

October 1, 2007

**Honorable Mayor and Members of the  
Hermosa Beach City Council**

**Regular Meeting of  
October 9, 2007**

SUBJECT: ESTABLISHMENT OF FINES FOR ADMINISTRATIVE CITATIONS

**Recommendation:**

Adopt the attached resolution establishing fines for administrative citations.

**Background:**

On August 14, 2007, the City Council introduced an amendment to the Municipal Code which provided administrative enforcement procedures for specified violations of the Code which were deemed less severe than criminal violations. The purpose of this agenda item is to establish the monetary fines for violations under the administrative enforcement procedures.

**Analysis:**

The recently-passed ordinance provides for fines for administrative citations to be established by City Council resolution.


Staff recommends that the fine amounts for administrative citation violations be the same as for infractions: \$100 for a first violation, \$200 for a second, and \$500 for each additional violation of the same provision within one year. Thus, the penalty schedule in the attached draft resolution reads:

1. A fine of one hundred dollars (\$100.00) for a first violation;
2. A fine of two hundred dollars (\$200.00) for a second violation of the same provision of the Code within one year;
3. A fine of five hundred dollars (\$500.00) for each additional violation of the same provision of the Code within one year.

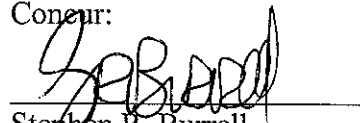
The code amendment establishing administrative citations provides that if the City exhausts the enforcement process without obtaining a correction of the problem, it still has the right to pursue the violation under other enforcement measures, such as a misdemeanor or to file a civil court action. This would allow enforcement actions with higher penalties, if such action is determined necessary by the City. More specifically, with regard to repeated offenses or failures to comply, sec. 1.10.040B states:

“Any person who violates the same provision, or fails to comply with the same requirement, of the sections of this Code set forth in paragraph A of this section more than three times within a twelve-month period shall be guilty of a misdemeanor for each violation committed thereafter within that same twelve-month period.”

Staff believes that the fines proposed in the attached resolution, backed up by the ability to pursue enforcement in the more difficult cases via misdemeanor charges, will provide effective enforcement tools for administrative citation violations.

  
Ken Robertson, Director  
Community Development Department

Concur:

  
Stephen R. Burrell,  
City Manager

Attachments:

1. Resolution Setting Penalty Amounts

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**RESOLUTION 07-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA  
BEACH PROVIDING FINES FOR ADMINISTRATIVE CITATIONS**

The City Council of the City of Hermosa Beach does hereby resolve as follows:

Section 1. Section 1.10.050 of the Hermosa Beach Municipal Code provides that, "Any responsible person who receives an Administrative Citation shall be subject to the payment of fines as set out in the penalty schedule for administrative fines as adopted by resolution of the City Council"

Section 2. The establishment of fines is not subject to environmental review under the California Environmental Quality Act because it is not classified as a project under CEQA Guidelines sec. 15378.

Section 3. The City Council hereby adopts and approves the following penalty schedule for administrative citations:

1. A fine of one hundred dollars (\$100.00) for a first violation;
2. A fine of two hundred dollars (\$200.00) for a second violation of the same provision of the Code within one year;
3. A fine of five hundred dollars (\$500.00) for each additional violation of the same provision of the Code within one year.

**PASSED, APPROVED, and ADOPTED** this 9th day of October, 2007.

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PRESIDENT of the City Council and MAYOR of the City of Hermosa Beach, California