

CHAPTER XVIII

NUISANCES

18-1 ADMINISTRATIVE NUISANCE ABATEMENT.

18-1.1 Title.

The ordinance codified in this section shall hereafter be referred to and cited as the Administrative Nuisance Abatement Ordinance. (Ord. #03-03, §8.20.1)

18-1.2 Findings and Purpose.

The purpose of this section is to establish an abatement procedure to be utilized for serious and/or persistent situations which are considered to warrant the need for official abatement through the process set forth herein. This section is not intended to be used by citizens to insist that any or all complaints should be abated and/or pursued by the procedures set forth in this section. The City reserves the right to address abatement in a variety of ways to try to emphasize cooperative compliance while maintaining the priority of the use of City resources.

The City Council finds and determines that the existence of any condition constituting a public nuisance, as defined herein, is injurious and inimical to the public health, safety and general welfare, diminishes property values and degrades the quality of life within the City. The purpose of this chapter is to protect the public from health and safety hazards resulting from the neglect, misuse or deterioration of property, to preserve property values, and to maintain the social and economic viability of the community, to facilitate enforcement efforts for violations of State, Federal, and local laws, to require conformance to all laws and regulations, and to provide processes to address harms and wrongdoings within the City.

This process provides alternative remedies to enable the City to institute civil suits to enjoin public nuisances by providing the administrative body with the authority to impose orders and conditions to abate and to halt public nuisances. (Ord. #03-03, §8.20.2)

18-1.3 Definitions.

Except where the context otherwise requires, the following definitions shall govern the construction of this section:

Attractive nuisance shall mean any condition, machine or instrumentality which is unsafe or unprotected and thereby dangerous to young children, and which may reasonably be expected to attract young children to the property and to risk injury by playing with, in or on it.

Blighting shall mean any property or its condition which constitutes a public nuisance or adversely affects neighboring properties or which is detrimental to the health or safety of individuals residing within the community.

Board - see *Hearing Board*.

City shall mean the City of Albany, its officers, employees or agents.

City Codes shall mean the Albany Municipal Code ("this Code"), or any other code ordinance or implementing resolution adopted by the City Council.

Code Enforcement Officer or *enforcement official* shall mean any person designated by the City Administrator and authorized by law to enforce the provisions of City Codes or State law.

Hearing Board shall mean the City Council or such other body or person that it designates to act as the Hearing Board or Hearing Officer. The City Council may designate one (1) or more members of the City Council to serve as the Hearing Board or Hearing Officer. Whenever Hearing Board appears it shall mean Board or Officer.

Hearing Officer shall mean that person designated by the City Council to serve as the Hearing Board.

Occupant shall mean and include but is not limited to the owner, the owner's agent or employee, a lessee, the lessee's agent or employee, a tenant, the tenant's property within the jurisdiction of the City, or any other individual having charge or control over the operation or management of the property. If the owner is the occupant of the property, provisions relating to the owner and the occupant shall be treated as relating to one (1) person.

Owner shall mean the owner of record as shown on the last equalized assessment roll of the county. For purposes of providing notice to an owner of any action or proceeding under this section, "owner" includes the actual owner of record, or part owner, or such owner's agent, employee or other legal representative.

Person shall mean any person, firm, partnership, association, corporation, organization or entity of any kind, or such person's authorized representative.

Property shall mean and include any grounds, lot, parcel, tract or other piece of land, as well as any building, structure or other appurtenance located thereon.

Public nuisance shall mean an activity or condition which, in the opinion of the City, violates a provision of a City Code, or anything which is injurious to health, or safety, or an obstruction to the free use of property, so as to unreasonably interfere with the comfortable enjoyment of life or property by the occupant(s) of adjacent or neighboring property or by any number of persons in the City irrespective of whether the annoyance or damage inflicted upon individuals is unequal.

Substandard properties shall mean any property which is in such condition as to threaten health or safety, depreciate values, impair investments and/or cause substantial diminution of property rights of adjacent properties. Examples of such conditions are set forth in subsection 18-1.6 of this section, describing prohibited activities and unlawful conditions and substandard buildings as defined in the Health and Safety Code.¹
(Ord. #03-03, §8.20.3)

18-1.4 Declaration of Nuisance.

a. It is declared to be a public nuisance for any person owning, leasing, occupying using or having charge or possession of any public or private property in the City, or any other person, to cause, or to permit, or to maintain any prohibited activity or unlawful condition or an attractive nuisance thereon as described in this section.

b. The City Council shall have the power to declare by resolution or ordinance that a particular activity or condition other than and in addition to those described herein shall constitute a public nuisance subject to abatement.
(Ord. #03-03, §8.20.4)

18-1.5 Responsibility for Enforcement.

The administration and enforcement of this section shall be the responsibility of the City Administrator, including but not limited to any administrative official designated by the City Administrator, the Code Enforcement Official, and City Attorney, all of whom shall perform all duties in the manner authorized by law. (Ord. #03-03, §8.20.5)

¹Editor's Note: See California Health and Safety Code Section 17920.3, or subsequently enacted provisions.

18-1.6 Prohibited Activities and Unlawful Conditions.

a. It is unlawful for any person owning, leasing, occupying, using or having charge or possession of any private property in the City, or any other person, to cause, or to permit, or to maintain thereon the following:

1. Inadequately maintained landscaping, which shall include areas with overgrown vegetation, or dead or diseased trees, shrubs or other vegetation, which create a fire hazard, or harbor wild animals or other vectors, or are dangerous to the public health, safety and welfare, or interfere with the flow of vehicular or pedestrian traffic, or obstruct visibility in the public right-of-way;

2. Buildings, structures or their appurtenances which are deemed to be substandard, or a public nuisance, or whose condition, or existence is in violation of any provision of City Codes or the provisions of the California Health and Safety Code;

3. Buildings or structures which are abandoned, boarded up, partially destroyed, or partially constructed after building permits have expired;

4. Private property, the topography, geology or configuration of which, whether in a natural state or as a result of grading operations, excavation or fill, causes erosion subsidence or surface water drainage problems of such magnitude as to be injurious or potentially injurious to the public health, safety and welfare, or to adjacent properties;

5. A violation of any provision of a City permit approval or City Code.

b. It is unlawful for any person owning, leasing, occupying, using, or having charge or possession of any private property in the City to fail or refuse to remove from any public property, or any sidewalk, alley, or other public right-of-way abutting or adjoining such property, all loose earth, mounds of soil, dry or dead vegetation, tin cans, furniture (i.e., chairs, tables) signs, abandoned asphalt or concrete, rubbish, refuse and waste material of any kind, or any other unsanitary substance, object, obstruction or condition which may endanger or injure neighboring property or the health, safety or welfare of the residents in the vicinity of such property, or which may obstruct such public property or any sidewalk, alley, or other public right-of-way and thereby endanger or injure persons traveling thereon.

(Ord. #03-03, §8.20.6)

18-1.7 Entry Onto Private Property.

Whenever necessary to make an inspection to enforce any of the provisions of City Codes, or when any Code Enforcement Official has reasonable cause to believe that there

exists, upon any property a condition or violation which makes such property unsafe or constitutes a public nuisance, or whenever necessary to abate a nuisance, the Code Enforcement Official, or his or her duly authorized representative, may enter such property at all reasonable times to inspect the same or to perform any action authorized to be taken pursuant to the provisions of this section. If the property is occupied, the Code Enforcement Official shall first present proper credentials and request entry; and if such property is unoccupied, the City Official shall first make a reasonable effort to locate the owner or occupant of the property and request entry. If entry is refused, or cannot be obtained, the Code Enforcement Official, or his or her duly authorized representative, shall have recourse to every remedy authorized by law to secure entry, or to abate the nuisance, including an inspection/abatement warrant issued by any court having jurisdiction. (Ord. #03-03, §8.20.7)

18-1.8 Authority of Code Enforcement Official.

Whenever the Code Enforcement Official has inspected or caused to be inspected any property and has determined that an unlawful condition constituting a public nuisance exists thereon, the Code Enforcement Official may use the procedures set forth in this section for the abatement of such public nuisance that is being committed on public property or may utilize any other procedure authorized by law; provided, however, that if the public nuisance is determined to be imminently dangerous to life or adjacent property as to require immediate removal, repair or demolition, the Code Enforcement Official may initiate summary abatement procedures pursuant to this section. (Ord. #03-03, §8.20.8)

18-1.9 Emergency or Summary Abatement.

a. If in the reasonable opinion of the Code Enforcement Official there exists a condition which constitutes an imminent threat of serious injury or harm to any persons of property that is likely to occur during the pendency of abatement proceedings, such Official may cause the condition to be summarily abated in accordance with the following procedure.

1. The Enforcement Official shall attempt to contact the owner or occupant or user of the property to notify the responsible individual that the condition must be immediately abated so as to eliminate the imminent threat of serious injury or harm or to eliminate the wrongful or unpermitted use of public property.

2. If the Enforcement Official is unable to make contact, or if after contact the owner or occupant or user does not take action within the prescribed time, the Code Enforcement Official is authorized to take all actions deemed necessary to remove, repair or isolate such dangerous condition(s), utilizing the City's own forces or private contract, or any combination thereof.

3. The Enforcement Official shall keep an itemized account of the costs incurred by the City in abating the public nuisance. Such costs may be recovered by the City in the same manner that abatement costs are recovered pursuant to this section or pursuant to applicable provisions of City Codes.

b. Nothing in this section shall prevent public safety officials from taking such actions in emergency situations or as part of their law enforcement duties as they may deem necessary or appropriate in order to protect the public health, safety and general welfare.
(Ord. #03-03, §8.20.9)

18-1.10 Compliance Order.

a. Whenever the Enforcement Official determines that a violation of any provision of City Codes or this section is occurring or exists, the Official may issue a written compliance order, a cease and desist order, or such other order to any person responsible for the violation.

b. Any order issued pursuant to this section shall contain the following information:

1. The date and location of the violation;
2. The Code section violated or a description of the violation;
3. The actions required to correct the violation;
4. The time period after which administrative penalties will begin to accrue if compliance with the order has not been achieved;
5. Either a copy of this section or an explanation of the consequences of noncompliance with this section and a description of the hearing procedure and appeal process.

(Ord. #03-03, §8.20.10)

18-1.11 Method of Service.

a. Where any provision of this section requires the service of any notice or order, unless different provisions herein are otherwise specifically made, such notice may be given either by personal delivery thereof to the person to be notified or by deposit in the United States mail, in a sealed envelope, postage prepaid, addressed to such person to be notified at his or her last known business or residence address as the same appears in the public records or other records pertaining to the matter to which such notice is directed. Service by mail shall be deemed to have been completed at the time of deposit in the mail.

b. Where real property is involved, written notice shall be mailed to the property owner at the address as shown on the last equalized county assessment roll, unless such property is owned by the City of Albany.

c. Where personal service or service by mail upon the property owner is unsuccessful, a copy of the order shall be conspicuously posted at the property which is the subject of the order.

d. The failure of any person to receive any notice required under this section shall not affect the validity of any proceedings taken under this section.
(Ord. #03-03, §8.20.11)

18-1.12 Hearing.

a. If the Enforcement Official determines that all violations have been corrected within the time specified in the compliance order, no further action shall be taken.

b. If full compliance is not achieved within the time specified in the compliance order and its summary abatement is not undertaken, the Enforcement Official shall refer this matter to the City Clerk, who shall set a hearing before the Hearing Board or such other body or person so designated by the City Council to serve as a Hearing Board or Hearing Officer. Nothing herein shall prohibit the City Council from designating itself or members of the City Council to serve as a Hearing Board.

The City Council may designate a person to serve as a fact finder Hearing Officer, hereinafter referred to as fact finder. The fact finder shall schedule and hold a hearing to receive all information and thereafter present to the City Council a report and recommendations based on the information presented at the hearing. The City Council shall render such decision in the discretion after consideration of the fact finder's report and such other additional information as the City Council decides to have presented to it.

c. The City Clerk, or designee, shall serve as Secretary to the Hearing Board and shall cause a written notice of the hearing to be served on the violator and, where real property other than real property owned by the City is involved, a notice of hearing shall be served on the property owner at the address as it appears on the last equalized County assessment roll available on the date the notice is prepared.
(Ord. #03-03, §8.20.12)

18-1.13 Notice of Hearing.

a. Every notice of hearing on a compliance order shall contain the date, time and place at which the hearing shall be conducted by the Hearing Board.

b. Each hearing shall be set for a date not less than fifteen (15) days nor more than sixty (60) days from the date of the notice unless the Code Enforcement Official determines that the matter is urgent or that good cause exists for an extension of time.

c. This hearing serves to provide the full opportunity of a person subject to a compliance or cease and desist order to object to the determination that a violation has occurred and/or that the violation has continued to exist. The failure of any person subject to a compliance order, pursuant to this section, to appear at the hearing shall constitute a failure to exhaust administrative remedies.

(Ord. #03-03, §8.20.13)

18-1.14 Hearing—Findings and Order.

a. At the place and time set forth in the notice of hearing, the Hearing Board or Hearing Officer hereinafter referred to as "Board" shall conduct a hearing on the compliance order issued pursuant to this section.

b. The Board shall consider any written or oral evidence consistent with its rules and procedures regarding the violation and compliance by the violator or by the real property owner.

c. Within a reasonable time following the conclusion of the hearing, the Board shall make findings and issue its determination regarding:

1. The existence of the violation;
2. The failure of the violator or owner to take required corrective action within the required time period.

d. The Board shall issue written findings on each violation. The findings shall be supported by evidence received at the hearing.

e. If the Board finds by a preponderance of the evidence that a violation has occurred and that the violation was not corrected within the time period specified in the compliance order, the Board shall issue an administrative order.

f. If the Board finds that no violation has occurred or that the violation was corrected within the time period specified in the compliance order, the Board shall issue a finding of those facts.

(Ord. #03-03, §8.20.14)

18-1.15 Administrative Order.

If the Board determines that a violation occurred which was not corrected within the time period specified in the compliance order, the Board shall issue an administrative order which imposes any or all of the following:

- a. An order to correct, including a schedule for correction where appropriate;
 - b. An order to discontinue, permanently or temporarily, the use of certain activity at the subject property and to eliminate, lessen, or prevent the continuation, exacerbation, or reoccurrence of the activity and/or impacts of the activity which constitutes a public nuisance.
 - c. An order authorizing the City to abate the nuisance where appropriate;
 - d. Such other orders as deemed necessary to achieve compliance with this section and all other laws and regulations.
 - e. Administrative penalties;
 - f. Administrative costs.
- (Ord. #03-03, §8.20.15)

18-1.16 Administrative Penalties.

a. The Board may impose administrative penalties for the violation of any provision of City Codes in an amount not to exceed a maximum of one thousand (\$1,000.00) dollars per day for each ongoing violation, exclusive of administrative costs, interest and restitution for compliance reinspections, for any related series of violations.

b. In determining the amount of the administrative penalty, the Board may take any or all of the following factors into consideration:

- 1. The duration of the violation;
- 2. The frequency, recurrence and number of violations, related or unrelated, by the same violator;
- 3. The seriousness of the violation;
- 4. The good faith efforts of the violator to achieve compliance;
- 5. The economic impact of the penalty on the violator;

6. The impact of the violation on the community;
7. Such other factors as justice may require.

c. Administrative penalties imposed by the Board shall accrue from the date specified in the compliance order and shall cease to accrue on the date the violation is corrected as determined by the Code Enforcement Official or the Board.

d. The Board, in its discretion, may suspend the imposition of applicable penalties for any period of time which:

1. The violator has filed for necessary permits; and
2. Such permits are required to achieve compliance; and
3. Such permit applications are actively pending before the City, State or other appropriate governmental agency.

e. Administrative penalties assessed by the Board shall be due by the date specified in the administrative order and shall accrue interest at the maximum amount allowed under the law.

f. Administrative penalties assessed by the Board are a debt owed to the City and, in addition to all other means of enforcement, if the violation is located on real property, may be enforced by means of a lien against the real property on which the violation occurred.

g. If the violation is not corrected as specified in the Board's order to correct, administrative penalties shall continue to accrue on a daily basis until the violation is corrected, subject to the maximum set forth in this section.

h. If the violator gives written notice to the Code Enforcement Official that the violation has been corrected and if the Code Enforcement Official finds that compliance has been achieved, that Official shall deem the date the written notice was postmarked or personally delivered to the Official or the date of the final inspection, whichever first occurred, to be the date the violation was corrected. If no written notice is provided to the Code Enforcement Official, the violation will be deemed corrected on the date of the final inspection.

(Ord. #03-03, §8.20.16)

18-1.17 Administrative Costs.

a. The Board shall assess administrative costs against the violator when it finds that a violation has occurred and that compliance has not been achieved within the time specified in the compliance order.

b. The administrative costs may include any and all costs incurred by the City in connection with the matter before the Hearing Board including, but not limited to, costs of investigation, staffing costs incurred in preparation for the hearing and for the hearing itself, costs for all reinspections necessary to monitor or enforce the compliance order or administrative order, and if applicable, the costs of abatement, and attorneys' fees to the extent authorized by law. Any costs or other charges not paid when due shall accrue interest at the maximum rate allowed by law.

(Ord. #03-03, §8.20.17)

18-1.18 Failure to Comply with Administrative Order.

Failure to pay the assessed administrative penalties and administrative costs specified in the administrative order of the Administrative Hearing Board may be enforced as:

a. A personal obligation of the violator; and/or

b. If the violation is in connection with real property, a lien upon the property. The lien shall remain in effect until all of the administrative penalties, interest and administrative costs are paid in full.

(Ord. #03-03, §8.20.18)

18-1.19 Right of Judicial Review.

Any person aggrieved by an administrative order or decision of the Hearing Board may obtain review of the administrative order or decision in the Superior Court by filing with the court a petition for writ of mandate in accordance with Section 1094.6 of the Code of Civil Procedure of the State of California. (Ord. #03-03, §8.20.19)

18-1.20 Recovery of Costs and Penalties.

The City may collect administrative penalties and costs by use of all available legal means and remedies, including without limitation recordation and foreclosure of a lien pursuant to this section, or by means of alternative lien procedures authorized by City Codes or State law. (Ord. #03-03, §8.20.20)

18-1.21 Report of Compliance After Administrative Order.

If the Enforcement Official determines that compliance has been achieved after a compliance order has been sustained by the Board, the Official shall file a report with the Board indicating that compliance has been achieved. (Ord. #03-03, §8.20.21)

18-1.22 Compliance Dispute.

a. If the Enforcement Official does not file a compliance report, a violator who believes that compliance has been achieved may request a compliance hearing before the Hearing Board by filing a request for a hearing with the Secretary to the Board.

b. The hearing shall be noticed and conducted in the same manner as a hearing on a compliance order as provided in this section.

c. The Board shall determine if compliance has been achieved and, if so, when it was achieved.
(Ord. #03-03, §8.20.22)

18-1.23 Abatement by City.

If ordered by the Board, and/or if undertaken pursuant to court order, in addition to any other available legal or equitable remedies, the City is authorized to abate a public nuisance by City staff or private contract and the City and its agents are expressly authorized to enter the premises for such purpose. (Ord. #03-03, §8.20.23)

18-1.24 Report of Costs—City Abatement.

a. Whenever a nuisance is abated by City forces or private contract, the costs and expenses of such abatement shall be charged against the owner of the property or against the individual who is the subject of the abatement proceeding.

b. The Code Enforcement Official shall keep an accounting of all costs and incidental expenses incurred by the City in connection with the abatement of a public nuisance by City forces or private contract, and shall submit an itemized report of abatement costs to the Board and shall send a bill to the person or property to be charged. The person so charged may file a protest with the City Clerk, who shall schedule a protest hearing before the Hearing Board. The report of abatement costs, and a notice of the time and place when a hearing will be conducted by the Hearing Board to consider confirmation of such report, shall be served by the Secretary to the Board or City Clerk upon the property owner or person at least ten (10) days prior to the scheduled date of the hearing. The Hearing Board, after the hearing, shall adopt a statement confirming, discharging or modifying the amount of costs.

c. The failure of any person who has been served with notice pursuant to this section to appear at the protest hearing shall constitute a failure to exhaust administrative remedies.

(Ord. #03-03, §8.20.24)

18-1.25 Lien Procedure.

a. Whenever the amount of any administrative penalty and/or administrative cost imposed by the Board pursuant to this section in connection with real property has not been satisfied in full within ninety (90) days and/or has not been successfully challenged by a timely writ of mandate, this obligation may constitute a lien or special assessment against the real property on which the violation occurred.

b. The lien provided herein shall have no force and effect until recorded with the County Recorder. Once recorded, the resolution imposing the lien shall have the force and effect and priority of a judgment lien governed by the provisions of Section 697.340 of the Code of Civil Procedure and may be extended as provided in Sections 683.110 to 683.220, inclusive, of the Code of Civil Procedure.

c. Interest shall accrue on the principal amount of the order or judgment remaining unsatisfied pursuant to law.

d. Prior to recording any such lien, the Code Enforcement Official shall prepare and file with the City Clerk a report stating the amounts assessed by the Board which remain due and owing.

(Ord. #03-03, §8.20.25)

18-1.26 Public Hearing and Protest.

a. Any person whose real property is subject to a lien as a result of proceedings under this section may file a written protest with the City Clerk within fifteen (15) days from the date of notice of lien.

b. Each written protest or objection must contain a description of the property in which the protesting party is interested and the grounds of such protest or objection.

c. The City Clerk shall fix a time, date and place for hearing any protests or objections to the imposition of a lien by the City Council.

d. The City Clerk shall cause written notice to be served on the property owner not less than ten (10) days prior to the date set for the hearing.

e. Following the hearing, any lien levied against real property shall be approved by resolution of the City Council in the manner provided herein.
(Ord. #03-03, §8.20.26)

18-1.27 Recording of Lien.

Following the adoption of a resolution by the City Council imposing a lien, the City Clerk shall file the same as a judgment lien or tax lien in the office of the County Recorder of Alameda, California. The lien may carry such additional administrative charges as set forth by resolution of the City Council. (Ord. #03-03, §8.20.27)

18-1.28 Satisfaction of Lien.

Once payment in full is received by the City for outstanding penalties and/or costs, the City Clerk shall either record a notice of satisfaction or provide the property owner or financial institution with a notice of satisfaction so they may record this notice with the office of the County Recorder. Such notice of satisfaction shall cancel the City's lien. (Ord. #03-03, §8.20.28)

18-1.29 Collection of Costs as Nuisance Abatement Lien.

a. Pursuant to Section 38773.1 of the Government Code, an administrative order for the collection of abatement costs or penalties may be levied by the City Council as a nuisance abatement lien against the property on which the nuisance was abated. In such event, notice of intent to record such lien shall be served upon the owner of the property, as shown by the latest available County assessment roll, in the same manner as service of a summons in a civil action in accordance with Article 3 (commencing with Section 415.10) of Chapter 4, Title 5, Part 2 of the Code of Civil Procedure. If the property owner, after diligent search, cannot be found, the notice may be served by posting a copy thereof in a conspicuous place upon the property for a period of ten (10) days and publication thereof in a newspaper of general circulation in the City.

b. The notice shall specify the time, date and place for hearing any protests or objections to the imposition of a lien by the City Council.

c. Following the adoption of a resolution by the City Council imposing the lien, the City Clerk shall cause the same to be recorded in the office of the County Recorder of Alameda County, California, and from the date of recording, the nuisance abatement lien shall have the force, effect and priority of a judgment lien and shall continue in effect until discharged by the City. The lien may carry such additional administrative charges as set forth by resolution of the City Council.

d. The nuisance abatement lien recorded pursuant to this subsection shall identify the City as the agency for whose benefit the lien is established, the amount of the lien, the date of the order for abatement of the nuisance, the date of the order for collection of abatement costs, the address, legal description and assessor's parcel number of the property on which the lien is imposed, and the name and address of the recorded owner of the property.

e. The nuisance abatement lien may be foreclosed by an action brought by the City for a money judgment. All costs and expenses relating to the processing, recording and enforcement of the abatement lien, including recording fees, noticing costs and attorneys' fees shall be added to the amount of the lien and shall be secured thereby.

f. Upon payment or other satisfaction of the abatement lien, a notice of discharge shall be prepared and recorded by the City Clerk in accordance with applicable provisions of this code and State law.

(Ord. #03-03, §8.20.29)

18-1.30 Collection of Costs as a Special Assessment.

a. As an alternative to any other lien described in this section or authorized by law, an administrative order for the collection of abatement costs or penalties may be levied by the City Council as a special assessment against the real property on which the violation occurred pursuant to Section 38773.5 of the Government Code and applicable provisions of this section. In such event, notice of intent to record such lien shall be served upon the owner of the property if the property owner's identity can be determined from the County Assessor's or County Recorder's records, by certified mail not less than ten (10) days prior to the time set for hearing. The notice shall specify that the property may be sold after three (3) years by the Tax Collector for unpaid delinquent assessments.

b. A certified copy of the resolution imposing the lien shall be transmitted to the County Tax Assessor and Tax Collector, whereupon the Tax Assessor and Tax Collector shall add the amount of the lien as a special assessment on the next regular bill for real estate taxes levied against the property identified in the resolution. Thereafter, the special assessment shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure and sale in the case of delinquency as provided by law for ordinary municipal taxes.

(Ord. #03-03, §8.20.30)

18-1.31 Nonexclusive Regulations.

The procedures set forth in this section are not exclusive and do not, in any manner, limit or restrict the City in the enforcement of other City ordinances or the abatement of public nuisances in any manner provided by law. Nothing in this section shall limit or prevent the City

from initiating a criminal or civil action to abate a public nuisance, in addition to, or as an alternative to administrative abatement proceedings, or from recovering the costs and expenses of abatement by means of an administrative or judicial proceeding, or by any other remedy or procedure authorized by law. The provisions of this section may be enforced by injunction issued by the Superior Court upon a suit brought by the City. (Ord. #03-03, §8.20.31)