

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

RESOLUTION NO. 2021-038

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA ESTABLISHING A SCHEDULE OF FINES GREATER THAN \$100 FOR ADMINISTRATIVE CITATIONS PURSUANT TO SECTION 18.04.080 OF THE CARMEL-BY-THE-SEA MUNICIPAL CODE.

WHEREAS, the City of Carmel-by-the-Sea seeks to preserve and protect the quality of life in the neighborhoods and business communities of the City of Carmel-by-the-Sea; and

WHEREAS, Title 18 of the Carmel Municipal Code (CMC) sets forth a variety of enforcement options to effectively and timely address code and ordinance enforcement; and

WHEREAS, the City of Carmel-by-the-Sea typically seeks first to gain compliance after violations of the CMC through formal requests by City staff; and

WHEREAS, in rare cases, responsible parties refuse to correct violations when requested by City staff; and

WHEREAS, Title 18 of the CMC provides the Administrative Citation process as one of the enforcement options for staff; and

WHEREAS, Section 18.040.080 of the CMC gives authority to the City Council to establish a schedule of Administrative Citation fines greater than \$100 for violations of the municipal code; and

WHEREAS, Section 1.16.010.G.1 of the CMC and Government Code Section 36901 limit the maximum fine for misdemeanors to \$1,000; and

WHEREAS, in some cases, the nature of a violation which has not been brought into compliance may necessitate a fine greater than \$100; and

WHEREAS, City compliance staff should be provided all of the necessary compliance tools to help preserve the quality of life in the neighborhoods and business communities of the City of Carmel-by-the-Sea,

NOW THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES HEREBY:

Approve the establishment of a schedule of fines in excess of \$100, but not exceeding \$1,000 for Administrative Citations associated with violations of the Carmel Municipal Code attached hereto and incorporated by reference.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 6th day of July, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Britt Avrit, MMC
City Clerk