

Sec. 15-18. Civil hearings; judgments

(a) The hearing officer upon decision shall enter a written judgment that includes the findings of fact and conclusions of law of the hearing officer in the proceeding and the finding of responsible or not responsible. The judgment shall include the imposition of a civil penalty and/or the entry of an abatement agreement or order. The abatement agreement or order may include an order by the civil hearing officer that the respondent post a financial guarantee with the city to pay for the cost of cleaning up the property and/or to comply with the applicable provisions of the city code. The civil hearing officer may impose such other requirements as appropriate.

(b) If the hearing officer finds that a violation has occurred, they shall issue an order designating the violation to be a nuisance and impose a civil penalty against the respondent. Additionally, for a period of one year after the hearing officer's order, the city attorney or any person affected by the nuisance may bring a civil action in the municipal court to abate the nuisance.

(c) A civil penalty may be assessed up to \$500.00 for each violation. The hearing officer shall assess additional penalties provided by this code for failure to pay a civil sanction. Such penalties shall be subject to collection and enforcement in the same manner as the judgment.

(d) In addition to any sanction or penalty provided for in this code, a person found to be in violation shall be liable for all costs that may be associated with the City's bringing the premises into compliance with this code. The hearing officer shall impose restitution as part of the sentence.

(e) At the time of sentencing for a civil violation of the code, the hearing officer may suspend the amount of any sanction in excess of the minimum sanction on the Court's adopted deposit schedule, if the responsible party shows by a preponderance of the evidence that the violation has been corrected.

(f) If the defendant is found not responsible, the court shall enter judgment for the defendant.

(g) Any judgment for civil sanctions taken pursuant to this Chapter may be collected as any other civil judgment. The City Attorney may record the judgment with the County Recorder on behalf of the City. The cost of recording the judgment shall be assessed against the respondent and collected in the same manner as the judgment.

(Ord. No. 07-21, 07/14/07, enacted) SUPP 2007-03

(Ord. No. 07-25, 08/21/07, amended) SUPP 2007-03