

# Attachment B

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## Chapter 18.15 - HOUSING CODE

## 18.15.010 - Adoption.

- A. Title. This Chapter shall be known as the Housing Code of Monterey County, hereafter referred to as this code.
- B. Purpose. This Chapter is intended to provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the use and occupancy, location and maintenance of all residential buildings and structures within the County of Monterey as provided for in Subchapter 1, Chapter 1, Division 1 of Title 25 of the California Code of Regulations for State Housing Law Regulations.
- C. Scope. The provisions of this code shall apply to the erection, construction, enlargement, conversion, alteration, repair, moving, removal, demolition, occupancy, use, height, court area, sanitation, maintenance and ventilation of all hotels, motels, apartment houses and dwellings or portions thereof and building and structure accessory thereto.
- D. Applicable Standards. All work in new and existing buildings and structures regulated by this Chapter shall comply with the regulations found in the latest edition of the California Building Standards Code as amended by the County of Monterey. For existing buildings and structures where no new work is performed, the use, occupancy and maintenance of such building or structure shall conform to those building standards in affect at the time of original construction unless otherwise mandated by state or local law. When the date of original construction precedes the adoption of building standards, the Building Official and Health Officer shall determine the minimum applicable building standards necessary to preserve the health, safety and welfare of the occupants.
- E. Conflicting Regulations. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of any referenced code specify different materials, methods of construction or other requirements, the most restrictive shall govern.
- F. Other Laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law including State Housing Law Regulations.

(Ord. No. 5170, § 20, 12-7-2010)

## 18.15.020 - Enforcement provisions.

- A. Enforcement Responsibility. The Building Official and the Health Officer and their duly appointed subordinates, hereafter referred to as the Enforcement Official, are hereby separately and jointly authorized and directed to enforce all of the provisions of this code. The Enforcement Official

shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving or reducing requirements specifically provided for in this code.

- B. Abatement Procedure. The provisions of Chapter 1.22 of the Monterey County Code are determined to be equivalent to the abatement procedures of Article 6, Subchapter 1, Division 1 of Title 25 of the California Code of Regulations for the enforcement of State Housing Law Regulations and may be used at the option of the Enforcement Official in addition to all other available legal remedies.
- C. Investigate Violations and Issue Notices and Orders. The Enforcement Official shall investigate violations and issue all necessary notices or orders to ensure compliance with this code and may record any such notice or order with the County Recorder.
- D. Right of Entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the Enforcement Official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the Enforcement Official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the Enforcement Official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the Enforcement Official shall have recourse to the remedies provided by law to secure entry.
- E. Evacuation. The Enforcement Official shall be authorized to order the immediate evacuation of any occupied building or property deemed unsafe when such building or property has hazardous conditions that present imminent danger to its occupants. Persons so notified shall immediately leave the structure or premises and shall not enter or re-enter until authorized to do so by the Enforcement Official.
- F. Summary Abatement. Where conditions exist that are deemed hazardous to life and property, the Enforcement Official is authorized to abate summarily such hazardous conditions that are in violation of this code pursuant to the provisions of Section 16.30.020 of the Monterey County Code except that any hearing provided for in that section shall be held by the Hearing Officer pursuant to Chapter 1.22.
- G. Authority to Disconnect Service Utilities. The Enforcement Official shall have the authority to authorize disconnection of utility service to the building, structure, premises, equipment or system regulated by this code in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without the required

approval of the Enforcement Official. The Enforcement Official shall, whenever possible, notify the serving utility, the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the Enforcement Official shall notify the owner or occupant of the building, structure or service system in writing, as soon as practical thereafter.

- H. Authority to Condemn Equipment. When any equipment, or portion thereof, regulated by this code has become hazardous to life, health, or property, or when such equipment has been installed without required approvals, the Enforcement Official is authorized to order that the equipment either be removed or restored to a safe or sanitary condition, as appropriate. When equipment or an installation is to be disconnected, the Enforcement Official shall give written notice of the disconnection and causes therefore as soon as practical to the serving utility, owner, and occupant of the building, structure, or premises.
- I. Modifications. Wherever there are practical difficulties involved in carrying out the provisions of this code, the Enforcement Official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the Enforcement Official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department.
- J. Alternative Materials, Design and Methods of Construction and Equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the Enforcement Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.
- K. Research Reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.
- L. Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the Enforcement Official shall have the authority to require tests as evidence of compliance to be made at no expense to the County of Monterey. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the Enforcement Official

shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the Enforcement Official for the period required for retention of public records.

- M. Refusal to Issue Permits, Licenses or Approvals. Except for maintenance or emergency repairs, the Enforcement Official may withhold the issuance of any permit, license or other approval under this code when the Enforcement Official determines that reasonable cause exists that a violation of the Monterey County Code exists on the property upon which there is a pending application for such permit, license or approval. The Enforcement Official may withhold the issuance of a permit, license or approval until the applicant provides sufficient evidence to establish that the proposed work or action to be taken will comply will all applicable federal, state and local laws.
- N. Means of Appeal. Any owner whose interests are adversely affected by any order, decision or determination made by the Building Official pursuant to the provisions of this Chapter may file an appeal to the County Hearing Officer pursuant to Chapter 1.22 of the Monterey County Code. For purposes of this Section, owner means any individual, corporation, partnership, firm or any other group acting as a unit having a legal or equitable interest in the property as recorded in the official records of the County Assessor-Recorder, including the guardian or trustee of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.
- O. Liability. The Enforcement Official, while acting for the County of Monterey in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and are hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representatives of the Monterey County until the final termination of the proceedings. The Enforcement Official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

(Ord. No. 5170, § 20, 12-7-2010)

#### 18.15.030 - Substandard buildings.

Any building or portion thereof including any dwelling unit, guestroom or suite of rooms, or the premises on which the same is located, in which there exists any of the following listed conditions to an extent that endangers the life, limb, health, property, safety, or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a substandard building.

- A. Inadequate sanitation shall include, but not be limited to, the following:

1. Lack of, or improper water closet, lavatory, or bathtub or shower in a dwelling unit.
  2. Lack of, or improper water closets, lavatories, and bathtubs or showers per number of guests in a hotel.
  3. Lack of, or improper kitchen sink.
  4. Lack of hot and cold running water to plumbing fixtures in a hotel.
  5. Lack of hot and cold running water to plumbing fixtures in a dwelling unit.
  6. Lack of adequate heating.
  7. Lack of, or improper operation of required ventilating equipment.
  8. Lack of minimum amounts of natural light and ventilation required by this code.
  9. Room and space dimensions less than required by this code. However, a condition that would require displacement of sound walls or ceilings to meet height, length, or width requirements for ceilings, rooms, and dwelling units shall not by itself be considered sufficient existence of dangerous conditions making a building a substandard building, unless the building was constructed, altered, or converted in violation of those requirements in effect at the time of construction, alteration, or conversion.
  10. Lack of required electrical lighting.
  11. Dampness of habitable rooms.
  12. Infestation of insects, vermin, or rodents as determined by the health officer.
  13. General dilapidation or improper maintenance.
  14. Lack of connection to required sewage disposal system.
  15. Lack of adequate garbage and rubbish storage and removal facilities as determined by the Health Officer.
- B. Structural hazards shall include, but not be limited to, the following:
1. Deteriorated or inadequate foundations.
  2. Defective or deteriorated flooring or floor supports.
  3. Flooring or floor supports of insufficient size to carry imposed loads with safety.
  4. Members of walls, partitions, or other vertical supports that split, lean, list, or buckle due to defective material or deterioration.
  5. Members of walls, partitions, or other vertical supports that are of insufficient size to carry imposed loads with safety.
  6. Members of ceilings, roofs, ceilings and roof supports, or other horizontal members which sag, split, or buckle due to defective material or deterioration.
  7. Members of ceiling, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety.

8. Fireplaces or chimneys which list, bulge, or settle due to defective material or deterioration.
  9. Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety.
- C. Any Nuisance. The following shall be defined as nuisances:
1. Any public nuisance known at common law or in equity jurisprudence.
  2. Any attractive nuisance that may prove detrimental to children whether in a building, on the premises of a building or on an unoccupied lot. This includes any abandoned wells, shafts, basements or excavations; abandoned refrigerators and motor vehicles; any structurally unsound fences or structures; or any lumber, trash, fences, debris or vegetation that may prove a hazard for inquisitive minors.
  3. Whatever is dangerous to human life or is detrimental to health, as determined by the Health Officer.
  4. Overcrowding a room with occupants.
  5. Insufficient ventilation or illumination.
  6. Inadequate or unsanitary sewage or plumbing facilities.
  7. Uncleanliness, as determined by the Health Officer.
  8. Whatever renders air, food or drink unwholesome or detrimental to the health of human beings, as determined by the Health Officer.
- D. All wiring, except that which conformed with all applicable laws in effect at the time of installation if it is currently in good and safe condition and working properly.
- E. All plumbing, except plumbing that conformed with all applicable laws in effect at the time of installation and has been maintained in good condition, or that may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly, and that is free of cross connections and siphonage between fixtures.
- F. All mechanical equipment, including vents, except equipment that conformed with all applicable laws in effect at the time of installation and that has been maintained in good and safe condition, or that may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly.
- G. Faulty weather protection, which shall include, but not be limited to, the following:
1. Deteriorated, crumbling, or loose plaster.
  2. Deteriorated or ineffective waterproofing of exterior walls, roof, foundations, or floors, including broken windows or doors.
  - 3.

Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering.

4. Broken, rotted, split, or buckled exterior wall coverings or roof coverings.
- H. Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation that, in the opinion of the Chief of the Fire Department or his deputy, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause.
- I. All materials of construction, except those which are specifically allowed or approved by this code, and which have been adequately maintained in good and safe condition.
- J. Those premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rodent harborages, stagnant water, combustible materials, and similar materials or conditions that constitute fire, health, or safety hazards.
- K. Any building or portion thereof that is determined to be an unsafe building due to inadequate maintenance, in accordance with the Property Maintenance Code of the County of Monterey.
- L. All buildings or portions thereof not provided with adequate exit facilities as required by this code, except those buildings or portions thereof whose exit facilities conformed with all applicable laws at the time of their construction and that have been adequately maintained and increased in relation to any increase in occupant load, alteration or addition, or any change in occupancy. When an unsafe condition exists through lack of, or improper location of, exits, additional exits may be required to be installed.
- M. All buildings or portions thereof that are not provided with the fire-resistive construction or fire-extinguishing systems or equipment required by this code, except those buildings or portions thereof that conformed with all applicable laws at the time of their construction and whose fire-resistive integrity and fire-extinguishing systems or equipment have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition, or any change in occupancy.
- N. All buildings or portions thereof occupied for living, sleeping, cooking, or dining purposes that were not designed or intended to be used for those occupancies.
- O. Inadequate structural resistance to horizontal forces.
- P. All buildings not in compliance with mandatory rehabilitation requirements for structural or fire life safety in existing buildings under state or local laws and regulations.

(Ord. No. 5170, § 20, 12-7-2010)

18.15.040 - Minimum standards for existing buildings.

- A. Space, Occupancy and Maintenance. Space and occupancy requirements shall be maintained in accordance with the provisions of the building standards that lawfully existed at the time of construction or with subsequent minimum maintenance standards established by state law or this code for existing buildings and property.
- B. Hot Water. Hot water, where required, shall be supplied to plumbing fixtures at a temperature of not less than one hundred twenty (120) degrees Fahrenheit.
- C. Heating. Every dwelling unit and guest room used or offered for rent or lease shall be provided with heating facilities capable of maintaining a minimum room temperature of seventy (70) degrees Fahrenheit at a point three (3) feet above the floor in habitable rooms, and when the heating facilities are not under the control of the tenant or occupant of the building owner and/or manager, shall be required to provide that heat at a minimum temperature of seventy (70) degrees Fahrenheit, twenty-four (24) hours a day. These facilities shall be installed and maintained in a safe condition and in accordance with the California Building Standards Code as amended by the County of Monterey and other applicable laws. No unvented fuel burning heaters shall be permitted. All heating devices or appliances shall be of the approved type. Existing equipment in buildings.
- D. Garbage Receptacles. An adequate number of appropriate receptacles with close-fitting covers for garbage and rubbish as may be considered necessary by the Enforcement Official shall be provided for the occupant of every dwelling unit by the owner or operator of every structure or building subject to this subchapter. Each receptacle shall be kept in a clean condition and in good repair.
- E. Bedding. In every apartment house or hotel subject to this part, held out for rent and furnished with a bed and bedding, every part of every bed, including the mattress, sheets, blankets, and bedding shall be kept in a clean, dry and sanitary condition, free from filth, urine, or other foul matter, and from the infection of lice, bedbugs, or other insects. The bed linen in a hotel shall be changed before a new guest occupies the bed. In every dwelling unit where linen is furnished, the linen shall be changed before a new guest occupies the dwelling unit.
- F. Caretaker. A manager, janitor, housekeeper, or other responsible person shall reside upon the premises and shall have charge of every apartment house in which there are sixteen (16) or more apartments, and of every hotel in which there are twelve (12) or more guest rooms, in the event that the owner of an apartment house or hotel does not reside upon said premises. Only one caretaker would be required for all structures under one ownership and on one contiguous parcel of land. If the owner does not reside upon the premises of any apartment house in which there are more than four (4) but less than sixteen (16) apartments, a notice stating the owner's name and address, or the name and address of the owner's agent in charge of the apartment house, shall be posted in a conspicuous place on the premises.

- G. Hotplates. The use of hotplates existing in rooms prior to September 20, 1963, shall be in accordance with the provisions of Section 17921.1 of the Health and Safety Code.
- H. Portable Fire Extinguishers. Portable fire extinguishers shall be provided and maintained in every apartment house and hotel. The number and type of portable fire extinguishers to be installed shall be determined by the Fire Code Official as designated in the Fire Code for the County of Monterey. However, the minimum requirements shall be as set forth in Title 19, Chapter 1, Subchapter 3, California Code of Regulations.

(Ord. No. 5170, § 20, 12-7-2010)

#### 18.15.050 - Tenant relocation provisions for rental housing.

- A. Purpose. The intent of this Section is to implement the applicable provisions of Article 2.5 of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code related to tenant relocation assistance. This Section provides an expedient means by which to provide relocation funds to tenants without limiting the rights available to owners, designated agents, or tenants under any other provision of law. Nothing in this Section shall be construed to deprive an owner of procedural due process rights guaranteed by law, including, but not limited to, a right to file a judicial action against an Enforcement Official that has failed to proceed in a manner required by law. The remedies under this Section are cumulative and in addition to any other remedies available under federal, state, or local law.
- B. General Requirements. Any tenant who is displaced or subject to displacement from a residential rental unit as a result of an order to vacate or an order requiring the vacation of a residential unit by the Enforcement Official as a result of a violation so extensive and of such a nature that the immediate health and safety of the residents is endangered, shall be entitled to receive relocation benefits from the owner as specified in this Section.
- C. Enforcement Duties. The Enforcement Official who issues the order to vacate shall determine the eligibility of tenants for benefits pursuant to this Section and provide either telephonic or written notice to the tenant of his or her entitlement to the benefits. Written notice may be satisfied by posting a written notice on the premises stating that tenants may be entitled to relocation benefits. Any order by the Enforcement Official that requires a tenant's displacement and is issued to an owner, designated agent, or tenant, shall be accompanied by a summary of the provisions of this Section. Failure to provide a summary shall not relieve any person of the obligations imposed by this Section.
- D. Timely Payment of Relocation Benefits. The relocation benefits required by this Chapter shall be paid by the owner or designated agent to the tenant within ten (10) days after the date that the order to vacate is first mailed to the owner and posted on the premises, or at least twenty (20) days prior to the vacation date set forth in the order to vacate, whichever occurs later. If there are fewer than ten (10) days between the first posting and mailing of the order to vacate and the

vacation date, the relocation benefits shall be paid by the owner or designated agent to the tenant within twenty-four (24) hours after the notice is posted and mailed. The Enforcement Official who issued the order shall attempt to provide telephonic or written notice to the owner to notify the owner that the benefits are payable immediately. Failure to provide the notice as specified in this Section shall not relieve the owner of any obligations imposed by this Section.

- E. Amount of Relocation Benefits. The relocation payment shall be made available by the owner or designated agent to the tenant in each residential unit and shall be a sum equal to two (2) months of the established fair market rent for the area as determined by the Department of Housing and Urban Development pursuant to Section 1437(f) of Title 42 of the United States Code. In addition, the relocation payment shall include an amount, as determined by the Enforcement Official, sufficient for utility service deposits. The relocation benefits shall be paid by the owner or designated agent in addition to the return, as required by law, of any security deposits held by the owner. The relocation benefits shall be payable on a per residential unit basis.
- F. Penalty for Late Payment. Any owner or designated agent who does not make timely payment as specified in this Section shall be liable to the tenant for an amount equal to one and one-half (1½) times the relocation benefits payable in this Section unless the relocation benefits are payable fewer than ten (10) days after the date the order to vacate is first mailed and posted on the premises and the owner or designated agent makes the payment no later than ten (10) days after the order is first mailed and posted.
- G. Exemptions for Payment.
  - 1. Tenant Caused. No relocation benefits pursuant to this Section shall be payable to any tenant who has caused or substantially contributed to the condition giving rise to the order to vacate, as determined by the Enforcement Official, nor shall any relocation benefits be payable to a tenant if any guest or invitee of the tenant has caused or substantially contributed to the condition giving rise to the order to vacate, as determined by the Enforcement Official or Health Officer. The Enforcement Official shall make the determination whether a tenant, tenant's guest, or invitee caused or substantially contributed to the condition, giving rise to the order to vacate at the same time that the order to vacate the tenants is made.
  - 2. Beyond Owner's Control. An owner or designated agent shall not be liable for relocation benefits if the Enforcement Official determines that the unit or structure became unsafe or hazardous as the result of a fire, flood, earthquake, or other event beyond the control of the owner or the designated agent and the owner or designated agent did not cause or contribute to the condition.

H.

Advance of Relocation Payments. If the owner or designated agent fails, neglects, or refuses to pay required relocation payments to a displaced tenant or a tenant subject to displacement, the Enforcement Official may advance relocation payments as specified in Subsection C above. Nothing in this Section shall be construed to require the Enforcement Official to pay any relocation benefits to any tenant, or assume any obligation, requirement, or duty of the owner pursuant to this Section.

- I. Obligation for Advanced Relocation Payments. If the Enforcement Official, pursuant to locally adopted policies, offers to advance relocation payments, the Enforcement Official or Health Officer shall be entitled to recover from the owner any amount paid to a tenant pursuant to this Section except as noted herein.

If there are fewer than ten (10) days between the first posting and mailing of the order to vacate and the vacation date, and if the Enforcement Official advances relocation benefits to any tenants, prior to the expiration of the ten-day period, the owner shall not be required to reimburse the local enforcement agency for a charge identified on the itemized accounting if the owner contests the charge within thirty (30) days after the itemized accounting is mailed to the owner or designated agent.

- J. Obligation for Penalties and Costs. The Enforcement Official shall also be entitled to recover from the owner or designated agent an additional amount equal to the sum of one-half ( $\frac{1}{2}$ ) the amount paid for advanced relocation payments, but not to exceed ten thousand dollars (\$10,000.00), as a penalty for failure to make timely payment to the displaced tenant, and the Enforcement Official's actual costs, including direct and indirect costs, of administering the provision of benefits to the displaced tenant.
- K. Collection Methods for Obligation. The County of Monterey may collect all financial obligations due under the provisions of this Section by use of all available legal means, including but not limited to the filing of liens or imposing special assessments on real property in accordance with the provisions of Chapter 1.22 of the Monterey County Code. In addition to its rights to impose said liens and special assessments, the County shall retain the alternative right to recover its costs by way of civil action against the property owner and person in possession of control jointly and severally. Prior to seeking reimbursement, the Enforcement Official shall first explore the potential of using funds from any available federally funded program that provides tenant relocation assistance in cases of local code enforcement activities.
- L. Itemized Accounting. When the Enforcement Official elects at their own option pursuant to Subsection F to advance relocation payments to displaced tenants when the owner or designated agent fails, neglects, or refuses to pay relocation payments to displaced tenants, shall prior to instituting any action to collect from the owner or designated agent relocation benefits paid pursuant to this Section, or to impose a lien therefore, send to the owner or designated agent by first-class mail, postage prepaid, at the owner's address as shown on the last equalized

assessment roll, an itemized accounting of all benefits paid by the Enforcement Official to the owner's tenants, and any penalties or costs the Enforcement Official is seeking to recover as authorized pursuant to this Section.

- M. Appeal to Enforcement Official. If the owner or designated agent contends that not all of the benefits are chargeable to the owner or designated agent because the recipients were not displaced tenants, no benefits were payable pursuant to Subsection E., or on other grounds, the owner or designated agent shall submit a written appeal to the Enforcement Official seeking collection pursuant to Subsection G. within twenty (20) days after receipt by the owner or designated agent of the itemized accounting. The Enforcement Official, or their designee, shall hold an administrative hearing for the purpose of determining the amount of benefits paid that are chargeable to the owner or designated agent, and any penalties or costs the Enforcement Official may recover pursuant to this Section. The owner or designated agent shall pay the charge that was the subject of the appeal within thirty (30) days after an adverse decision by the Enforcement Official on the appeal is mailed to the owner.
- N. Administrative Appeal Process. Pursuant to the provisions of Chapter 1.22 of the Monterey County Code, the County Hearing Officer shall hear any appeal by the owner or designated agent of a decision of the Enforcement Official pursuant to Subsection M. for the payment of benefits, administrative costs, fines and penalties pursuant to this Chapter. The final decision of the County Hearing Officer shall be subject to Section 1094.5 of the Code of Civil Procedure.
- O. Payment of Appeal Costs. If the owner fails to obtain a more favorable decision than that set forth in the itemized accounting, the owner or designated agent shall be liable to the Enforcement Official for the costs of the administrative hearing and appeal, not to exceed five thousand dollars (\$5,000.00). The failure to receive the itemized accounting shall not relieve the owner of any obligation to the City or County.

(Ord. No. 5170, § 20, 12-7-2010)

#### 18.15.060 - Violations.

- A. Duty to Maintain Properties and Structures. It shall be unlawful for any person, firm or corporation to fail to maintain any building, structure or premises regulated by this code in conformance with the provisions of the building standards that lawfully existed at the time of construction or with subsequent minimum maintenance standards established by state or local law or this Chapter for existing buildings and property.
- B. Prohibition for Substandard Buildings. It shall be unlawful for any person, firm or corporation to create, maintain or permit the continued existence of a substandard building as defined in this code.
- C. Tenant Relocation Assistance. It shall be unlawful for any person, firm or corporation to fail to

provide tenant relocation assistance as provided for in this Chapter.

(Ord. No. 5170, § 20, 12-7-2010)

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