

RESOLUTION NO. 2021-46

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF HUNTINGTON BEACH CERTIFYING SPECIAL
ASSESSMENTS FOR COLLECTING DELINQUENT CIVIL FINES
FOR NUISANCE VIOLATIONS OF THE MUNICIPAL CODE

WHEREAS, the City Council has adopted Huntington Beach Municipal Code 1.18, which provides that any violation of its Municipal Code shall constitute a nuisance; and

Authorizes the issuance of administrative citations that impose civil fines upon persons who commit property-related nuisance violations of the Municipal Code; and

Certain administrative citations have been issued for such property-related nuisance violations and civil fines imposed thereby have not been paid by the responsible persons who committed the Municipal Code violations; and

Section 1.18.150 of the Municipal Code provides that any unpaid delinquent civil fines, interest and penalties may be recovered as such a nuisance abatement lien or special assessment against the property of the responsible person who is the owner of the property where the violations occurred; and

To compel code compliance, the City may seek to abate the nuisance and collect the costs incurred by means of a nuisance abatement lien and/or special assessment against the property where a property-related violation occurred as part of the nuisance abatement procedures authorized by *Government Code* Section 38773.5; and

The City Council wishes to certify certain property-related nuisance abatement fines, interest and penalties as delinquent and have them collect as special assessments against the real property involved.

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby resolve as follows:

1. The special assessments designated on **Exhibit A**, which is attached and incorporated herein by this reference, are hereby certified as being delinquent civil fines, interest and penalties owing to the City of Huntington Beach and qualified for collection as special assessments under Section 1.18.150 C.

2. The City Council as part of the City's nuisance abatement program orders that these delinquent fines, interest and penalties are to be collected as special assessments against the respective properties shown on **Exhibit A** pursuant to the provisions of Municipal Code Section 1.18.150 C and *Government Code* Section 38773.5.

3. Pursuant to such authority, the Chief Financial Officer is directed to take the requisite steps for recording notice of such assessments against the respective properties in the property records of the County of Orange and for obtaining the collection of such assessments by the Tax Collector of the County of Orange.

4. The Chief Financial Officer is also authorized to take the necessary steps to have releases filed with the County Recorder when any such special assessments have been paid.

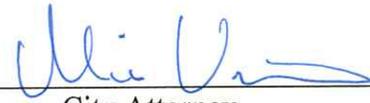
PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2021.

Mayor

REVIEWED AND APPROVED:

APPROVED AS TO FORM:

City Manager



City Attorney

INITIATED AND APPROVED:



Chief Financial Officer

EXHIBIT A - Resolution No. 2021-46

Property Address	Owner	Dates/Fine Amount(s)/Total (w/late fees & charges)	Violation(s)	APN Number
219 Portland Ave Huntington Beach, CA 92648	Richard Carroll	7/6/20 \$750.00 7/6/20 \$1,500 9/1/20 \$3,000 10/5/20 \$3,000 Total \$8,723.76	17.10.050 (m)(p) CHSC 17920.3 (i)	025-041-22
16381 Whittier Ln Huntington Beach, CA 92647	Mary Nutt	11/14/19 \$250 7/7/20 \$500 7/16/20 \$500 7/23/20 \$1,000 9/15/20 \$1,000 10/15/20 \$1,500 11/2/20 \$2,000 11/18/20 \$1,000 11/24/20 \$1,000 12/3/20 \$2,000 12/10/20 \$1,000 12/17/20 \$2,000 2/11/21 \$1,000 2/18/21 \$1,000 Total \$16,584.94	8.21.100 17.10.050 (u)	146-564-11
16542 Wheeler Cir Huntington Beach, CA 92647	Agnes Simcox	6/5/20 \$4,000 Total \$4,862.50	8.48.180 17.10.50 (p)(u)(z)	107-393-04