



1

DISCLAIMER

- CACEO is a statewide organization serving the needs of a diverse group. Some information may not apply to your agency at this time but will still serve you well during your career.
- The instructor is not an attorney and the information provided is not intended to serve as legal counsel. Review any actions with your organization's legal counsel before proceeding.
- Your agency policy is the authority under which you should act. Any information in conflict with your agency policy should be reviewed with your supervisor and management, and possibly your agency's legal counselor.

2

Training Goals

- Students will be given an overview of how cooperation amongst various public agencies can assist to resolve code enforcement and law enforcement issues

3



Code Enforcement Officer

What is a Code Enforcement Officer?

4

Code Enforcement Officer

“Code enforcement officer’ means any person...who is employed by any governmental subdivision, public or quasi-public corporation, public agency, public service corporation, any town, city, county, or municipal corporation, whether incorporated or chartered, who has enforcement authority for health, safety, and welfare requirements, whose duties include enforcement of any statute, rule, regulation or standard, and who is authorized to issue citations, or file formal complaints.”

--California Penal Code Section 829(a)

5

Code Enforcement Officer (Cont.)

Code Enforcement Officers also include persons employed by the Department of Housing and Community Development who has enforcement authority for health, safety, and welfare requirements pursuant to:

- Employee Housing Act
- State Housing Law
- Manufactured Housing Act of 1980
- Mobilehome Parks Act
- Special Occupancy Parks Act

--California Penal Code Section 829(b)

6

Interagency Cooperation

Whereas Code Enforcement Officers are tasked with protecting the health, safety, and welfare of the jurisdiction, cooperation from other public agencies allow Code Enforcement Officers to handle certain health, safety, and welfare concerns in a more efficient and timely manner.

Such agencies may include Federal, State and local law enforcement agencies, as well as public social service agencies.



7



Local Agencies

How can other local agencies assist Code Enforcement Officers protect the health, safety, and welfare?

8

Municipal/County/Local Agents

Even in routine cases, Code Enforcement Officers rely on assistance from the local Planning and Building & Safety Divisions, as well as the local law-enforcement agency.

Assistance can include:

Planning Division:

- Provide resources and information related to prior and current regulations, statutes, and land-use entitlements
- Provide interpretation and application of prior and current regulations, statutes, and land-use entitlement requirements
- Assist with proceedings to modify, suspend, and/or revoke land-use entitlements

9

Municipal/County/Local Agents (Cont.)

Building & Safety Division:

- Provide resources and information related to prior and current building standards and regulations
- Provide interpretation and application of prior and current building standards and regulations
- Assist with vacating dangerous and/or substandard structures
- Residential Rental Inspection Programs
- Hoarders

Fire Department:

- Provide interpretation and application of prior and current fire safety standards and regulations
- Assist with locations containing hazardous materials
- Assist with overcrowded commercial establishments
- Hoarders

10

Municipal/County/Local Agents (Cont.)

Police / Sheriff's Department:

- Assist with issues with known gang and/or narcotics issues (including homeless encampments)
- Code violations that also result in typical law enforcement concerns (including massage establishments, adult-oriented businesses, live entertainment establishments)
- Provide security as needed (including execution of inspection & abatement warrants)
- Problem Oriented Policing (POP) / Community Oriented Policing Program (COPP) / Solution Oriented Policing (SOP)

Environmental Health Services / Health Department:

- Assist with restaurants, cottage food operations, and food vendors
- Assist with substandard multi-unit residences
- Hoarders

11

Municipal/County/Local Agents (Cont.)

Legal Counsel (District Attorney / City Attorney / City Prosecutor):

- Provide legal guidance on all aspects of enforcement
- Identify legally responsible parties (especially when hidden behind fictitious entities or when owner-of-record is deceased)
- Assist with acquisition of inspection and abatement warrants
- Assist with investigation and enforcement strategy PRIOR to commencement of administrative, civil, or criminal proceedings

In certain instances, the cooperation of air quality management districts, local school boards, and the probation department could also provide assistance.

12



State Agencies

How can State agencies assist Code Enforcement Officers protect the health, safety, and welfare?

13

State Agents

Various State agencies may be able to provide Code Enforcement Officers with additional assistance when specific issues are presented.

Department of Motor Vehicles:

- Provide driver's license/identification information and vehicle registration information
 - Complete and submit DMV Form INF 1130 (requestor account, order manually)
- Assist with investigations into auto dealers (including those that sell on public streets)

14

State Agents (Cont.)

Department of Alcohol Beverage Control ("ABC"):

- Assist with investigations involving alcohol establishments

Department of Tax and Fee Administration ("CDTFA")
(Previously known as State Board of Equalization)

- Provide information regarding retail sellers
 - Often useful when attempting to show a termination of a legal, non-conforming use
- Assist with investigations into unlawful marijuana dispensaries
 - Specifically, involving the failure to tender taxes (and can assist with seizures/forfeitures [R&T §34016(c)])

15

State Agents (Cont.)

Other State agencies that can provide assistance may include:

- Bureau of Automotive Repair ("BAR")
- Department of Fair Employment and Housing
- Division of Labor Standards Enforcement
- Franchise Tax Board
 - Useful when dealing with abatement liens and tax intercepts

16



Federal Agencies

How can Federal agencies assist Code Enforcement Officers protect the health, safety, and welfare?

17

Federal Agents

In more limited instances, Federal agencies are able to assist Code Enforcement Officers to protect health, safety, and welfare of the general public.

Such agencies include:

- US Immigration and Customs Enforcement ("ICE")
 - Especially useful in cases involving potential alien smuggling (including investigations at massage establishments)
- Department of Homeland Security
- Federal Bureau of Investigation
- Alcohol, Tobacco & Firearms

18



Social Service Agencies

How can Social Service agencies assist Code Enforcement Officers protect the health, safety, and welfare?

19

Social Service Agencies

There are a number of agencies (governmental, non-profit, and private) that can provide tremendous assistance when dealing with persons who are elderly, infirm, or with psychological problems.

Such agencies include:

- [Instructor should include LOCAL agencies that can assist with dealing with persons with issues involving mental health, substance abuse, and homelessness, as well as with elderly individuals]

20



Interagency Cooperation - Conclusion

With the loss of State funding and the ever decreasing budgets facing municipalities, Cities continue to expand the tasks assigned to Code Enforcement Officers. These tasks fall far outside the traditional role of Code Enforcement Officers who deal with substandard properties. With the expansion of duties, Code Enforcement Officers can greatly increase their efficiency by coordinating with other agencies that can provide targeted assistance with special issues.

Code Enforcement Officers routinely deal with persons with substance abuse and mental health issues (especially when dealing with homeless individuals) – and in order to obtain a desired result in an investigation, Code Enforcement Officers may need persons who are able to assist a violator with those mental health and substance abuse issues.

Cooperation between Code Enforcement Officers and other agencies will greatly increase the likelihood of protecting health, safety, and welfare.

21



Interagency Cooperation

QUESTIONS???

22