ORDINANCE NO. 1437

AN ORDINANCE REPEALING SECTION 28-65
OF CHAPTER 28 OF THE SOLANO COUNTY CODE
ENTITLED "ENFORCEMENT OF CHAPTER," AND
ENACTING A NEW SECTION 28-65.

The Board of Supervisors of the County of Solano, State of California, does ordain as follows:

SECTION I.

Section 28-65 of Chapter 28 of the Solano County Code entitled "Enforcement of Chapter," is hereby repealed in its entirety and a new section 28-65 is added to comply with the language of that section, which was added by Solano County Ordinance No. 958, to read as follows:

Sec. 28-65. Enforcement of chapter.
(a) All departments, officials and public employees of the county which are vested with the duty or authority to issue permits or licenses shall conform to the provisions of this chapter, and shall issue no such permits or licenses for uses, buildings, or purposes where the same would be in conflict with the provisions of this chapter; and any such permits or licenses, if issued in conflict with the provisions of this chapter, shall be null and void.

(b) It shall be the duty of the zoning administrator, environmental management director, or the planning commission to issue a notice of violation to any person who has erected, constructed, reconstructed, moved, converted, altered, or added to any building or structure in violation of these provisions, or who is using or allowing the use of that person's property in violation of these provisions. The notice of violation shall specify what corrective action is required and when the corrective action shall be completed.

(c) Any person who sets up, erects, constructs, alters, enlarges, converts, moves, or maintains any building contrary to the provisions of this chapter, or any person who continues an unauthorized use which has not been brought within the provisions of this chapter as required by the notice of violation, is guilty of a violation of this chapter.

(d) Notwithstanding section 1-7 of this code, any violation of this chapter shall be an infraction punishable by a fine not exceeding $250.00 for each separate offense; provided, that in any accusatory pleading charging a violation of this chapter, if the defendant has been once previously convicted of a violation of this chapter, such previous conviction shall be charged in the accusatory pleading, and, if such previous conviction is found to be true or is admitted by the defendant, any violation shall be an infraction punishable by a fine not exceeding $500.00 for each separate offense; and provided further, that in any accusatory pleading charging a violation of this chapter, if the defendant has
been previously convicted two or more times of a violation of this chapter, such previous convictions shall be charged in the accusatory pleading, and, if such previous convictions are found to be true, or are admitted by the defendant, any violation shall be a misdemeanor punishable by imprisonment in the county jail for a term not exceeding six (6) months, or by a fine not exceeding $1,000.00, or by both. Every day any violation of this chapter shall continue shall constitute a separate offense. (Od. No. 440, §35; Ord. No. 873, §2; Ord. No. 874, §4; Ord. No. 958, §1.)

SECTION II.

Pursuant to provisions of Government Code Section 25124(b)(1), a Summary of this Ordinance shall be published once, at least FIVE (5) DAYS prior to the meeting of the Board of Supervisors at which the Ordinance is to be finally considered for adoption (second reading), and a summary of this Ordinance, with the vote of the members of the Board of Supervisors thereon, shall also be published once before the expiration of FIFTEEN (15) DAYS after adoption of the Ordinance. Both publications shall be 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.

A certified copy of the full text of the proposed ordinance shall be posted in the office of the Clerk to the Board of Supervisors at least FIVE (5) DAYS prior to the meeting of the Board of Supervisors, at which the Ordinance is to be finally considered for adoption (second reading). A certified copy of the final Ordinance shall be posted in the Office of the Clerk to the Board of Supervisors, at least FIFTEEN (15) DAYS after adoption of the ordinance, and the posting shall include the vote of the Supervisors for or against the Ordinance.

LEE SIMMONS, Chairwoman,
Board of Supervisors

ATTEST:

LINDA TERRA, Clerk to the
Board of Supervisors

I, LINDA TERRA, Clerk to the Board of Supervisors of the County of Solano, State of California, do hereby certify that the above and foregoing Ordinance was introduced at a regular meeting thereof held the 12th day of May, 1992.
On the motion of Supervisor Stewart and the Second of Supervisor Caddle, this Ordinance was adopted at a regular meeting of said Board on May 26, 1992, by the following vote:

AYES: SUPERVISORS Caddle, Carroll, Davis, Stewart and Chairwoman Simmons

NOES: SUPERVISORS None

ABSTAINED: SUPERVISORS None

ABSENT: SUPERVISORS None

WITNESS my hand and the Seal of said Board this 26th day of May, 1992.

LINDA TERRA, Clerk to the Board of Supervisors

By ___________________________