

RESOLUTION NO. _____
RESOLUTION OF THE BOARD OF SUPERVISORS OF
ORANGE COUNTY, CALIFORNIA
APPROVING REPEAL/REPLACEMENT OF RES. 00-290
FINES FOR CODE VIOLATIONS

On Motion of Supervisor _____, duly seconded and carried, the following Resolution was adopted:

WHEREAS, this Board has adopted Ordinance No. 00-290 which authorizes the issuance of civil citation that impose fines upon persons who violate the Orange County Codified Ordinances; and

WHEREAS, section 1-1-40-7 of the Codified Ordinances of Orange County provides that the fines, interest and penalties shall be set by the Board of Supervisors by resolution; and

WHEREAS, the Board of Supervisors has considered this matter and has determined to set forth the specific fines, interest and penalties for building, ~~nuisance and encroachment violation~~ violations and general violations of the Orange County Codified Ordinances.

WHEREAS, this Board has determined that, in any case in which the fines will be \$500 or more, a witness should be present to testify on behalf of the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Orange as follows:

SECTION 1. The civil fines, interest and penalties and implementing provisions for violations of the Codified Ordinances pursuant to Subarticle 2, Civil Fines of the County Code with respect to ~~building, nuisance and encroachment~~ general violations, beginning with section 1-1-40.1, shall be in the amount of \$100 for a first offense, \$200 for a second offense, and \$500 for a third and all subsequent violations. A subsequent violation is any violation where the violator was cited one or more times in the preceding 36 months for substantially the same violation, unless the violation was canceled pursuant to Subarticle 2 Civil Fines of County Code.

SECTION 2. The civil fines, interest and penalties and implementing provisions for violations of the Codified Ordinances pursuant to Subarticle 2, Civil Fines of the County Code with respect to building violations, beginning with section 1-1-40.1, shall be in the amount of \$130 for a first offense, \$700 for a second offense, and \$1300 for a third and all subsequent violations. A subsequent violation is any violation where the violator was cited one or more times in the preceding 36 months for substantially the same violation, unless the violation was canceled pursuant to Subarticle 2 Civil Fines of County Code.

SECTION 3. For any fine pursuant to Section 1-1-40.1, a hardship waiver to reduce the amount of the fine may be granted by the Director of OC Public Works, or his/her assigned designee, upon a showing by the responsible party that the responsible party has made a bona fide effort to comply after the first violation

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and that payment of the full amount of the fine would impose an undue financial burden on the responsible party.

SECTION 24. These fines, interest and penalties are subject to the provisions of said Subarticle 2 and shall remain in force until changed by a new resolution of the Board of Supervisors.

SECTION 35. In any case in which the fine is \$500 or more, the County shall have a witness testify as a party of the prima facie case.

BE IT FURTHER RESOLVED that the Board of Supervisors approve the Use Permit for the Project.

The foregoing resolution was carried by the following vote:

Ayes:

Noes:

Absent:

I HEREBY CERTIFY that the foregoing Resolution No. ____ was adopted on _____, ____, by the Orange County Board of Supervisors.

ORANGE COUNTY BOARD OF SUPERVISORS

By:

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