



County of Sonoma

State of California

Date: August 11, 2020

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Granting the Permit and Resource Management Department (Permit Sonoma) Director and
the County Counsel Authority to File Litigation to Abate a Public Nuisance**

Whereas, the Permit Sonoma Director, with the advice and assistance of County Counsel, has responsibility for managing the prosecution of civil code enforcement actions on behalf of the County;

Whereas, Permit Sonoma addresses a wide variety of code enforcement cases, many of which are handled through an administrative process to work with the owner to bring the property into compliance;

Whereas, certain cases are particularly egregious due to threats to public health and safety, environmental damage, and repeat or flagrant violations for which bypassing the administrative process and proceeding directly to court to abate the violations is more efficient and effective;

Whereas, for some of these egregious violations the Board has taken leadership by authorizing staff to bypass the administrative process and proceed directly to court to stop the violations;

Whereas, the Board of Supervisors previously recognized that the process for obtaining Board authority may cause undue delay and adopted Resolution Number 17-0116 to authorize the Permit Sonoma Director and the County Counsel to directly file litigation to abate high risk

violations that threaten public health and safety;

Whereas, the Board of Supervisors further recognizes the benefit of directly filing litigation to abate violations in a wider range of egregious cases, such as those with environmental damage, repeat or flagrant violations, and other similar types of issues, and recognizes the procedural efficiency of authorizing the departments to engage in the most efficient and effective means of code enforcement; and

Whereas, this recommended policy change would allow the Permit Sonoma Director and the County Counsel to together find that there is good cause and jointly consent to file a lawsuit, and then submit the judicial actions to the Board on a regular basis for review.

Now, Therefore, Be It Resolved, that the Board of Supervisors of the County of Sonoma authorizes the Permit Sonoma Director and County Counsel to directly file litigation in lieu of following the administrative abatement procedures in the county code for egregious violations upon finding good cause.

Be It Further Resolved that Resolution Number 17-0116 is repealed and replaced by this Resolution.

Supervisors:

Rabbitt: Zane: Gore: Hopkins: Gorin:

Ayes: Noes: Absent: Abstain:

So Ordered.