



City of Santa Barbara

COMMON QUESTIONS REGARDING ZONING ENFORCEMENT

The City investigates and enforces many different types of violations. Enforcement cases are divided among the enforcing agencies: Building Code violations, substandard conditions, illegal dwelling units, and construction-related violations are enforced by the Building and Safety Division's Code Enforcement Officers; land use and sign violations are enforced by the Planning Division's Zoning Enforcement Officers; public right-of-way encroachments and trash-related violations are enforced by the Public Works Department's Code Enforcement Officers.

What is zoning enforcement and who is responsible for enforcing violations?

The Planning Division's Zoning Enforcement Officers investigate complaints related to land use, signs, conditions of project approval, home occupations, inappropriate storage (including inoperable vehicles on private property), and vegetation removal, and enforces the appropriate code sections for these violations.

How do I file a complaint on a suspected zoning violation?

Complaints may be made in several ways, including phone calls to the Complaint Line at (805) 897-2676 or by submitting a "citizen complaint form" in person to the Planning and Zoning Counter at 630 Garden Street. Certain information is necessary in order to begin investigation of a complaint, including the complainant's name and phone number, the address of the potential violation, and a description of the complaint. While an enforcement case is active, every attempt is made to keep the complaining party's information confidential. Once the case is closed, all information, including the complaining party's name, is forwarded to the City's Street File, which is available for viewing by the public.

Can I file an anonymous complaint?

Anonymous complaints are accepted; however, not having the complaining party's contact information can impede the City's ability to investigate and verify violations. Enforcement staff often needs additional information from the complaining party in order to confirm the location, nature, and extent of violations.

How does the City enforce zoning violations?

The City primarily responds to violations on a complaint basis. The City does not, in general, seek out violations without a complaint. Exceptions include sign sweeps, repeated violations, and egregious violations that are readily visible from the public right-of-way.

What happens when a complaint is filed?

Once a complaint is received, a case is added to the City's computer database system. The complaints are ranked according to priority, with health and safety issues taking precedence over violations that do not pose an immediate health or safety risk. Once the case has been assigned, the Enforcement Officer will conduct a site visit and, if a violation is confirmed, a warning letter (Notice of Violation) will be mailed to the property owner. The Enforcement Officer will give the property owner a deadline to abate all violations on the site. This deadline will vary according to the number and type of violations on site.

How long does it take for an Enforcement Officer to investigate a complaint?

The City typically has a backlog of zoning enforcement complaints. Cases are assigned and investigated based on the nature of the complaint and the potential for a violation to cause safety issues or serious

neighborhood degradation. It is possible for a higher priority case to be investigated within a week of receiving the complaint, whereas a lower priority case may not be investigated for several months, depending on the priority of the violation and the current case backlog.

Will the Enforcement Officer contact the complaining party once the case has been assigned?

Enforcement Officers typically DO NOT contact the complaining party once the case has been assigned, unless additional information is needed to thoroughly investigate a complaint. The complaining party may request a phone call once the case has been assigned in order to clarify the details of the complaint.

What if a tenant is responsible for the violation, not the property owner?

It is the property owner's responsibility to abate all violations on his or her property, even if the violation is being perpetrated by a tenant.

When will the enforcement case be closed?

Enforcement cases will be closed once the Enforcement Officer has verified that all violations have been abated; the applicable permits have been inspected and finalized; the applicable fines have been billed; or they have confirmed that no violation occurred.

Will the complaining party or property owner be notified once the case is closed?

In most cases, neither the complaining party nor the property owner will be notified when the case is closed.

What happens if the violations are not abated by the deadline?

If the violations are not abated by the deadline, administrative fines of up to \$250 per day *per violation* may be assessed on the property. The property owner will be given up to three opportunities to abate the violations and pay fines before the case is forwarded to the City Attorney's Office for prosecution. The City is authorized to collect delinquent fines by assessing a lien on the property (SBMC Chapter 1.25).

Where do I go to pay my fines?

Once a fine has been assessed by the Enforcement Officer, the information is sent to the City Billing and Customer Services office. The fine is due once the bill is issued by the City to the property owner. The bill may be paid in person at the City Billing and Customer Services office, located at City Hall at 735 Anacapa Street. Mailed payments shall be addressed to City of Santa Barbara, City Billing and Customer Services, P.O. Box 1990, Santa Barbara, CA 93102-1990.