

## CODE ENFORCEMENT

### *Purpose*

The City of Newport Beach devotes substantial resources to the enforcement of its Ordinances. The City's Ordinances are intended to protect and preserve public health and safety, the charm of our residential neighborhoods, and the overall quality of life enjoyed by Newport Beach residents. The City Council understands the importance of enforcing our Ordinances and is committed to doing so. However, enforcement of these Ordinances affects the rights of citizens who are the subject of complaints or enforcement actions. Accordingly, the City Council directs that all code enforcement activity shall be conducted in accordance with the following:

- A. The City may initiate a formal code enforcement action based on any of the following:
  - An enforcement officer's observation;
  - A written complaint;
  - A complaint from an individual that an enforcement officer deems reliable.
- B. Requests for inspections of private property not open to the general public or not visible from adjoining public or private property shall not be made unless there is sufficient evidence to support the issuance of an inspection warrant for the property that is the subject of the request;
- C. Written code enforcement complaints shall identify the complainant, specific facts, acts, or events and occurrences which establish the violation and describe any documentation which would establish a violation or is otherwise required by law;
- D. The City considers code enforcement complaints to be confidential. The City will use its best efforts to preserve the confidentiality of any complaint with the understanding that the City will be required to disclose the identity of the complainant to the extent required by law;
- E. All code enforcement activities, including investigative property inspections, requests for consent to inspect, and related activities shall be conducted such that the civil rights of the individual or individuals who are the subject of the investigation are fully protected;

- F. The City Council believes that nuisance-type violations (such as noise, trash violations, fire hazards, unlawful encroachments, unruly conduct, and more) and Building Code violations like illegal construction and illegal dwelling units significantly and adversely impact a neighborhood's ability to quietly enjoy their community. As such, Code Enforcement Officers are encouraged to pursue violations aggressively with limited grace periods for compliance, limited use of authorization of additional time after a grace period closes, and full and prompt use of the Newport Beach Municipal Code's monetary fine and civil and criminal penalty authorizations; and
- G. The provisions of this Policy do not apply to inspections of property requested by the owner or to inspections conducted by the Building Division - personnel pursuant to construction being conducted, which is authorized, pursuant to an active permit issued by the Building Division -.

### *History*

Adopted K-9 - 6-26-1995  
Amended K-9 - 10-10-2006  
Amended K-9 - 7-10-2007  
Amended K-9 - 9-27-2011