



Legislation Text

File #: 20-770, Version: 1

Memorandum

Date: August 11, 2020

To: The Honorable Moke Simon, Chair, Lake County Board of Supervisors

From: E.J. Crandell, District 4 Supervisor

Subject: Consideration of an Ordinance of the County of Lake Board of Supervisors to Provide for Graduated Levels of Enforcement of Public Health Orders through Education and Training and the Imposition of Administrative Fines

Executive Summary: (include fiscal and staffing impact narrative):

I am returning to our Board with an Ordinance for consideration which, if approved, would focus on education and training around the need for compliance with Public Health Orders. I continue to be very grateful to the Blue Collar Committee for their work in this regard. Their draft ordinance is attached hereto and many of the points they included in it serve as the basis for the Ordinance I am presenting today. More recently, I have received another draft from community members who support enforcement, also attached, and I am appreciative of the efforts of these folks as well.

In the Ordinance I am bringing forward today, if a violation is determined to be occurring, an Enforcement Officer will contact the responsible party and request correction, while offering assistance in the form of training and/or information to achieve compliance and allowing a reasonable time of not less than five days to make the correction. (Please note that the mere receipt of a complaint does not confirm that there has been a violation. Complaints will first need to be investigated, by making contact with the responsible party.)

If informal enforcement as described above is unsuccessful, the Enforcement Officer will issue a Notice of Violation that provides up to ten days to make the correction. In those rare cases where the violation is still not corrected in ten days, the Enforcement Officer may impose an administrative fine, not to exceed \$100 for the first violation, \$200 for the second and \$500 for additional violations, within one year of the first.

Any party subject to a notice of violation may, within ten days, file a written appeal with our Board. Appeals will be heard by our Board, allowing the party an opportunity to testify and present evidence. Our Board will make the decision as to whether an administrative fine will be imposed.

With hope we have moved beyond the COVID-19 crisis, this Ordinance would sunset on October 1, 2021, unless further action is taken by our Board.

If not budgeted, fill in the blanks below only:

Estimated Cost: _____ Amount Budgeted: _____ Additional Requested: _____ Future Annual Cost: _____

Consistency with Vision 2028 and/or Fiscal Crisis Management Plan (check all that apply):

- | | | | |
|---|---|---|---|
| <input checked="" type="checkbox"/> Well-being of Residents | <input checked="" type="checkbox"/> Public Safety | <input type="checkbox"/> Infrastructure | <input type="checkbox"/> Not applicable |
| <input checked="" type="checkbox"/> Economic Development | <input checked="" type="checkbox"/> Disaster Recovery | <input type="checkbox"/> County Workforce | <input type="checkbox"/> <i>Technology Upgrades</i> |
| <input checked="" type="checkbox"/> Community Collaboration | <input type="checkbox"/> Business Process Efficiency | <input type="checkbox"/> Clear Lake | <input checked="" type="checkbox"/> <i>Revenue Generation</i> |
| | | | <input type="checkbox"/> <i>Cost Savings</i> |

If request for exemption from competitive bid in accordance with County Code Chapter 2 Sec. 2-38, fill in blanks below:

Which exemption is being requested?

How long has Agreement been in place?

When was purchase last rebid?

Reason for request to waive bid?

Recommended Action: Adopt Ordinance of the County of Lake Board of Supervisors to Provide for Graduated Levels of Enforcement of Public Health Orders through Education and Training and the Imposition of Administrative Fines.