



County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE

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DAVID E. JANSEN
Chief Administrative Officer

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

March 3, 2006

To: Mayor Michael D. Antonovich
Supervisor Gloria Molina
Supervisor Yvonne B. Burke
Supervisor Zev Yaroslavsky
Supervisor Don Knabe

From: David E. Janssen
Chief Administrative Officer

[Handwritten signature of Steve Cooley]
Steve Cooley
District Attorney

[Handwritten signature of Raymond G. Forther]
Raymond G. Forther Jr.
County Counsel

CODE ENFORCEMENT PROCESS IMPROVEMENTS – SECOND BIANNUAL REPORT

On November 30, 2004, your Board instructed the Chief Administrative Office (CAO), with the assistance of the District Attorney (DA) and County Counsel, to provide a biannual report to the Board on the effectiveness of the new code enforcement units within the DA and County Counsel. The initial Biannual Report, which covered the period January 2005 through June 2005, was submitted to your Board on August 23, 2005. This second Biannual Report (Report) covers the period July 2005 through December 2005. The Report provides a narrative of the efforts of the DA and County Counsel units. Exhibits 1 and 2 to the Report provide more detailed information regarding case status and disposition.

The Report includes information regarding staffing of the DA and County Counsel code enforcement operations, the investigations undertaken by the DA Code Enforcement Section Investigators, the number of cases and prosecutions handled by the DA and County Counsel, and the disposition of these cases. The Report also references ongoing efforts between the DA, County Counsel, and involved County departments to further enhance integration of operations within the County's code enforcement program, promoting collaboration among departments to ensure effective code enforcement, and pursuing civil or criminal prosecutions where necessary.

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If you have any questions, please contact one of us directly or your staff may contact Dorothea Park, Assistant Division Chief, Chief Administrative Office at (213) 974-4283; Sari Steel, Senior Deputy County Counsel at (213) 974-1927; or Michael Noyes, Deputy-In-Charge at (213) 580-8732.

DEJ:SC
RGF:os

Attachment (1)

c: Executive Officer, Board of Supervisors
Sheriff
Fire Chief
Acting Director and Chief Medical Officer of Health Services
Agricultural Commissioner/Director of Weights and Measures
Chief of Public Safety
Director of Animal Care and Control
Director of Public Works
Director of Regional Planning
Treasurer and Tax Collector

**CODE ENFORCEMENT PROCESS IMPROVEMENTS
SECOND BIANNUAL REPORT
July 2005 through December 2005**

DISTRICT ATTORNEY CODE ENFORCEMENT SECTION

The District Attorney Code Enforcement Section's (Section's) approach to code enforcement is to obtain voluntary compliance through office conferences, whenever possible, and to prosecute criminally when compliance is not forthcoming. These methods include providing investigative support and peace officer backup to code enforcement officers, as well as education in the effective use of the criminal justice system and encouraging multi-agency cooperation.

Staffing

The Section is comprised of three Deputy District Attorneys (DDAs): DDA Michael P. Noyes (Deputy-In-Charge), DDA Everett Emerson, and DDA Randal Harris; and four DA Investigators (DAI): Supervising DAI Rogelio Maldonado, Senior DAI David Maro, Senior DAI Arthur Gutierrez, and Senior DAI Thomas Greep. The Section anticipates the addition of two more Senior DA Investigators in March 2006.

Each of the three Deputy DAs has a geographic responsibility as follows:

Michael Noyes North County areas, La Crescenta, and the Santa Monica Mountains (Third and Fifth Districts)

Everett Emerson East Los Angeles, Florence-Firestone, and the South Basin (First, Second, and Fourth Districts)

Randal Harris San Gabriel Valley (First, Fourth, and Fifth Districts)

District Attorney Investigations

The DAI's are an important component of the code enforcement program. They have assisted in both criminal and civil cases, and since July 2005, have been involved in the inspections of more than 134 properties. They lend their investigative services to code enforcement inspectors and to the DA prosecutors. They also provide support by providing security to inspectors in the field conducting inspections in high risk neighborhoods and to the task forces and Nuisance Abatement Team (NAT) sweeps in the First and Second Supervisorial Districts. They have also assisted the Department of Animal Care and Control (DACC) officers in the Antelope Valley with the seizure of unpermitted livestock (see Exhibit 1, page 2, case involving "Outside storage of junk and salvage and/or inoperable vehicles").

Code Enforcement Process Improvements
Second Biannual Report
July 2005 through December 2005
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The DAIs' participation in the inspections and sweeps has enhanced the code enforcement inspectors' investigations at the department level, as well as generated the opening of 12 criminal investigations and resulted in 16 citations issued to unlicensed vendors (see Exhibit 1, page 2, Peddling Citations in Florence-Firestone) and 23 arrests for other criminal matters such as outstanding warrants, probation/parole violations, possession of narcotics, and battery on a police officer.

Cases Handled by the District Attorney

During this reporting period, the Section received 56 referrals from County departments and continued to work on four cases carried over from the prior reporting period. The Section worked with the State Department of Fish and Game and the following departments: Regional Planning (DRP), Public Works (DPW), Health Services (DHS), Fire, Treasurer and Tax Collector (TT&C), Agricultural Commissioner/Weights and Measures (ACWM), Sheriff [including the NAT and Community Oriented Policing Services (COPS) teams], DACC, and the Office of Public Safety.

The Section set 26 office conferences, handled 23 ongoing misdemeanor prosecutions, and one felony probation violation, convened several task forces to address problem properties, and was involved in informal talks with numerous property owners. The Section closed nine cases following successful resolution of the matters. No case was formally rejected.

See Exhibit 1 for a summary of the disposition of the cases, by Supervisorial District, handled by the DA Code Enforcement Section this reporting period.

COUNTY COUNSEL CODE ENFORCEMENT UNIT (CCCEU)

The CCCEU works with property owners and area residents to assist violators in bringing properties into compliance. To the extent that the CCCEU can resolve violations without having to pursue civil court actions, it is advantageous to all parties involved. However, court action is pursued when voluntary compliance is not achieved.

Staffing

Since the initial Biannual Report to the Board, the CCCEU, which is comprised of three attorneys, Sari Steel, Paul Kim, and Dusan Pavlovic, has added Lynnise Wright, a paralegal, to its staff.

The CCCEU has emphasized improved coordination, cooperation, and communication among the code enforcement departments and consistent application of the County's civil code enforcement remedies. The CCCEU handles cases from communities throughout Los Angeles County. The CCCEU caseload distribution is as follows:

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Sari Steel	First Supervisorial District
Dusan Pavlovic	Second Supervisorial District
Steel, Kim, Pavlovic	Third Supervisorial District
Paul Kim	Fourth Supervisorial District
Steel, Kim, Pavlovic	Fifth Supervisorial District

Cases Handled by County Counsel

During this reporting period, the CCCEU received 26 new referrals and continued to work on 30 cases carried over from the prior reporting period. The CCCEU is handling two pending court matters, held four office conferences, and closed seven cases when the properties were brought into substantial compliance.

See Exhibit 2 for a summary of the disposition of the cases, by Supervisorial District, handled by the CCCEU during this reporting period.

ONGOING EFFORTS TO INTEGRATE CODE ENFORCEMENT OPERATIONS AND PROMOTE DEPARTMENTAL COLLABORATION

- As part of the Residential Placement Protocol (RPP) Work Group, the DA Code Enforcement Section and the CCCEU worked with the CAO to plan and conduct a Training Conference in October 2005 at the Los Angeles County Arboretum. The conference provided training to the employees of 11 County departments and four state agencies who are members of the RPP. Topics included Recognizing Indicators of Elder and Dependent Adult Abuse and Neglect presented by the Elder Abuse Prosecution Unit of the DA's Office; How To Successfully Interface and Interact with Los Angeles County Adult Protective Services presented by Community and Senior Services/Adult Protective Services; and Spotting and Referring Common Code Violations presented by the County's Code Enforcement Departments, the DA and the CCCEU. Recent amendments to the Welfare and Institutions Code identify code enforcement departments including Public Works, Fire, and Sheriff as mandated reporters in cases of elder and dependent adult abuse and neglect. Additionally, it is critical for social service departments to recognize code violations to ensure the protection of their clients from abuse and neglect. The CCCEU also assisted the departments with their coordination and proposed implementation of the protocol. Additionally, as part of the RPP, the DA and the CCCEU have assisted the CAO and the RPP Work Group with procedural and substantive advice and the convening of task forces to address problem residential facilities.

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- The second of two semi-annual Code Enforcement Training Conferences was held in November 2005 at the Los Angeles County South Coast Botanic Garden in Palos Verdes. The conference included five training modules, as well as a pre- and post-conference Knowledge Assessment Survey. The DA, CCCEU, DPW, Environmental Programs Division, DACC, ACWM, T&TC, Sheriff, and DA Investigation Bureau worked together and presented training modules on the following topics: Investigation: Best Practices, Report Writing: Best Practices, Referrals, Inspection Warrants, and Spotting and Referring Common Code Violations.

The training modules were selected in an effort to increase interdepartmental collaboration and to promote efficient and integrated code enforcement. The second of the code enforcement training conferences completes the code enforcement departmental cross-training designed to identify violations which are handled by other departments and agencies and which are not necessarily within the purview of the responding department. Based on the audience participation, nature of questions posed and the positive feedback from the participants following the conference, the code enforcement departments are beginning to understand and appreciate a global approach to code enforcement and the distinction between the civil and criminal components of a successful code enforcement program.

- The next semi-annual code enforcement cross training is scheduled to take place on May 24, 2006 at the Los Angeles County South Coast Botanical Gardens. The DA and County Counsel will train code enforcement staff on such topics as preparing inspection warrants and the scope of administrative searches for code enforcement cases.

The DA and County Counsel have continued to work collaboratively with involved County departments and State agencies to enhance the County's code enforcement program. Progress in developing policies and procedures for involved County departments' use in preparing code enforcement cases for prosecution has also occurred during this reporting period.

SPECIAL PROJECTS

The CCCEU is working with the DA's Code Enforcement Section to develop pocket-sized inter-agency field guides for code enforcement officers and constituents in each Supervisorial District. The guides will include contact information for each of the code enforcement agencies, the DA's, and County Counsel's code enforcement units, as well as common code violations and corresponding code sections.

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ADVISORY/RESEARCH/ORDINANCES

In addition to handling cases, the CCCEU has been active in advising departments on matters such as traffic calming devices (speed humps), catering truck and vendor cart issues, illegal dumping, criminal nuisance abatement, code interpretation, and review and revision of current ordinances. The CCCEU is also investigating County Code revisions to further enhance the CCCEU's ability to ensure compliance with the County Code.

CONCLUSION

The aim of the County's code enforcement program is to improve the quality of life for the residents of the unincorporated areas of Los Angeles County. To this end, the actions taken by the Board to enhance the resources available for prosecution of code enforcement cases has resulted in increased DA criminal prosecutions and additional referrals to the CCCEU for pursuit of civil remedies.

Exhibit 1

District Attorney Code Enforcement Section
Second Biannual Status Report for July 1, 2005 to December 31, 2005

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Office Conferences	Criminal Prosecutions ¹	Cases Closed	Cases Pending	Comments
<i>First District</i>							
Improper use within zone		3	3		3		Cases closed - businesses in each case relocated.
Outside storage - inoperable vehicles and/or junk and salvage	2	1				2	Properties being monitored by DRP.
Improper uses within zone, blocking roadway, unpermitted construction; (Also refer to "Non-conforming use, illegal wiring, unpermitted structure in County Counsel Exhibit 2/First District)	1						Complex case -- car wash, apartment building and family business. Multiple departments involved: DPW, Building & Safety and Road Maintenance Divisions; DRP and County Counsel. Case pending DRPs application process.
Unlicensed business	1			1		1	Store attracts gangs; no business license.
Unpermitted construction	1					1	Garage conversion; DPW to follow-up.
Vacant building/inoperable vehicles	2	1				2	Pre-conference held. Property being monitored by DDA and NAT.
Substandard apartment building	1	1			1		Compliance - mold removed and repairs made.
Living in garage; (Also refer to "Nuisance property in East L.A. with long history of drug and gang activity" case in County Counsel Exhibit 2/First District)	1			1		1	Instead of misdemeanor, DDA filed a probation violation in an existing felony case. Conditions of probation now include "no living in garage." Case being monitored by DPW, Building and Safety.
First District Total	0	12	6	2	4	8	
<i>Second District</i>							
Unpermitted construction		1	1			1	On-site inspection conducted. Follow-up scheduled by DPV.
Outside storage - inoperable vehicle and/or junk and salvage		1	1			1	Property being monitored by DRP.
Improper use within zone	1					1	Commercial property not meeting development standards; plot plan to be submitted to DRP; County Counsel handling recycling issue.
Living in Trailers in R-1 Zone		1				1	Office Conference to be set.
Second District Total	1	3	2	0	0	4	

Exhibit 1

District Attorney Code Enforcement Section
Second Biannual Status Report for July 1, 2005 to December 31, 2005

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Office Conferences	Criminal Prosecutions ¹	Cases Closed	Cases Pending	Comments
<i>First and Second District Anti-Peddling Task Force</i>							
Peddling Citations in Florence-Firestone	16			16			16 Nine of these cases are bench warrants; seven cases pending in court.
First and Second District Task Force Total	0	16	0	16	0	16	/
<i>Third District</i>							
Outside storage of inoperable vehicles, trash, RV's used for living	1		1			1	Inspection Warrant issued and inspection conducted. Multi-departmental case; handled by DA, DHS, DRP and DPW.
Insufficient road access for Fire Department	1		1			1	Private road involving 11 properties.
Numerous mobile homes without permits	1					1	Working with DRP.
Third District Total	0	3	1	1	0	3	
<i>Fourth District</i>							
Unpermitted structure	2		1		1	1	Compliance achieved; follow-up needed by DPW.
Fourth District Total	0	2	1	0	1	1	
<i>Fifth District</i>							
Improper use within zone	1	2	2	1		3	1 case: Compliance being monitored by DRP; 1 case: DA working toward criminal prosecution; 1 case: Court case set for sentencing.
Outside storage of junk and salvage and/or inoperable vehicles	8	8			2	6	2 cases are in compliance. <u>Status of the remaining properties:</u> 2 of the properties involve a multi-departmental task force: DA, DRP, DPW, Fire, DACC and DHS. Hundreds of vehicles and tons of metal removed to date. Properties being monitored by agencies and DA's Office. Numerous on-site inspections; 1 of the properties is being monitored by multi-departmental task force: DA, DRP and DPW. Numerous on-site inspections conducted. Remaining 3 properties are being monitored by DRP.

Exhibit 1

District Attorney Code Enforcement Section
Second Biannual Status Report for July 1, 2005 to December 31, 2005

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Office Conferences	Criminal Prosecutions ¹	Cases Closed	Cases Pending	Comments
Substandard apartment	1	3	3			1	DHS to follow-up.
Living in recreational vehicles, etc. on vacant land						3	Properties being monitored by DRP.
Unpermitted masonry	1	1	1	1		1	Pre-trial set for 2/22/06.
Unpermitted grading	1	1	1	1		2	Violator on probation; compliance. Pre-trial set for 2/23/06. Multi-departments: DHS and DRP.
Butchering/sale meat vacant land	1			1	1	0	Violator on probation - compliance.
Insufficient road access for fire	1			1		1	Road easement partially blocked. Arraignment continued to 3/8/06 for compliance.
Bee infestation affected neighbor	1				1	0	Prepared inspection warrant; bee infestation removed. Department involved: AG/COM.
Altering water course	2		2			2	Properties being monitored by DPW, DRP, and State Department of Fish and Game Commission.
Fifth District Total:	3	20	16	5	4	19	
TOTAL CASES:	4	56	26	24	9	51	

Footnotes:

¹ 23 misdemeanor prosecutions and 1 felony probation

Exhibit 2

**County Counsel Code Enforcement Unit
Second Biannual Status Report for July 1, 2005 to December 31, 2005**

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Office Conferences	Civil Prosecutions	Cases Closed	Cases Pending	Comments
First District							
Zoning and building code violations of four residential properties	4	1				4	DRP, DPW, and CCCEU met in December 2005 to prepare for litigation on the 4 cases.
Nuisance property in East L.A. with long history of drug and gang activity; (Also reference "Living in Garage" case in DA Exhibit 1/First District)					1	The CCCEU worked with the DA's Welfare Fraud Unit and Code Enforcement Section, DPW and Probation to coordinate an enforcement strategy to address problems associated with the property. The terms and conditions of probation for the tenant/co-owner living on the property were modified to prohibit any surveillance equipment on the site, prohibit persons with gang affiliations from entering the property, and add search and seizure conditions. The Sheriff and Probation Departments are closely monitoring activities on the property.	
Residential/commercial property with long history of nuisance/criminal activities; located in unincorporated area near Azusa-Covina borders		1			1	Extensive code violations include recreational vehicles used as residences, junk and salvage, health violations, building violations, and illegal wiring and plumbing hookups. Property owners allegedly facilitating problems. DA is handling the case and County Counsel is assisting with title issues.	
Non-conforming use, illegal wiring, unpermitted structure; (Also reference "Improper uses within zone, blocking roadway, unpermitted construction" case in DA Exhibit 1/First District)		1	1		1	Office conference held with property owner and counsel; property owner instructed to file necessary permits; DRP preparing case for civil action.	
First District Total	4	3	1	0	0	7	

Exhibit 2

County Counsel Code Enforcement Unit
Second Biannual Status Report for July 1, 2005 to December 31, 2005

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Office Conferences	Civil Prosecutions	Cases Closed	Cases Pending	Comments
Second District							
Inoperable vehicles, junk and salvage and unlicensed dog		1			1		Property brought into substantial compliance.
Recycling center operating without the required zoning approvals	1		1			1	Subject to final review, a complaint will be filed by County Counsel.
Large number of adults residing in apartment units; poor sanitation and plumbing, lack of water, overcrowding, unpermitted construction	1						Task Force convened since case falls within Residential Placement Protocols. A site inspection was conducted on 12/15/05 by the State Department of Social Services and the Departments of CSS, DMH, DHS, and DRP. Violators abandoned the property. CCCEU is working with task force members to follow-up on relocation and welfare of adult residents.
Zoning and building code violations on 12 residential properties	12					12	DRP, DPW, and County Counsel met in December 2005 to prepare for litigation on all 12 cases.
Junk and salvage inside and outside of home, unlicensed and sick dogs, inoperable vehicles		1				1	The owner was given an abatement deadline and advised that further legal action will be initiated if compliance is not forthcoming.
Second District Total		13	3	1	0	1	15
Third District							
Storage container on property in violation of approved plot plan		1				1	CCCEU to schedule an office hearing on this issue.
Unpermitted structures encroaching upon County-owned land; zoning, building, and fire code violations		1				1	Notice of trespass issued by the CAO Real Estate Division; owner has until the end of February 2006 to demolish structure and correct violations.
Removal of oaks trees without permit	1					1	Responsible party was contacted and asked to submit additional information requested by DRP to obtain an Oak Tree Permit.
Third District Total		1	2	0	0	0	3

Exhibit 2

**County Counsel Code Enforcement Unit
Second Biannual Status Report for July 1, 2005 to December 31, 2005**

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Office Conferences	Civil Prosecutions	Cases Closed	Cases Pending	Comments
<i>Fourth District</i>							
Possible rodent harborage, cast off items, junk and salvage and inoperable vehicles	1				1		Property brought into substantial compliance by property owner.
A business operation dispensing medical marijuana	1			1		1	Complaint filed to enjoin, abate and declare the business a nuisance. Mandatory settlement conference set for March 1, 2006.
Graffiti on abandoned railroad bridge over 605 Freeway	1					1	CCCEU to work with property owner and Caltrans to remove graffiti.
Abandoned shopping carts in Brea Canyon/Hacienda Heights Communities			1		1		Case closed. Counsel Counsel Property Division provided a research memorandum.
Motor home on Shadybend Avenue			1			1	CCCEU will meet with the 4th SD to discuss strategy.
Fourth District Total	3	2	0	1	2	3	
<i>Fifth District</i>							
Parking garages with insufficient backup space		1			1		Property brought into substantial compliance.
Tenant operating a church without a CUP			1		1		Property brought into substantial compliance.
Barn maintained within required setback area		1			1		Property brought into substantial compliance.
Inoperable vehicles, junk and salvage and overgrown vegetation	1				1		Property brought into substantial compliance.
Numerous inoperable vehicles, junk and salvage, unpermitted structures, and illegal grading and electrical work	1				1		CCCEU to set meeting with defendant's attorney to discuss a stipulated judgment.
Unpermitted and accessory structures maintained within required setback area and in private and future street		1	1			1	Office hearing scheduled for January 1, 2006. Owner's attorney will be requested to work with County departments to bring property into compliance. DRP and DPW, Building & Safety, will give owner 30 days to obtain any required approvals and permits. Owner will be required to pay all outstanding Notice of Violation fines, and to receive plot plan approval and building permit to remove structures in set back area.

Exhibit 2

County Counsel Code Enforcement Unit
Second Biannual Status Report for July 1, 2005 to December 31, 2005

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Office Conferences	Civil Prosecutions	Cases Closed	Cases Pending	Comments
<i>Fifth District (continued)</i>							
Non-compliance for a recreational trailer park with permanent residents, junk and salvage	1		1			1	Office hearing held; owner cleaned up junk and salvage and applied for CUP renewal. Vacation notices sent to permanent residents. Case will be closed when eviction process is completed.
Inoperable vehicles, junk and salvage, unpermitted structures, grading and electrical	1					1	CCCEU is waiting for final case report from DRP before filing complaint.
Motel Task Force cases involving 8 motels, in unincorporated area of Pasadena, initiated due to complaints of loitering, prostitution and run-down conditions		8				8	Following two sweeps by Task Force, conditions have improved. Activities being monitored by the Sheriff Department.
Speed humps installed by 4 homeowners on private road without Fire Department approval	4					4	CCCEU reviewing departmental practices and policies regarding speed calming measures; civil action may become necessary.
Illegal grading, inoperable vehicles, oak tree encroachment, unpermitted retaining wall, small travel trailer, questionable weed abatement		1				1	Majority of the violations have been corrected; owner submitted application for grading permit. DPW, Building & Safety, is monitoring progress.
Health and zoning violations, trash, yard waste, junk and salvage, unpermitted structure, inoperable vehicles, recreational vehicle used for residential purposes, illegal activity on property		1				1	CCCEU working with Sheriff to make referral to the Public Administrator to open probate to assume control of property, evict persons living on premises, and abate nuisance conditions.

Exhibit 2

**County Counsel Code Enforcement Unit
Second Biannual Status Report for July 1, 2005 to December 31, 2005**

Supervisorial District/Case Description	Carryover From Prior Reporting Period	New Referrals	Office Conferences	Civil Prosecutions	Cases Closed	Cases Pending	Comments
<i>Fifth District (continued)</i>							
Major illegal disposal operation		1			1		Criminal case filed against pumping company by DA's Environmental Crimes Division for illegal storage and disposal of hazardous and non-hazardous wastes, fraud and forgery. Civil action, also pending, commenced by ten neighbors who have complained of illnesses and are trying to stop responsible parties from dumping additional waste. The CCCEU has been working with DHS, in its capacity as the Local Enforcement Agency, the Los Angeles County Health Hazardous Materials Unit, the California Integrated Waste Management Board, the Department of Toxic Substances Control, and counsel representing the responsible parties to coordinate testing of the non-hazardous waste piles and appropriate removal and disposal.
Junk and salvage, owner conducting activities without a permit which is impacting oak trees	1				1		Case closed in March 2005 due to substantial compliance. Case was subsequently reopened due to new violations.
Garage conversion without zoning or building permits		1			1		Owner to submit plans to legalize garage conversion.
TOTAL CASES	30	26	4	2	7	49	