE CITATIONS AND ADMINISTRATIVE COMPLIANCE ORDERS BY THE PUBLIC WORKS OPERATIONS DIVISION

This is an informational report and no Council action is required.

BACKGROUND
In 1997, Council approved an ordinance adding Chapters 1.12 and 1.16 to the Palo Alto Municipal Code (PAMC), establishing procedures for the use of administrative citations and compliance orders to assess administrative penalties for violations of the PAMC. In May 1999, Council approved an ordinance amending Chapters 1.12 and 1.16 and a resolution setting a schedule of administrative penalties for violation of various PAMC sections (CMR 236:99). The CMR described the internal procedures to be used by the Fire Department and the Inspection Services Division of the Planning Department in implementing the administrative citation and compliance order provisions. The Public Works Environmental Compliance Division (CMR:307:00) and the Open Space Division have also implemented similar provisions (CMR 120:01). The Public Works Operations Division will be implementing the Chapters’ provisions in July 2002 and this report provides information on its procedures for using the administrative citation and compliance order provisions to manage solid waste violations.

DISCUSSION
The Public Works Operations staff (PWO) oversees provisions of the PAMC Chapter 5.20 related to the collection, removal and disposal of solid waste and recyclable materials. The most commonly encountered violations of Chapter 5.20 relate to maintenance issues with solid waste containers and the placement of unauthorized debris boxes within the City limits. PWO is currently limited as to the actions it can take in response to violations. This includes issuing violation notices and having the current City designated collector, the Palo Alto Sanitation Company (PASCO), impound unauthorized debris boxes; and clean up spillage of refuse and then charge violators for the collection costs.

The implementation of the administrative citations and the administrative compliance order provisions in Chapters 1.12 and 1.16 will be beneficial for routine violations and
will allow PWO to take more strict actions against violators. It will also allow for more effective and efficient corrections of violations. The internal procedures to be used by PWO when issuing administrative citations or compliance orders are provided in Attachment A. Samples of an administrative citation, an administrative compliance order, and the request for hearing form are also provided. It is anticipated that use of the administrative citations and compliance orders will be initiated in July 2002.

ATTACHMENTS
Attachment A: Administrative Citation and Administrative Compliance Order Procedures; Sample Administrative Citation, Sample Administrative Compliance Order, and Request for Hearing Form

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