ORDINANCE NO. 1352

ORDINANCE OF THE COUNTY OF SOLANO REPEALING CHAPTER 13, HEALTH AND SANITATION, IN ITS ENTIRETY, AND ADDING A NEW CHAPTER 13.1, HEALTH SERVICES, TO THE SOLANO COUNTY CODE

The Board of Supervisors of the County of Solano does hereby ordain as follows:

SECTION I.

Chapter 13 of the Solano County Code entitled "Health and Sanitation," is repealed in its entirety.

SECTION II.

Chapter 13.1, Health Services, is hereby added to the Solano County Code to read as follows:

Section 13.1-100. Health Services Department
Established.

There is hereby created a Health Services Department in the county to advise and assist the Board of Supervisors in the administration and enforcement of the laws of the state and of the county relative to and for the protection and maintenance of public health, mental health, and substance abuse.

Section 13.1-200. Director of Health Services
-- Generally.

There shall be an executive head of the Department of Health Services to be known as the Director of Health Services, which office is hereby created, together with such subordinate positions as may be necessary, as established by resolution of the Board of Supervisors. The duties of the Director of Health Services shall be to administer the programs and direct the activities of personnel in support of providing public health, mental health, and substance abuse services.

Section 13.1-300. Health Services Department
-- Health Officer.

There shall be a County Health Officer in the Health Services Department who shall serve as health officer as required by
the provisions of Part 2, Division I, of the Health and Safety Code of the state. The County Health Officer shall also perform all other duties required of a County Health Officer by the Health and Safety Code of the state or other laws of the state pertaining to health, or by this code or any other ordinances of the county for the maintenance or protection of health.

Section 13.1-400. Interference; etc., with Health Officer Prohibited.

No person shall hinder, prevent or resist the County Health Officer in the performance of that officer's duties.

Section 13.1-500. Abatement of Nuisance by County Health Officer.

Whenever a nuisance shall exist on the property of any non-resident or on any property, the owner of which cannot be found by the County Health Officer after diligent search; or on public property, or on the property of any owner upon whom due notice may have been served, and who shall for three days refuse or neglect to abate the nuisance, it shall be the duty of the County Health Officer to cause that nuisance to be removed or abated and to draw upon the general fund for such sums as may be required for its removal or abatement, the aggregate of such sums not to exceed two hundred dollars ($200); provided, that whenever a larger expenditure is found necessary to be made for the removal or suppression of any nuisance, the Board of Supervisors shall, upon written application of the County Health Office, by ordinance, appropriate, allow, and order paid out of the general fund such sum as may be necessary for that purpose; and the auditor shall audit, and the treasurer shall pay all the appropriations of money made in pursuance of this section, in the same manner as is now provided by law for auditing and paying demands upon the treasury. Such sums so paid shall become a lien on the property from which such nuisance has been removed or abated in pursuance of this section, and may be recovered by an action against such property. It shall be the duty of the County Counsel to foreclose all such liens in the proper court in the name and for the benefit of the county, and when the property is sold, enough of the proceeds shall be paid into the county treasury to satisfy the liens and cost, and the overage, if any, shall be paid to the owner of the property, if known, and if not known, into the court for the owner's use when ascertained. The County Health Officer is hereby vested with the power to act upon, define, determine and adjudge what shall constitute a nuisance and to require the same to be abated in a summary manner. Any person who maintains, permits, or allows a nuisance to exist upon his or her property
or premises after a nuisance has been determined by the County Health Officer to be a nuisance, and after due notice to remove the nuisance has been served upon the person, is guilty of a violation of this Code.

SECTION III.

This Ordinance shall be published once before the expiration of FIFTEEN (15) DAYS after its final passage in the Daily Republic, a newspaper of general circulation, printed and published in the County of Solano, State of California, and shall be in full force and effect THIRTY (30) DAYS after its passage.

ATTEST:

DON PIPPO, Chairman
Board of Supervisors

I, LINDA L. TERRA, Clerk to the Board of Supervisors, County of Solano, State of California, do hereby certify that the foregoing Ordinance was introduced at a regular meeting held November 7, 1989.

On motion of Supervisor Stewart, and Second by Supervisor Pippo, this Ordinance was adopted at a regular meeting of said Board on November 14, 1989, by the following vote:

AYES: SUPERVISORS: Caddle, Davis, Stewart and Chairman Pippo

NOES: SUPERVISORS: None

ABSTAINED: SUPERVISORS: None

ABSENT: SUPERVISORS: Simmons

WITNESS my hand and the Seal of said Board this November 14, 1989.

LINDA L. TERRA, Clerk to the Board