

ANSWERS TO CODE VIOLATION QUESTIONS FROM ACONA

Questions 1-6 Jean Buennagel

1. Are there some “rules” that are violated more than others?

Yes. Our presentation is based on the most common code violations. The Department of Regional Planning enforces Title 22 of the County Code and the Department of Public Works enforces the County of Los Angeles Building, Electrical, Mechanical, and Plumbing Codes along with numerous other policies, laws and ordinances.

2. To whom does one go with a Code violation complaint?

Depends on the violation. However the easiest way is to report it to 2-1-1. We train 2-1-1 to forward the complaint to the appropriate department. Generally, land use violations can be referred to DRP, structural violations to Building and Safety and unkempt conditions to Rehab.

You can also report violations to Building and Safety Division at:

<http://dpw.lacounty.gov/bsd/rav/>.

3. What happens to someone who has violated Code?

The enforcement process for DRP:

- NOV (30days)
- Final ZE Order (30 days) - noncompliance fee of \$712 assessed
- Second Notice of Assessed Fee (15 days) - last chance to pay fee or it increases to \$2,492
- Refer to TTC for collections
- Refer to DA for possible prosecution

DPW-BSD gives a period of time to voluntarily comply 14 to 45 days. If no compliance then a referral can be made for criminal or civil prosecution or a hearing before the Building Rehabilitation Appeals Board. In some case the Department can take action to have the violations abated and the abatement charges billed to the property owner.

4. Are there rules for Altadena, specific, that are different from those for LA County?

Yes. Altadena has a Community Standards District that was adopted in the late 90's (around 1998). This CSD was developed with the help of the Town Council back then. It is currently being reviewed for possible modifications. The County of Los Angeles Building Code applies to all areas of the unincorporated county.

5. How are the rules changed? When? By whom?

Zoning Ordinance (Title 22) changes can be initiated at by the Planning Commission or the Board of Supervisors. The building codes are published by the California Building Standards Commission every three years and adopted with amendments by local ordinance.

6. Where can we find an up-to-date list of the local Code?

The most up to date version of the code will be on line. DRP's web page (www.planning.lacounty.gov) has a direct link to Title 22. You can also find a copy at your local library and at the Departments' offices. The building codes can be purchased through the International Code Council, iccsafe.org or 888-422-7233, our amendments are available there as well.

Questions 7-9 Anonymous

7. Can additions that were made decades ago by a previous owner, and not stated as unpermitted in the purchase agreement that the current owner made with the seller, be grandfathered in?

Grandfather status (legal nonconforming status) for structures does not depend on the content of a purchase agreement. It is based on the time it was legally established. Owner has the burden of providing proof that the structure was built legally (with permits or at a time when permits were not required).

The first County of Los Angeles Building Code was adopted in 1933. Structures built before 1933 are exempt from a building permit. Alterations or additions to those structures after 1933 would trigger permit requirements.

8. If I have the zoning or permits department come out to tell me what needs to be done to bring it up to code, does that start a clock ticking? That is, do I have to make the changes whether or not I am going to sell in the near future?

Zoning Enforcement and Building and Safety is mainly complaint-based. We are not set up to conduct proactive enforcement nor are we set up to ensure that properties being sold are in compliance. If we are called out to a property and a code violation is observed, we are required to enforce.

9. I also have a deck built to code that was constructed to replace a crumbling deck that was not built to code. I didn't get a permit because I was on a very tight schedule with the contractor (he was my nephew, visiting for only a week). If I get the permits department to come out and issue a post-construction permit, what kind of fees and penalties am I in for?

If your deck is within a required setback or closer to another structure than what is allowed, or if the deck is within the protected area of an Oak tree, you will be required to obtain the necessary approvals from DRP prior to obtaining a building permit. I recommend you verify if your deck is in compliance prior to calling anybody to inspect. If your deck is not over 30" above grade, not over a basement or story below, and not part of an accessible route it is exempt from a building permit. Over 30" would require plans and permit.

Question 10 Greg Lozano-Buhl

10. Reporting code violations almost never helps. There has been a busted up sofa and tree branches in front of a house on Marengo since OCTOBER and we have reported it at least six times. Nothing has happened. The rain finally washed the branches into a neighboring driveway!

There are several ways to report violations. The most effective way is to call 2-1-1. However, you can also contact the specific Department to submit a complaint by email, phone, fax or US mail. One thing to keep in mind is that ZE and B&S only handle complaints on private property. Anything on the public right-of-way may be under the purview of the Sheriff's Department or Road Maintenance Division of Public Works.

**You can also report violations to Building and Safety Division at:
<http://dpw.lacounty.gov/bsd/rav/> and to Public Works in general at:
<http://dpw.lacounty.gov/contact/>**

Questions 11-16 Gloriana Casey

11. I would like to know exactly what that VISIONING process decided because that was a while ago., and I can't recall what was decided :)

QUESTION- That would be nice if we could have a review of that because the only part of county rules for the incorporated areas that I have seen seem to focus on businesses.

The Altadena Town Council went through a Visioning process. I recommend you contact the Town Council for more information.

12. I do have a question about the business of WalMart, because I heard that they did not have to have an environmental report. I don't know if this is true or not, but I had heard that WalMart did not have to have an environmental report because their building was a grocery and it was replacing a former grocery store from the 1970s or before. Is this correct, because in the 1970s, building still were using asbestos-----so was that checked?

MY QUESTION IS : Do all changes require an environmental report, and if not why are some exempted?

CEQA requires that all new development go through an environmental assessment. There are a few exemptions that apply and replacing the same land use may be one of the exemptions.

13. I also wondered about the traffic reports for this area, which I have also heard were not made. This was bad for the added WalMart traffic and also for the potential Devils Gate project. This is annoying for the Devils Gate area and the myriad number of trucks and trips which would be needed for this project that would seem to have a very negative impact on air, noise and quality of life for people living near that area. It would also seem to impact their home's value for such an extended clearing process.

MY QUESTION IS: IS the county aware of the Visioning report and do they factor this into making decisions----- or are the county people who do this work not even aware of the Visioning report?

The Altadena Town Council went through a Visioning process. I recommend you contact the Town Council for more information.

14. My actual impressions of the county people who inspect (at least those for businesses) seem to be very heavy handed in their approach. for example, Tim Dundon and the poo; singing at the bar and at the Patio Cafe. Some other items re: the Coffee Gallery, the news racks, the supposedly illegal scale at the hardware store that wasn't illegal at all -----It does appear that the small business people are often treated very harshly. On the other hand, the man who diverted the stream and built an illegal wall seemed to have no consequences.

MY QUESTION IS: Are the inspectors for homes and business the same people or 2 separate categories?

All inspectors are assigned a specific area, in which they enforce residential, commercial and industrial properties. In most cases we have different inspectors for Code Enforcement, Property Rehabilitation, and new construction but they will inspect all types of properties.

15. It also seems weird that the crater on Lake, next to Ralphs, is being dug away again , and yet, no one knows anything about who or what will be there.

So-----MY QUESTION IS: Why do things seem so secret to the population at large----- is there a way to makes things more clear?

Any Development that requires a discretionary review is noticed on the local papers and everyone within 500 feet is notified of the hearing date. In addition, the applicant is required to post a notice of hearing on the property 30 days prior to the hearing date. At the hearing, the public has an opportunity to voice their concerns. Any person or organization/association can be asked to be included on the courtesy list to be notified of any discretionary review in Altadena. Unfortunately, development that requires administrative review is not subject to the same notification process. However, you are always welcome to call the Land Development Coordinating Center at 213-974-6411 to inquire if a specific address has submitted any development applications?

16. Perhaps this is unfair, but then the FBI did bust those county employee people who gave a go to work and collected bribes----- yet never checked the work , and so this is a major trust negative. There was also a problem with the cutting down of 100 year old trees in Arcadia and then it became known that the company which did the cutting was from out of state.

MY QUESTION IS" Do bids go out around the country or are local contractors given priority?

Question is not very clear.

Question 17- Suzanne Martin

17. What do county code enforcement agents consider to be the most important code violations to investigate (e.g. what issues/suspected violations do they most want to have reported)?

Every complaint is equally important. However, we take complaints associated with the safety and welfare of the public a bit more seriously.

Questions 18-19- Sheila Nichols

18 Please ask the County representatives how they handle situations involving hoarders and trashed up property and how long does it take to resolve the situation.

This issue can be handled by two different Departments and the outcomes may differ. We try to coordinate as much as possible so that we can pursue enforcement accordingly in an effort to achieve voluntary compliance in the most efficient manner.

19. Why does it seem there is no interdisciplinary interaction among the County agencies in dealing with these situations?

It is extremely difficult for the County of over 1 million in population to work like a small city. The County is approximately 274 square miles and every Department's headquarters is located in different parts of the County. However, some of you may have hosted the Nuisance Abatement Team at your house or place of business, which is one of the ways we coordinate our efforts to target the more challenging violations. Some field offices have several of the County's services ready to assist you and hopefully we will have that in all the field offices someday.

Questions 20- Anonymous

20. Reporting code violations almost never helps. There has been a busted up sofa and tree branches in front of a house on Marengo since OCTOBER and we have reported it at least six times. Nothing has happened. The rain finally washed the branches into a neighboring driveway!

Repeat question....