



NOTE TIME CHANGE

AGENDA

Regular Meeting

City Hall 11960 East St. Fort Jones

MONDAY December 13, 2021 – 6:00 P.M.

The Fort Jones City Hall will be open to the public for this meeting and it will also be available to attendees via Zoom for those that want to participate remotely

VIRTUAL MEETING

Due to the COVID-19 Virus, and the State of Emergency issued by the State of California and Siskiyou County, with authorization from the Governor's Executive Order allowing local governments to hold meetings via teleconference and to make meetings accessible electronically, this meeting will be held remotely through the web platform [zoom.com](https://zoom.us). The Call-in number for anybody without access to a computer and internet is:

1-669-900-9128

Log on to [Zoom.com](https://zoom.us) in order to access the meeting via computer.

Meeting Name: Fort Jones Town Council Meeting

URL: <https://us02web.zoom.us/j/82303682355>

Meeting ID: 823 0368 2355

No Password Needed

Contact Karl Drexel at karl@kdmanagement.us (707) 318-7369 with any questions or problems.

CALL TO ORDER:

Fort Jones City Council Roll Call: Mayor: DeCausmaker _____ Members: Garcia _____

Banks _____ Beckwith _____ Sherfy _____

PLEDGE OF ALLEGIANCE:

PUBLIC COMMENTS ON CLOSED SESSION: *(This is the time for community members to bring up items they wish to discuss regarding the closed session item only)*

ADJOURN TO CLOSED SESSION: 6:00 PM

CLOSED SESSION:

A. The Council will meet pursuant to Government Code §54957 (b) to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee. Position – City Administrator.

RETURN TO OPEN SESSION: 7:00 PM

REPORT ON CLOSED SESSION:

PUBLIC COMMENTS:

Discussion items only, no action to be taken. Any person may address the Council at this time upon any subject within the jurisdiction of the Town of Fort Jones; however, any matter that requires action may be referred to staff and/or Committee for a report and recommendation for possible action at a subsequent Council meeting. There is a five (5) minute limit per topic.

DISCUSSION / REPORTS / CORRESPONDENCE: NON-ACTION ITEMS:

- A. Police Department Monthly Report
- B. Fire Department Monthly Report
- C. Code Enforcement
- D. Public Works Monthly Report
- E. Administrator's Reports

CONSENT CALENDAR:

Items listed on the consent agenda are considered routine and may be enacted in one motion. Any item may be removed for discussion at the request of the Council or the Public.

- 1. a) Approval of Minutes: Regular Meeting November 8, 2021
- b) Ratification of Disbursements: November 1 through November 30, 2021
- c) Approve Payables for December 2021
- d) Receive and Review YTD P&L

PUBLIC HEARING: ORDINANCES AN RESOLUTIONS

- 2. Review and Approve Introduction of Ordinance 2021-6 Title 8.24 re Public Nuisance
- 3. Review and Approve Resolution 2001 – Setting Fees for Nuisance Ordinance
- 4. Review and Approve Introduction of Ordinance 2021-7 re FOG Program

DISCUSSION / REPORTS: ACTION ITEMS:

- 5. Request for part of Fort Jones' Prop 68 Per Capita funds for Etna Pool improvements. Review and Approve MOU.
- 6. Discuss and Approve Posting and Hiring Process of Town Administrator Position
- 7. Review and Approve American Rescue Plan Funding plan

STAFF COMMENTS:

COUNCIL MEMBER COMMENTS:

ADJOURNMENT: The next Fort Jones City Council Meeting is scheduled to be held on January 10, 2022, at 7:00 p.m.

REPORTS & CORRESPONDANCE

Fort Jones Police Department Monthly Report

November 2021

Happy Holidays everyone, hope this time of year brings you and your family happiness and joy. December marks the two-year anniversary of the police departments inclusion of Ft. Jones and has been very successful and positive for our communities. The past month has been busy as you will see in the following report. We have had a lot of positive feedback from our constituents, we enjoy working with a community that is now vested and positive in making our community the best safest one possible. Thank you to all board members who have made the transition possible and successful.

Traffic- We continued to see a significant amount of traffic collisions in both towns over the past month.

Each of these collisions while resulting in moderate to major damage have been non-injury fortunately. The primary cause continues to be inattention or driving too fast for the conditions. We also had one DUI collision resulting in the arrest of the driver. We continue to provide extra patrol in and around the schools to hopefully slow people down and remind them to drive safely. Several traffic citations were also issued in the month of November as violations were on a slight uptick. It appears that trend is slowing down which is good as we see hazardous driving conditions and winter sets in.

Schools- We have been fairly active in our school system as each facility has experienced higher than usual criminal activity or behavior. Most of these interactions have resulted in citations and our consequences to the violator. On a positive note, our partnership with the schools has led to positive outcomes in these cases as we are able to solve the issues without involving the juvenile in the criminal justice system.

Animal Control- November has been the month of lost dogs for the town of Ft. Jones. We have taken in several dogs but have been successful in reuniting them with their loved ones or rehoming them. It does also look like some of them have been purposely dropped off in town due to people knowing they will be taken care of by the department. If able to prove this in certain circumstances, we coordinate with County animal control to properly place the dog with the correct agency.

Reports/Cases- We are now over 100 written reports for the year with many of them still awaiting prosecution from the District Attorney's Office. For the others that have been successfully adjudicated it shows the hard work of our officers is not "all for naught" and a positive outcome for the community. This also sends a message to those wishing to violate the law that the town of Ft. Jones will not stand for this illegal behavior and there will be consequences if bad decisions are made.

Calls for Service- We continue to assist other departments such as fire and EMS which attributes to our overall large number of calls for service we have each month. Calls for service are the majority of our calls by far and many of our calls for service are positive and help the community with everyday events. Many of these also don't go on the log as it is part of our everyday workload but are the main reason our town functions efficiently.

Ordinance Enforcement- Code enforcement in the month of November has seen many of our older cases being adjudicated or been sent to our city attorney for direction. Other code enforcement cases have been followed up on to make sure the conclusion was appropriate or if anything needed to be readdressed or modified. Refer to CSO York's report for further clarification.

PAL- Pal successfully had seasons of football and soccer conclude this past month as well as a very successful holiday party for the community. Basketball will be the next program put in place by pal as we look forward to another amazing PAL year.

The Following categories are just a reminder of all the extra time that is put in to make our town safe and beautiful to live in. This time is significant but well worth it as we continue to see improvement and happy constituents.

Training- With training being back in person all the departments' officers have taken advantage and attended numerous quality POST advanced officer classes. These trainings and classes continue to educate and advance our officers training giving them the ability to continue to provide a high level of law enforcement to our community.

Reserves- Along with our current reserves we are in the process of bring several more on. These are volunteers that bring a great service to our community. We will continue to bring each of our new hires to meetings and community settings to introduce them so their faces will become well known.

CSO- Our community service officers continue to put in hours to bring us services we did not have before. Their involvement in everyday services has helped us bring a more substantial effect service to our community. Some of the many services they provide are code enforcement, cold cases, office management, evidence management, PAL, and many more. They are a great asset for our community that do a lot for very little. When you speak with them thank them for their service and show your appreciation. We are extremely fortunate to have them and couldn't do many things without them.

Patrol Hours- In the month of November the Town of Fort Jones received the equivalent to more than 600 hours of police services. These services come in many forms besides the regular patrol hours from officers. We have our investigator detective, reserves, and CSO's putting in hours to make sure the town receives the services it deserves. We are continuing to maintain a high level of presents in the hopes people feel safe and we maintain a sense of normalcy. With the execution of search warrants we also bring in additional personnel from our partnership with NSMIT. Having this ability and partnership has brought us the capability to perform more extensive crime investigations, expertise, and personnel at no additional cost.

Again, thank you to everyone for their support and don't hesitate to reach out if you have any questions or concerns. Remember we have a ride along program and would love for each of the council members to come in for a couple shifts to be acquainted with our officers as well as see what we face on a daily basis.

Some other exiting news made it our way recently and that was being awarded the National Department of Justice Cops Hiring grant. Kelly and I applied for this grant some time ago and it was very exciting to receive this news. This particular grant awarded us approximately \$263,000 and will be used for adding another police officer to our community. The grant pays 100% of the officers pay including benefits and equipment for three years. This is an amazing opportunity for our communities, and I will keep the board up to date on it's implementation. The other main purpose of this grant is to emphasize or help expand our already successful community policing strategy and program. Only a few of these grants were awarded to police departments throughout the county and we can't wait to see the benefits it will bring to our small community.



Fort Jones Fire Department

Chief Joseph Hess
Po Box 597
31 Newton Street
Fort Jones CA, 96032
Station Phone (530)468-2261
E-Mail- ftjfire@sisqtel.net

To City Council,

The Fire Department responded to 27 calls for service in the month of November. Members participated in 12 hours of scheduled training and numerous hours of online training. The Fire department has responded to 408 calls year to date.

November 2021 Calls

Call Type	City Limits	Out of City
MEDICAL AID	13	4
PUBLIC ASST.	1	1
VEG. FIRE	0	0
STU. FIRE	0	2
TRAFFIC ACCIDENT	0	3
FIRE ALARM	0	1
POWER POLE FIRE	0	1
VEHICLE FIRE	0	1
FLU FIRE	0	0
DEBRIS FIRE	0	0
Total	14	13

As of the writing of this report our new engine (1310) is still in Medford at the shop. They are still waiting on a few parts to arrive that are delayed due to supply chain issues. Mechanically they said everything looked great when they did all the annual maintenance. We hope to have it back and in service this month sometime.

Nothing else major to report for November.

Public Works Report

The month of November the Public Works Department have been chlorinating the towns well. We have been cleaning up all of the Towns Gutters and getting rid of all of the weeds that grow in the cracks of the sidewalks. The Public Works Department has been reading the meters and taking out the trash. We fixed a leaking water meter on High Street. Everett has been going to school for his wastewater operator certificate. We trimmed trees around Oakmill, Marbleview, and Butte Street. We dug up Don Kincannon's water leak to see what we need to do to fix it. We installed some reflective signs at the corner of Mathews and Hwy 3. We had a couple of sewer backups which resulted in 0 gallons of wastewater spilled. We are working on getting a leaky valve replaced on Butte Street.

Reports



KD Management Services LLC
 517 W Jessie St
 Mt Shasta CA 96067

Date
11/6/2021



Bill To
Town of Ft. Jones 11960 East St Fort Jones, CA 96032

Date	Description	Hours	Balance
	Work on Agenda packets, financials, review and respond to emails from the Butchery, contact Cal Trans re sidewalk project completions, confer with Jose from E&S attend SCEDC Board meeting and Annual meeting	9	0.00
	In Ft Jones, meet with Kevin and Everett re water leak on Hwy 3, contact FPPC re form 700 and letters going out, contact Jose with E&S re sidewalk project close out and filing final forms, research options for refinancing USDA Loan for water company, contact Five Star Bank, work with Gurleen from state and Jim cook on Sewer project amendment, meet with Brian Hefernan re butchery wash water and possible slaughterhouse water, contact Anders and SWRCB re Butchery, submit documents for County Opioid suit, review new software for utility billing, contact USDA re updated numbers on loan, confer with Basic Labs re recent Coliform tests, Contact Yreka PW for assistance with chlorinating tanks, review and revise minutes for October meetings, Work on Agenda Packet and new agenda items, review and submit for agenda Council Member Banks' approve City Administrator job posting and hiring, review and post Public Works Report and police report for council packet, work with Rachel re RFP for Planner, file Notice of completion on sidewalk project with Cal Trans, confer with Craig Bunas and Roy Hathaway re Coliform test and chlorination,	7	0.00
	Contact DOT re close out and billing, review Etna request to share Prop 68 funds, review and approve payables, work on agenda packet, financials and staff reports.	6	0.00
	Confer with Craig Bunas with Regional Board re testing, review water system map and confer with Craig, review Land and Water Conservation Fund grant guidelines, confer with Heffernan re meat wrapping and added load on system, research and order Fire Code books, confer with Roy Hathaway re chlorination, work on packets	9	0.00
	Total Hrs 39.5 hrs	8.5	0.00
		Total	\$0.00



KD Management Services LLC

517 W Jessie St
Mt Shasta CA 96067

Reports

Date
11/13/2021

PAID

Bill To
Town of Ft. Jones 11960 East St Fort Jones, CA 96032

Date	Description	Hours	Balance
	Prepare for Council meeting, work on and submit Evaluation for Office Manager, work with Intuit re updating the contacts and getting Celeste hookup as lead on QB, meet with Andrew Soltenberg with State and Julie Martinez with CRWA re Water Meter Construction grant and Water Improvement Project planning grant, attend Council meeting	12	0.00
	Request from LTC to replace the Dale and Mittan Project with another road project, review Cal Cities Federal Infrastructure report,	3	0.00
	LWCF Webinar	2	0.00
	Review and approve time sheets, review ladder testing report, review new billing software, follow up on another frivolous PRA request by Daniel Webster, review and approve postal meter plans, review and ask Celeste to respond to Municipalities PRA request,	4	0.00
	Confer with Kevin re Scout Hall, work on Local Streets and Roads report, review new lab re-tests, show presence of Coliform again, confer with Roy and Craig re chlorination plan, contact Jeff Swein re STIP and RTIP projects for Ft Jones,	8.5	0.00
	Contact Jason Ledbetter re Solid Waste JPA, beverage container grant, thank you letter to Aldrich,	4	0.00
	Total Hours 33.5		
		Total	\$0.00



KD Management Services LLC

517 W Jessie St
Mt Shasta CA 96067

Reports

Date
11/20/2021

Bill To
Town of Ft. Jones 11960 East St Fort Jones, CA 96032

PAID

Date	Description	Hours	Balance
	review payables, confer with Jeff Schwein re roads projects, confer with Everett and Steve Buelkleman re quarterly flows and reports, research and purchase cones for new truck and other parts and supplies for Fire Dept,	7	0.00
	Work on Workshop, prepare for Prop 218 hearing, contact Glen Shockency with County re ADUs, review and revise Postal Meter agreement, meet with Molly re CDBG projects and job sharing,	5	0.00
	research flow meters by Hach, work and submit final close out Invoice to DOT for sidewalk project, review and respond to SWRCB re violation of missing 3 months reporting. confer with Morgan Eastlick re construction project,	9.5	0.00
	Review water meter project, research water meter setters w/backflow device, ROCE 3 Workshop	5	0.00
	review and revise Postal Meter agreement, again, confer with Tara Shuttleworth re future workshop meetings, contact Aaron Reimler re updated business email list. work with Rachel re new sewer rate conversions, contact DOT re updated street repair projects for RTIP and STIP.	8	0.00
	Total Hours 34.5		
		Total	\$0.00



KD Management Services LLC

517 W Jessie St
Mt Shasta CA 96067

Reports

Date
11/27/2021

PAID

Bill To
Town of Ft. Jones 11960 East St Fort Jones, CA 96032

Date	Description	Hours	Balance
	Work with Jose Hernandez with E&S Engineers and Sofia Lapore with DOT re final road project for RTIP list, review final postal meter agreement, review inspection report for water system, review RFP responses and discuss,	7.5	0.00
	Review Employee Handbook and confer with Celeste re possible changes, review zoning and ordinances re RV's on High St., review Council mtg minutes, review and approve Quarterly WW monitoring report, review and approve payables with revisions,	4.5	0.00
	Review and approve time sheets, review ideas for newsletter and work on grant reports, contact Jim Cook and Gurleen re sewer project, review computer system upgrades, contact Julia Martinez re files in dropbox for Construction grant. review updated lab report for water system and call Craig re chlorination. end chlorination of system., Total Hours 17 Hours	5	0.00
		Total	\$0.00

CONSENT CALENDAR

Fort Jones City Council
Regular Meeting
November 8, 2021

CERTIFICATION OF POSTING AGENDA

I, Celeste McFall, City Clerk for the Town of Fort Jones, hereby certify that the agenda for the November 8, 2021 meeting of the City Council was posted in City Hall, near the door of the City Council Chambers, Ray's Food Place, Scott Valley Family Resource Center, Outside Frontier Hardware and on the City's website www.fortjonesca.org on November 5, 2021.

I declare under the penalty of perjury that the foregoing is true and correct.

Celeste McFall, City Clerk

The regular meeting of the Fort Jones City Council was called to order in person and via Zoom by Mayor Michelle DeCausmaker at 7:04 p.m. In addition to Mayor DeCausmaker council members present were Kathy Banks, Mercedes Garcia, and Bill Beckwith. Councilmember Sherfy was absent.

Also present: City Clerk Celeste McFall. City Administrator Karl Drexel was present via Zoom.

Mayor Michelle DeCausmaker led the flag salute.

Public Comment: None

First Five Siskiyou Reading Across Siskiyou Proclamation:

No one from First Five Siskiyou was present, so Mayor DeCausmaker read the proclamation and signed it. Celeste McFall will forward to First Five Siskiyou.

Discussion/Reports: Non-Action Items:

A) Police Department Monthly Report

Police Chief Josh Short provided a full report for the month of October in the council packet.

B) Fire Department Monthly Report

Fire Chief Joseph Hess provided a report and stats for the month of October in the council packet.

C) Code Enforcement Report

Code Enforcement Officer Kelly York was not present. A full report for the month of October was provided in the council packet.

D) Public Works Monthly Report

Everett Hullquist provided a report in the council packet for the month of October and was present. He also announced that he passed his Drinking Water certification program.

E) City Administrators Report

City Administrator Karl Drexel provided a report for the month of October in the council packet.

Consent Calendar: Mercedes Garcia motioned to approve the Consent Calendar, Bill Beckwith seconded the motion; motion passed unanimously.

Discussion/Reports: Action Items:

2. Youth Services Program Presentation for pooling PLHA funds between cities in Siskiyou County

Youth Empowerment Siskiyou (YES) Executive Direction Sarah Springfield spoke before the council with a proposal to join other cities in Siskiyou County to pool the Housing and Community Development's Permanent Local Housing Allocation (PLHA) to fund an emergency youth shelter. She detailed how the funds will be used to support the emergency youth shelter currently housed in the YES offices. She noted that the City of Montague had already committed their PLHA funds for the project and that she will be speaking before all the local cities within Siskiyou County.

Mercedes Garcia motioned to approve the move forward with supporting the YES program by allocating the Town of Fort Jones PLHA funds for their emergency youth shelter, Bill Beckwith seconded the motion; motion passed unanimously. A Resolution will be drafted and on the December FJCC agenda for final approval.

3. Request for part of Fort Jones Prop. 68 Per Capita funds for Etna pool improvements

Etna Mayor Jaime Tarne made a presentation to the Council requesting a portion of the Town of Fort Jones' Prop. 68 (Park and Recreation project) funds to make improvements to the Etna pool. These improvements, including solar panels, more shade structures and a pool cover and cover system, will increase the utility efficiency of the pool, and extend the seasonal usage of the pool.

Bill Beckwith made a motion to approve \$20,000.00 of the Town of Fort Jones Prop. 68 funds to be given to the City of Etna for the pool improvement project. Mercedes Garcia seconded the motion. The motion passed unanimously.

4. Appoint a Delegate to the Siskiyou County Waste Management JPA to represent the City in meetings and votes.

Mercedes Garcia made a motion to appoint Kathye Banks the Town of Fort Jones delegate to the Siskiyou County Waste Management JPA, Bill Beckwith seconded the motion. The motion passed unanimously.

5. Discuss and Approve Posting and Hiring Process of Town Administrator Position

Bill Beckwith called for a vote on the agenda item number 5: Discuss and Approve Posting and Hiring Process of Town Administrator position. Mayor DeCausmaker called for the vote:

Ayes: Mercedes Garcia

Kathye Banks

Nays: Bill Beckwith

Michelle Decausmaker

Motion fails.

6. Discuss and Develop rental fees for Ball Parks with organized programs

Item is tabled until after Kathye Banks meets with representatives from the Little League administration for their input.

7. Council Code of Conduct for Discussion and possible action

Mercedes Garcia made a motion to accept the Code of Conduct Policies drafted by the Town of Fort Jones' attorney with Appendix A removed, Kathye Banks seconded the motion.

Ayes: Mercedes Garcia, Kathye Banks, Michelle DeCausmaker

Nays: Bill Beckwith

Motion passes.

8. Reminder November 18, 2021, Local Economic Development Workshop for the Community forum 12 Noon to 5:00 PM

STAFF COMMENTS:

COUNCIL MEMBER COMMENTS:

Meeting adjourned 8:40 p.m.

Attest:

Celeste McFall, City Clerk

Approved:

Mayor Michelle DeCausmaker

November Disbursements
November 2021

Type	Date	Num	Name	Memo	Amount
Bill Pmt -Check	11/02/2021	24751	AAA Insurance CSAA Exchange	Policy CAH3207597582-Virginia Gomez	-1,169.15
Bill Pmt -Check	11/02/2021	24752	KD Management Services LLC	City Admin Services October 2021	-8,855.00
Bill Pmt -Check	11/02/2021	24753	Siskiyou County Tax Collector	Virginia Gomez CDBG Tax payment 2021-202	-880.92
Bill Pmt -Check	11/02/2021	24754	State Water Resources Control Board	Water Distribution Operator Examination-Ever	-70.00
Bill Pmt -Check	11/08/2021	24755	A-Plumber	Repair leak on copper pipe at restroom on Walk	-80.00
Bill Pmt -Check	11/08/2021	24756	Basic Laboratory	Invoice 2109721, 2110032, 2110750	-633.20
Bill Pmt -Check	11/08/2021	24757	Cross Petroleum	CL13750, CL14142	-1,130.54
Bill Pmt -Check	11/08/2021	24758	DMV	DMV fees to title Engine 1310	-5,003.00
Bill Pmt -Check	11/08/2021	24759	Ebbetts Pass Fire District	Instructor 2 class	-325.00
Bill Pmt -Check	11/08/2021	24760	Everett Hulquist *	State Water Exam Trip expenses	-219.80
Bill Pmt -Check	11/08/2021	24761	Fort Jones Hardware	October billing	-167.10
Bill Pmt -Check	11/08/2021	24762	Life Assist	1144804	-169.99
Bill Pmt -Check	11/08/2021	24763	Pacific Power	October billing	-3,817.18
Bill Pmt -Check	11/08/2021	24764	Scott Valley Auto Parts	Invoice 343676	-55.92
Bill Pmt -Check	11/08/2021	24765	Scott Valley Disposal	October billing Acct. 350	-372.50
Bill Pmt -Check	11/08/2021	24766	Scott Valley Rotary Club	Table Cloth rental for LOLA dinner	-25.00
Bill Pmt -Check	11/08/2021	24767	Siskiyou County Economic Council	Invoice - November MOU	-416.67
Bill Pmt -Check	11/08/2021	24768	Siskiyou County Tax Collector		-512.10
Bill Pmt -Check	11/08/2021	24769	Siskiyou Daily News	Annual newspaper subscription renewal	-55.00
Bill Pmt -Check	11/08/2021	24770	Siskiyou Telephone	July billing	-806.97
Bill Pmt -Check	11/08/2021	24771	Us Bank Corporate Payment Systems	statement date 8.115.2021	-992.97
Bill Pmt -Check	11/08/2021	24772	US Bank Equipment Finance	Invoice number 456445428	-206.45
Bill Pmt -Check	11/08/2021	24773	Valley Tire		-393.92
Bill Pmt -Check	11/08/2021	24774	Celeste McFall	LOLA Dinner and State Notary Exam	-163.62
Bill Pmt -Check	11/08/2021	24775	Employment Development Department	Account ID 698-1449-9 period ending March 2	-4,280.63
Bill Pmt -Check	11/08/2021	24776	Fort Jones Lumber	October Invoices 231805	-80.68
Bill Pmt -Check	11/12/2021	24786	Molly Aston	Medical Insurance	-1,206.40
Bill Pmt -Check	11/23/2021	24788	County of Siskiyou	Water Grant Project	-50.00
Bill Pmt -Check	11/29/2021	24797	ESO Solutions Inc.	Emergency Reporting for Fire Department	-1,445.00
Bill Pmt -Check	11/29/2021	24798	Siskiyou County Sheriff's Office	Livescan for Notary Public	-72.00
					<u>-50,430.56</u>
					<u>-50,430.56</u>

Town of Fort Jones December Payables

Vendor Name	Account	Amount
A-Plumber	02-810025 - GF	-210.00
Basic Laboratory (Pace Analytical)	02-810025 - GF	-583.60
California Dept. of Tax & Fee Admin.	02-810025 - GF	-356.03
City of Etna	02-810025 - GF	-41,826.50
City of Medford	02-810025 - GF	-3,695.12
Cross Petroleum	02-810025 - GF	-640.00
Curtis Tools for Heroes	02-810025 - GF	-750.74
Fail Safe Testing	02-810025 - GF	-723.90
Fort Jones Hardware	02-810025 - GF	-198.44
Fort Jones Lumber Yard	02-810025 - GF	-249.79
Joseph Hess	02-810025 - GF	-131.75
Golden State Risk Management Authority	02-810025 - GF	-4,128.00
KD Management Services LLC	02-810025 - GF	-8,715.00
Kenny's Lock Shop	02-810025 - GF	-126.61
Marble Mountain Machinery	02-810025 - GF	-150.00
Mean Gene's Gas	02-810025 - GF	-106.59
Pacific Power	02-810025 - GF	-3,505.43
Prentice Long	02-810025 - GF	-3,792.50
Quad B	02-810025 - GF	-1,616.00
SCEDC	02-810025 - GF	-416.67
Dawn Schott	02-810025 - GF	-22.39
Scott Valley Auto Parts	02-810025 - GF	-204.57
Scott Valley Disposal	02-810025 - GF	-323.00
Siskiyou Telephone	02-810025 - GF	-803.17
Suburban Propane	02-810025 - GF	-930.00
U.S.Bank Equipment Finance	02-810025 - GF	-206.44
U.S. Bank Corporate Payment Systems	02-810025 - GF	-1,978.86
Valley Auto Repair	02-810025 - GF	-992.95
Valley Tire & Tackle Inc.	02-810025 - GF	-4,455.84
	02-810025 - GF	

-35,168.64

Profit Loss
YTD November 30, 2021

Jul - Nov 21

Income

II - General Government Income

4099 - Property Taxes

4100 - Secured Current	3,677.57
4101 - Unsecured Current	3,993.15
4102 - Unsecured Delinquent	14.56
4106- Supp Int	3.36
4108- Supp Del	25.85
4512 - Off Highway Vehicle Tax	1,115.49
4514- Unsec Interest	4.33
4516- Sup Current	<u>331.77</u>

Total 4099 - Property Taxes 9,166.08

4111 - Sales Tax 155,470.59

4215 - Parks Grants 5,000.00

4218 - Business License 5,737.12

4301- Fees Booking 1.38

4302- Fees Collection Cost -20.11

4303 - Vehicle Fees 85.93

4304-Fees Other 957.39

4400 - Rent 2,775.00

II - General Government Income - Other 57,993.00

Total II - General Government Income 237,166.38

2I - Public Safety Income

2a - Law Enforcement

4111- Growth Alloc	1,571.20
4112 - COPS Allocation	83,898.19
4116 - Prop172	354.97

Animal Control

4230 - Dog Licenses 15.00

Total Animal Control 15.00

Total 2a - Law Enforcement 85,839.36

2b - Fire Protection

4740 - Fire Dept. 900.00

4750 - Strike Team Income 182,693.38

Total 2b - Fire Protection 183,593.38

2I - Public Safety Income - Other 150.00

Total 2I - Public Safety Income 269,582.74

3I - Public Works Income

3a - Streets Income

4499 - Gas Tax 2103 2,358.95

4500 - Gas Tax 2106 2,711.82

4501 - Gas Tax 2107 1,317.45

4502 - Gas Tax 2107.5 1,000.00

4503 - Gas Tax 2105 1,423.43

4540 - Tax Allocation - Roads 11,061.01

SB1 1,283.07

Total 3a - Streets Income 21,155.73

3b - Sewer Income

Profit Loss
YTD November 30, 2021

4212 - Sewer Revenue	20,648.29
3b - Sewer Income - Other	255.00
Total 3b - Sewer Income	20,903.29
3c - Water Income	
4810 - Water Revenue	54,493.94
4815 - Tax Allocation - Water	4,775.68
Total 3c - Water Income	59,269.62
Total 3I - Public Works Income	101,328.64
4900 - CBDG Interest	
89-92LF Interest	19.29
4900 - CBDG Interest - Other	112.66
Total 4900 - CBDG Interest	131.95
4902 - CBDG Reimbursement	25,841.43
4903 - Library Reimbursement	5,579.71
4905- Siskiyou Tel Reimbursment	10,483.90
4911 Coronavirus Relief Fund	82,771.00
6000 - BPF	
6001 - Donations	175.00
6004 - Ball Park Rent	50.00
Total 6000 - BPF	225.00
Total Income	733,110.75
Gross Profit	733,110.75
Expense	
1E- General Government Expense	
2285 - IT Services	5,862.54
5100- Council/Election	234.85
5110- Mayor Payroll	1,080.00
5210- Clerk Payroll	600.00
5220- Supp\USPO\Petty	2,774.71
5400 - Professional Fees	
5401 - Legal Fees	15,010.00
5402 - Accounting Fees	2,082.97
5403 - Consulting Fees	37,451.00
5405 - Reimbursed Expenses	400.00
5400 - Professional Fees - Other	300.00
Total 5400 - Professional Fees	55,243.97
5500- Planning	
5501 - Economic Development	3,583.35
Total 5500- Planning	3,583.35
5550- Library Payroll	3,205.00
5555 - Admin Payroll	24,813.56
5600- Misc.	260.62
5700- Publication	227.50
5705 - Dues and Subscriptions	55.00
6205- Health Insurance	3,945.07
6300- Insurance	
6204- Workers Compensation	4,816.04
6303- Liability Insurance	1,828.44
6304 -Property Insurance	958.48
6305 - Crime Incurance	66.50

Profit Loss
YTD November 30, 2021

6308- Pollution	0.00
6310 -Finance Charge	0.00
Total 6300- Insurance	7,669.46
6400- Property Tax	1,600.36
9150-City Hall Expenses	
1-012 - City Hall Power	1,755.22
133000- City Hall water	26.12
9151- City Hall Maintenance	1,730.64
9154 - Disposal 2 yd Bin	1,445.50
9155 - Equipment Finance	1,479.99
Janitorial Payroll	247.50
9150-City Hall Expenses - Other	370.67
Total 9150-City Hall Expenses	7,055.64
9152- Propane	1,178.37
1E- General Government Expense - Other	5,682.57
Total 1E- General Government Expense	125,072.57
2E- Public Safety Expense	
2EA- Law Enforcement Expense	
7125 - Law Enforcement Services	74,528.00
7135- Police Maintenance	4,000.00
7145- Dispatch	5,125.00
7181 - Law Enforcement Phones	1,555.90
Animal Control	
7930- Animal Control	362.37
Total Animal Control	362.37
Total 2EA- Law Enforcement Expense	85,571.27
2EB- Fire Department Expense	
6310- Property Insurance	701.32
7505 - Liability Insurance	0.00
7506 - Work Comp Insurance	123.01
7507 - Auto Insurance	7,780.80
7510- Fire Dept Payroll	20,474.20
7513 - Calls & Meetings	5,089.50
7520- Fire Dept Supl & Mtnce	9,529.10
7525- Pub Safety Fuel & Oil	4,801.03
7540- Fire Dept. Utilities	
1-001- Fire Dept. Power Bill	1,173.15
2261- Fire Dept. Phone	805.34
7541- Propane	738.01
Total 7540- Fire Dept. Utilities	2,716.50
2EB- Fire Department Expense - Other	1,284.50
Total 2EB- Fire Department Expense	52,499.96
2EC - Strike Team Expenses	
6311 - Property Insurance	93.52
7502 - Auto Insurance	2,777.80
7505b - Liability Insurance	2,742.66
7506b - Workers Comp Ins	4,899.06
7514 Fleet Maintenance - Strike	23,781.88
7515 - Strike Team Payroll	168,198.06
Total 2EC - Strike Team Expenses	202,492.98

Profit Loss
YTD November 30, 2021

2ED SAFER Grant	
7529 - SAFER Grant Payroll	6,154.24
7529.5 - Workers Comp	1,633.02
7529.6 - Safer Liability Ins	914.22
7530 - Uniforms and Safety Gear	22,114.50
7531 - Media Marketing	1,384.40
7532 - FF Training	906.50
Total 2ED SAFER Grant	<u>33,106.88</u>
2E- Public Safety Expense - Other	52.56
Total 2E- Public Safety Expense	<u>373,723.65</u>
3E- Public Works Expense	
3EA- Streets	
1-000 - Street Lights	
02 HPSV Lights	230.16
02 HPSV Metal Lights	109.02
10 HPSV Wood Lights	1,496.10
11 HPSV Lights	599.55
72 HPSV Lights	4,905.75
Total 1-000 - Street Lights	<u>7,340.58</u>
6306- Property Insurance	187.02
8120- Street Mtnc/Utilities	
1-005 - Barn Power	329.71
1-007 - Phone Bill	768.07
8121- Street Maintenance	
8126- LTC	71.66
8121- Street Maintenance - Other	36.89
Total 8121- Street Maintenance	<u>108.55</u>
Total 8120- Street Mtnc/Utilities	<u>1,206.33</u>
8130- Equipment Maintenance	
8131- Fuel & Oil	349.16
8132- Repairs	1,142.95
8133- Parts & Supplies	213.03
Total 8130- Equipment Maintenance	<u>1,705.14</u>
8136 -Auto Insurance	326.80
8137- Mobile Equip	0.00
8199- Road Payroll	1,807.50
8509 - Liability Insurance	380.92
8511 - Work Comp Insurance	680.42
Total 3EA- Streets	<u>13,634.71</u>
3E- Public Works Expense - Other	3.00
Total 3E- Public Works Expense	<u>13,637.71</u>
3EB- Sewer Expense	
6308-Property Insurance	327.28
8510- Sewer Payroll	755.00
8520- Sewer Expenses	
1-015 - Sewer Power bill	90.60
1-019 bbp sewer	76.44
8527 Fuel-Oil	129.68
8553- Auro Insurance	326.80
Total 8520- Sewer Expenses	<u>623.52</u>

Profit Loss
YTD November 30, 2021

8522 - Waste Water Monitoring	0.00
8530- Sewer Supplies	915.74
8549- Mobile Equip.	43.80
8550 - Liability Insurance	380.92
8551 - Work Comp Insurance	680.42
8552 - Training	4,373.00
Sewer Testing	<u>2,904.22</u>
Total 3EB- Sewer Expense	11,003.90
3EC- Water Expense	
6307-Property Insurance	1,323.16
8609- Water Training	289.80
8610- Water Parts & Supplies	22.56
8612- Water Office & Postage	2,106.00
8615- Water Payroll	4,002.50
8620- Water Repairs & Mtnc	3.51
8623- Mobile Equip.	0.00
8624 - Auto Insurance	326.80
8625- Water Liability Ins	380.92
8626 - Work Comp	680.42
8627 - Fuel-Oil	379.08
8630- Water Fees & Testing	1,845.80
8640- Water Utilities	
1-000 - Water Power	
New Pump	7,738.73
Old pump	<u>296.67</u>
Total 1-000 - Water Power	8,035.40
1-001 - Water Phones	
468-2598	1,179.23
468-5864	494.87
530-917-6004	<u>0.00</u>
Total 1-001 - Water Phones	<u>1,674.10</u>
Total 8640- Water Utilities	9,709.50
8650- Water Eng./Legal	731.25
3EC- Water Expense - Other	<u>2,960.00</u>
Total 3EC- Water Expense	24,761.30
4E- Parks & Recreation Expense	
03 Parks & Recreation Grants	
2000 PerCapita	
Fencing	43.79
Restroom2	<u>262.50</u>
Total 2000 PerCapita	306.29
2002 PerCapita	
City Playground	<u>50.00</u>
Total 2002 PerCapita	50.00
9830 - Walker Field Grant	
Restroom	<u>80.00</u>
Total 9830 - Walker Field Grant	<u>80.00</u>
Total 03 Parks & Recreation Grants	436.29
6305- Property Ins Parks	
9104- Mobile Equip.	297.50

Profit Loss
YTD November 30, 2021

6305- Property Ins Parks - Other	1,084.72
Total 6305- Property Ins Parks	1,382.22
9105- Auto Insurance	0.00
9106 - Work Comp Parks	1,769.10
9107 - Liability Ins Parks	990.44
9109- Parks Payroll	1,818.50
9110 - Park Expense	1,609.30
9130- Ball Park Expenses	
1-002 - LLP Snack	188.96
1-013 - BBP lights	1,566.28
1-014 - LLP lights	105.43
1-017 - BBP pump	85.83
9131- Maintenance & Supplies	2,504.52
Total 9130- Ball Park Expenses	4,451.02
9140- Scout Hall Expenses	
1-006 - Scout Hall Power	99.14
Total 9140- Scout Hall Expenses	99.14
9160- Museum Expenses	
1-004 - Museum Electricity	403.52
1-XXX - Museum Monitor Fuel	268.98
5568- Museum Phone	770.71
Total 9160- Museum Expenses	1,443.21
4E- Parks & Recreation Expense - Other	3,196.53
Total 4E- Parks & Recreation Expense	17,195.75
6500- Payroll Expenses	
6503- Retirement Company	304.04
Total 6500- Payroll Expenses	304.04
6504- Payroll Taxes	
6506- FICA	15,755.51
6508- Medicare	3,684.76
6512- SUI	4,317.15
6516 - ETT	0.00
6504- Payroll Taxes - Other	352.87
Total 6504- Payroll Taxes	24,110.29
6600- Medical Insurance	
6603- Medical Ins Reimb	2,327.68
Total 6600- Medical Insurance	2,327.68
9700- CBDG Const Housing	
Gen Adm & Program Delivery	7,684.80
Housing Loans	
Gomez	2,050.07
Total Housing Loans	2,050.07
Total 9700- CBDG Const Housing	9,734.87
Payroll Expenses	14,312.13
Total Expense	616,183.89
Net Income	116,926.86

PUBLIC HEARING

ORDINANCES & RESOLUTIONS



ORDINANCE NO. 2021-6

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FORT JONES
CREATING PUBLIC NUISANCE ORDINANCE**

The Town Council of the Town of Fort Jones does ordain as follows:

Section 1: The Town hereby amends its code by adding the following as sections, attached hereto as Exhibit A:

Chapter 8.24 Public Nuisance

INTRODUCED at a regular meeting of the Town Council of the Town of Fort Jones, California, on the 13th day of December 2021, and adopted at a regular meeting of the Town Council of the Town of Fort Jones, California, on the ____ day of ____, 2021.

APPROVED: _____
Michelle DeCausmaker, Mayor

ATTEST: _____
Celeste McFall, City Clerk

The foregoing Ordinance No. 2021-4 was adopted at a regular meeting of the Town Council of the Town of Fort Jones, held on the ____ day of ____, 2021 by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Celeste McFall, City Clerk

APPROVED AS TO FORM and LEGAL CONTENT: _____
Margaret Long, City Attorney

Exhibit A

Chapter 8.24

PUBLIC NUISANCE

Sections:

<u>8.24.010</u>	<u>Intent and purpose</u>
<u>8.24.020</u>	<u>Definitions</u>
<u>8.24.030</u>	<u>General provisions</u>
<u>8.24.040</u>	<u>Enforcement authority</u>
<u>8.24.050</u>	<u>Inspections</u>
<u>8.24.060</u>	<u>Acts constituting nuisance</u>
<u>8.24.070</u>	<u>Public nuisance defined</u>
<u>8.24.080</u>	<u>Notice of public nuisance and order to abate – procedures</u>
<u>8.24.090</u>	<u>Summary abatement - procedures</u>
<u>8.24.100</u>	<u>Failure to abate nuisance - penalties</u>
<u>8.24.110</u>	<u>Failure to abate nuisance - Notice to show cause</u>
<u>8.24.120</u>	<u>Council hearing - abatement</u>
<u>8.24.130</u>	<u>Right to abate</u>
<u>8.24.140</u>	<u>Abatement costs - procedures</u>
<u>8.24.150</u>	<u>Abatement cost report – appeals process</u>
<u>8.24.160</u>	<u>Abatement cost report – appeals hearing process</u>
<u>8.24.170</u>	<u>Abatement cost report – collection of costs</u>
<u>8.24.180</u>	<u>Other remedies</u>

8.24.010 Intent and Purpose

A. The purpose of this chapter is to provide a just, equitable and practicable method for preventing, discouraging and/or abating certain conditions which endanger the life, limb, health, property, safety or welfare of the general public and to provide town staff with enforcement regulations that can be effectively applied and administered in a fair, expedient, and cost-efficient manner. The town may direct a property owner to remove a nuisance on the property and, if the owner fails to do so, remove the nuisance at the owner's expense.

B. The procedure set forth in this chapter for the abatement of a nuisance and the making of the cost of abatement a special assessment against that parcel is adopted under Government Code Section 38773.5. The procedure set forth in this chapter for abatement applies to any nuisance which the town declares is a nuisance either under this code or by another ordinance which the town may adopt.

C. The procedure set forth in this chapter is not exclusive and is in addition to the procedure for abatement which is conferred upon the town by Civil Code Section 3494, Code of Civil Procedure Section 731, Government Code Section 38773, or other lawful authority.

8.24.020 Definitions

The following words and phrases when used in this chapter shall, for the purposes of this chapter, have the meanings ascribed to them in this section:

“Abandoned,” applied to a building, means a building that is unoccupied and is in such a state of neglect that a reasonable person would believe that the building has not been used for its intended, lawful purpose and/or has not been lawfully occupied for an extended period of time.

“Abandoned,” applied to real property, means real property that is vacant and undeveloped, and/or real property that has not been lawfully developed and/or improved and which is more than two years delinquent in payment of the assessed real property taxes owing upon such property.

“Abandoned,” applied to a vehicle, means the status of a vehicle or part thereof when the vehicle owner has ceased to assert or exercise any interest, right or title therein without intent to resume or reassert such interest, right or title.

“Abate” means to repair, replace, remove, destroy or otherwise remedy the condition in question by such means, manner and extent as to the code/law enforcement or authorized agent. in their judgment, shall determine what is necessary in the interest of the general health, safety and welfare of the community

“Abatement” means the removal of a certain condition or conditions which are detrimental to, or endanger the life, limb, health, property, safety or welfare of, the general public.

“Assessment” means the special assessment which may be assessed against a parcel of land as authorized by Section 38773.5 of the Government Code to recover the town’s cost of abatement of a public nuisance.

“Building official” means the individual designated by the county of Siskiyou as the person authorized to serve as the town’s building official for the purposes of administering various uniform codes, including, but not limited to, the building, administrative, plumbing, mechanical, electrical, abatement of dangerous buildings, sign and swimming pool, spa and hot tub codes.

"Camping" includes, but is not limited to the use of camping facilities, such as tents, tarpaulins, or other temporary shelters, cots, beds, sleeping bags, hammocks, and other equipment for the purpose of living outdoors, maintaining a campfire, and occupying the property in such fashion for more than six (6) hours.

"City" means the Town of Fort Jones.

"Town or City Attorney" means the duly appointed town attorney of the Town of Fort Jones, or his or

her assistant or deputy.

"Town or City Clerk" means the duly elected or appointed town clerk of the Town of Fort Jones, or his or her assistant or deputy.

"Town or City Council" means the town council of the Town of Fort Jones.

"Code" means the Fort Jones Municipal Code.

"Day" means a calendar day, but if the time to perform an act expires on a day on which the town offices are closed, the act, if performed the next day on which such offices are open, shall be deemed timely.

"Graffiti" means, but not limited to, any authored inscription, word, figure, mark, or design that is written, marked, etched, scratched, drawn, or painted on any real or personal property; representations of any gang-type group; projected threats; insults to any race, creed or religion; or expressions of profanity.

"Municipal Code" means the Fort Jones Municipal Code.

"Notice and order" means a formal notice informing a party about the existence of a certain condition or situation which constitutes an infraction or misdemeanor violation of the Etna Municipal Code, a public nuisance, or a violation of any applicable statute, rule, code or regulation.

"State" means the State of California.

"Waste Matter" shall include but not be limited to broken crockery, broken bottles, metal vessels, trimmings from lawns, trees and flower gardens, ashes, cardboard boxes, berry boxes, rags, paper, straw, mattresses, packing material, shavings, boxes, sawdust, brick, stones, piled dirt, wire, other combustible and non-combustible and flammable waste material.

8.24.30 General Provisions

A. Computation of time:

The time in which any act provided by this chapter is to be done is computed by including the first and the last day. If the last day for the performance of any act set forth in this chapter is a holiday, then the time in which to perform the act is extended to and includes the next day which is not a holiday. If the last day for the performance of any act provided by this chapter is Saturday or Sunday, then the time in which to perform the act is extended to and including the next Monday.

B. Recovery of costs pursuant to Code of Civil Procedure:

Nothing in this chapter is intended to prohibit or preclude the town from seeking and recovering any costs pursuant to Sections 1032 through 1033.5 of the Code of Civil Procedure.

C. Collection of debts by the town:

The amount of any fine or fee imposed by this chapter shall be deemed a civil debt owing to the town. An action may be commenced in the name of the town in any court of competent jurisdiction for the collection of the amount of any such delinquent or unpaid fine or fee, with any penalties applicable thereto as prescribed by this chapter or other enactment. The remedy prescribed by this section shall be cumulative, and the use of an action to collect such an amount as a debt by civil action shall not bar the use of any other remedy provided by this chapter or as otherwise provided by law.

D. Confidentiality in connection with service requests:

The town shall take all reasonable steps to ensure that the identity of any person making a service request to the town concerning a violation of the ordinance or other applicable laws shall remain confidential. However, no enforcement action shall be taken beyond issuance of a notice of violation unless: (A) the complaining witness agrees to be identified upon request of the responsible party, or (B) the code enforcement officer, chief of police and any other enforcement officer has developed sufficient evidence to take further action.

8.24.040 Enforcement authority

The code enforcement officer shall have concurrent enforcement authority with the chief of police regarding any violation of the Fort Jones Municipal Code resulting in a misdemeanor, an infraction or a public nuisance, unless otherwise provided by this chapter, the Fort Jones Municipal Code, applicable statutes, rules, codes and regulations, resolution of the city council, or written agreement by and between the code enforcement officer and the chief of police. Nothing in this chapter shall be construed or interpreted as providing the code enforcement officer with the authority to enforce any provision or any statute that is specifically required to be enforced solely by the city's local law enforcement agency under the authority of the chief of police.

8.24.050 Inspections

A. Inspections pertaining to storm water management and discharge:

To enforce the provisions of the Fort Jones Municipal Code and/or other applicable statutes, rules or regulations, a public works inspector or other authorized enforcement officer may inspect and/or manage any discharges to the storm water drainage system in the town.

B. Inspections pursuant to applicable statutes, rules, codes, regulations or inspection warrants:

Nothing in this chapter shall prohibit or preclude inspections conducted pursuant to any applicable statute, rule, code, regulation or inspection warrant for purposes of inspections related to the respective statute, rule, code, regulation or inspection or search warrant.

C. Refusal to permit inspection pursuant to court-issued inspection warrants:

Any occupant or tenant who refuses to permit an inspection pursuant to any court-issued inspection warrant may be subject to arrest for a misdemeanor by the code enforcement officer, police officer, or other authorized enforcement officer. Forcible execution of said inspection under such circumstance shall be permitted only if the warrant expressly grants permission for such forcible entry.

8.24.060 Acts constituting nuisance

Anything which is injurious to a person's health, is indecent, offends someone, is offensive to the senses, or is an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property or unlawfully obstructs the free passage or use, in the customary manner of any public park, street, alley way, highway, or other public easement is a nuisance.

8.24.070 Public nuisance defined

A public nuisance is one which affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal. The following are specifically declared to be nuisances and it is not intended by this enumeration to exclude the designation of other conditions as nuisances.

- A. Existence of rubbish, tin cans or waste matter of any type upon any sidewalk or alley within the town;
- B. Substantial accumulation of rubbish, tin cans or waste matter of any type, including manure of any kind, offensive to any of the senses on private property within the town;
- C. Automobile motors, transmissions and all other automotive parts or accessories stored anywhere other than within a fully enclosed space, carport, garage (public or private) or an approved automobile wrecking yard or approved repair facility;
- D. Any dead animal or fowl on private property within the town.
- E. Accumulation of wooden pallets, wastepaper, hay, grass, straw, weeds, litter, combustible or flammable waste material, waste petroleum products or rubbish of any kind upon any roof or any courtyard, vacant lot or open space; and all weeds, grass, vines, or other growth, when same endangers property or constitutes a fire hazard.

- F. All combustible rubbish, oily rags or waste material, when kept within a building or adjacent to a building, and not securely stored in metal or metal-lined receptacles equipped with tight-fitting covers or in rooms or vaults constructed of noncombustible materials;
- G. Combustible waste matter beneath trailers or at any other place within an auto and trailer camp.
- H. Abandoned, damaged, broken, discarded equipment, vehicles, machinery or household items such as furniture, stoves, refrigerators, freezers, cans or containers.
- I. Any device, decoration, design, fence, structure, clothesline or vegetation which is unsightly by reason of its condition or its inappropriate location;
- J. Maintaining property in such manner as to cause a hazard to the public by obscuring visibility of intersections.
- K. Any matter or substance from a private vault, cesspool, septic tank, water closet, privy, vault, urinal, pipe, sewer line or any sewage, effluent, slop water, polluted water or any other filthy water to flow or discharge upon the ground or upon any public sidewalk, street or other public place.
- L. Any repeated disruptive activities including, but not limited to, disturbances of the peace and quiet of the neighborhood which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area, public drunkenness, drinking in public, harassment of passersby, sale of stolen goods, public urination, theft, assaults, battery, acts of vandalism, excessive littering, illegal parking, loud noises, traffic violations, curfew violations, or police detentions and arrests.

M. Blighted Property

1. Any property on which there exists any one or more of the following conditions or activities is a blighted property for the purposes of this chapter.
 - a. A building or structure that is not being inhabited, occupied or unsecured when the public can gain unimpeded or undeterred entry without the consent of the owner. This subsection also includes any vacant building, or unit in a vacant building or structure, which is unoccupied, including, without limitation, buildings or structures of any nature intended for human habitation or occupation and includes manufactured housing or mobile homes.
 - i. A building or structure, or unit in a building or structure, is not deemed to be vacant for purposes of this chapter if construction or alteration of the building, structure or unit is in progress pursuant to a valid, unexpired building permit.
 - b. A partially constructed, reconstructed or demolished building or structure upon which work is abandoned.
 - c. Property which is in an unsecured state so as to potentially constitute an attraction to children, a harbor for vagrants, criminals or other unauthorized persons, or so as to enable persons to resort thereto for the purpose of committing a nuisance or unlawful act.
 - d. Exterior wall and/or roof coverings that have become deteriorated and do not provide adequate weather protection, resulting in termite infestation and/or dry rot.
 - e. Broken or missing windows or doors which constitute a hazardous condition or a

potential attraction to trespassers.

- f.** Building exteriors, walls, fences, and retaining walls which are broken, deteriorated, or substantially defaced to the extent that the disrepair visually impacts neighboring property or presents an endangerment to public safety; driveways or walkways which are broken, deteriorated, or substantially defaced to the extent that the disrepair presents an endangerment to the public safety. For purposes of this subsection, defacing includes, without limitation, writings, inscriptions, figures, scratches or other markings commonly referred to as "graffiti".
- g.** Building exteriors, walls, fences, or retaining walls on which any painted surface is peeling, disintegrating, or sloughing-off to the extent that the disrepair visually impacts neighboring property or presents an endangerment to public safety.
- h.** Overgrown, diseased, dead or decayed trees, weeds or other vegetation which;
 - i.** Constitutes a fire hazard or a condition considered dangerous to the public health, safety, and general welfare; or
 - ii.** Are likely to harbor rats, vermin and other nuisances; or
 - iii.** Detracts from the property values of the neighboring properties
- i.** Landscaping that is not installed or maintained in accordance with any applicable code or permit.
- j.** Solid waste, which by reason of its location and character either detrimentally impacts the surrounding neighborhood or community, or which is allowed or permitted to be transported by wind or otherwise onto or upon a public street, alley, or sidewalk. For purposes of this subsection, solid waste means any putrescible and non-putrescible solid and semi-solid waste material including without limitation garbage, rubbish, demolition and construction wastes, industrial wastes, reusable or recyclable material, bulky goods, and other discarded solid and semi-solid wastes.
- k.** Substantial accumulation of dirt, litter, or debris in vestibules or doorways of residential, commercial or industrial buildings.
- l.** Any swimming pool, pond or other body of water that is abandoned, unattended, unfiltered, or not otherwise maintained, resulting in the water becoming polluted water. For purposes of this subsection, "polluted water" means water which contains bacterial growth, including algae; remains of rubbish, refuse, debris, papers, and any other foreign matter or material or deleterious substance which, because of its nature or location, constitutes an unhealthy or unsafe conditions or water which is defined as "polluted water" or other similar term under state or federal law.
- m.** A swimming pool which is more than eighteen (18) inches deep (whether empty or filled with water) that is not secured by a fence (with a locked gate when the pool is unattended) of at least five (5) feet in height.
- n.** Land having a topography, geology, or configuration, that, as a result of grading operations or improvements to said land, causes erosion, subsidence, unstable soil conditions, or surface or subsurface drainage problems so as to pose a threat to or be injurious to adjacent properties.

- o.** Any condition or object maintained on private property that obscures the visibility to the public of public streets or public street intersections to such a degree as to constitute a hazard. Such conditions include without limitation vehicles, landscaping, fencing, and signs.
- p.** Conditions that due to their accessibility to the public may prove hazardous or dangerous including without limitation:
 - i.** Unused or broken equipment;
 - ii.** Abandoned wells, shafts, or basements;
 - iii.** Hazardous or unprotected pools, ponds, or excavations;
 - iv.** Structurally unsound fences, walls, or structures;
 - v.** Machinery that is inadequately secured or protected;
 - vi.** Lumber, trash, fences, solid waste, or debris that may prove a hazard for the public. For the purposes of this subsection, solid waste is defined as set forth in subsection **j** of this section;
 - vii.** Storing or keeping any chemicals, gasoline, motor oil, or other substances, in a quantity exceeding typical residential household usage, which may prove a hazard to the public.
- q.** Signs which have not been maintained or are in a state of disrepair for a period of more than thirty (30) days, including without limitation, broken signs, signs with missing parts, panels, letters or light bulbs, signs with exposed wiring, signs out of plumb, signs that are unsafe, dangerous to the public, or a hazard to traffic, defaced signs (for purposes of this subsection, defacing includes without limitation, unauthorized, unrelated or offensive writing, inscriptions, figures, scratches, or other markings commonly known as graffiti).
- r.** Any construction equipment, machinery, vehicles, or material except as follows:
 - i.** Such items may be temporarily kept within or upon the property for and during the time such equipment, machinery, or materials are required for the construction or installation of improvements or facilities on the property for which all required permits have been obtained and are valid.
 - ii.** Such items may be kept in the side yard or rear yard areas if such items are used for the maintenance of the property or facilities on the property and if such items are concealed by a fence, shrubbery, or other similar means.
- s.** Any commercial equipment, machinery, vehicles, or material not authorized by a valid city permit when such items constitute visual blight, reduce the aesthetic appearance of the neighborhood, or are detrimental to nearby property values. Commercial equipment, machinery, vehicles, or material not otherwise authorized by a valid city permit may be kept in the side yard or rear yard areas if such items are used for the maintenance of the property or facilities on the property and if such items are concealed by a fence, shrubbery, or other similar means.
- t.** Any refrigerator, washing machine, clothes dryer, sink, stove, heater, boiler, tank or other household equipment, machinery, furniture, appliance or appliances, or any parts

of any of the listed items, for a period of time in excess of seventy-two consecutive hours. For purposes of this subsection, an item is unlawfully kept or stored in any area for a period of time in excess of seventy-two (72) consecutive hours when either the item has not been removed from such area for an intervening period of time in excess of seventy-two (72) consecutive hours or the item has been parked, kept, or stored during the intervening period of time upon any public street. This subsection does not prohibit the following:

- i.** Machinery installed in the rear setback areas for household or recreational use.
 - ii.** Furniture designed and used for outdoor activities.
 - iii.** Any item stored or kept within and enclosed storage structure or unit. For the purpose of this subsection, a storage unit is a prefabricated enclosure which is not required to have a building permit and is not permanently affixed to the ground, but which is not on wheels or mobile.
- u.** Storing or keeping of packing boxes, lumber, dirt, solid waste, and other debris, except as allowed by this code for the purposes of construction, in any areas visible from public property or neighboring properties for a period of time in excess of seventy-two (72) consecutive hours. For purposes of this subsection, solid waste is defined as set forth in subsection **j** of this section. For purposes of this subsection, an item is unlawfully kept or stored in any area for a period of time in excess of seventy-two (72) consecutive hours when either the item has not been removed from such area for an intervening period of time in excess of seventy-two (72) consecutive hours, or the item has been kept or stored during the intervening period of time upon any public street.
- v.** Wrecking, dismantling, disassembling, manufacturing, fabricating, building, remodeling, assembling, repairing, painting, in any setback area, of any airplane, aircraft, motor vehicle, boat, trailer, machinery, equipment, appliance or appliances, furniture or other personal property.
 - i.** This subsection shall not prohibit an owner, lessee, tenant or occupant of the property from engaging in periodic activities incidental to the normal use of a motor vehicle, boat, trailer, or furniture owned by that owner, lessee, tenant or occupant of the property to the extent otherwise permitted by and in conformance with this Municipal Code. Any such activities shall be completed within a consecutive seventy-two (72) hour period.
- w.** The use of any trailer, camper, recreational vehicle or motor vehicle for living or sleeping quarters in any place within the town, outside of a lawfully operating mobile home park or recreational vehicle/travel park, is subject to the following:
 - i.** Nothing contained in this subsection shall be deemed to prohibit bona fide guests of a town resident from occupying a trailer, camper or recreational vehicle upon residential remises with the consent of the resident for a period not to exceed fourteen (14) consecutive days when; (a) the trailer, camper or recreational vehicle has not been removed from such area for an intervening period of time in excess of fourteen (14) consecutive days ~~hours~~; or (b) the

- i. Maintenance of landscaping and plant materials in good condition;
- ii. Maintenance of the exterior of the building or structure, including but limited to, its paint, finishes, and signs, in good condition;
- iii. Regular removal of all exterior trash, debris, and graffiti;
- iv. Maintenance, use, and occupancy of the building or structure: in continuing compliance with all applicable codes, regulations, and ordinances; and,
- v. Prevention of criminal activity on the premises, including but not limited to the use, sale, growing, and distribution of controlled substances, prostitution, trespassing, curfew violations, or other behavior which tends to disturb the peace or the use or enjoyment of neighboring properties.

8.24.80 Notice of public nuisance and order to abate - procedures

When a code enforcement officer, police officer or other enforcement officer has inspected any real property or premises and has found and determined that conditions at or upon such property or premises constitute a public nuisance pursuant to any provision of the Fort Jones Municipal Code and/or applicable statute, rule, code and regulation, and the town has not commenced an alternative public nuisance abatement procedure prescribed by statute regarding said public nuisance, the code enforcement officer, police officer or enforcement officer may issue or cause the issuance of a notice of public nuisance and order to abate (“notice and order”).

Said notice shall specify that the nuisance must be abated within fifteen (15) days after the date of the delivery or mailing of said notice, or such shorter time as the issuer deems appropriate. If the issuer deems the nuisance to be an emergency, then he or she shall have the power to order the abatement summarily within twenty-four (24) hours of the giving of the written notice as set forth below.

A. Contents of notice and order:

The notice shall be titled “notice and order” and posted, along with any amended or supplemental notice and order, on the property on which the violation occurs and shall include the following information:

1. The name of the property’s record owner, the occupant, if any, and/or the agent, if any, having charge or control of the property;
2. The date of inspection;
3. The date of violation;
4. The street address of a definite description of the location where the violation occurred;
5. The code sections(s) violated
6. A description of the property’s condition which violated the applicable codes;
7. The actions necessary to correct the subject violations;
8. The deadline or specific date by which to correct the violations;
9. A reference to the potential consequences should the property remain in violation after the expiration of the compliance deadline;
10. An order prohibiting the continuation or repeated occurrence of the code violation described in the notice and order;

11. The name and signature of the citing code enforcement officer or other authorized agent.

B. Service of a copy of the notice and order shall be made upon such persons that are entitled thereto either personally or by certified mail, postage prepaid, return receipt requested, at their address as it appears on the last equalized assessment roll of the county. Additionally, the notice shall be served on the responsible party by first class certified mail, return receipt requested, sent to the address contained in records of the town of Fort Jones for utility billings, if such address is different than that listed on the last equalized county assessment roll. If an address of any such person does not appear on the last equalized assessment roll or is not otherwise known to the issuing inspector or enforcement officer, then a copy of the notice and order shall be addressed to such person(s) and mailed to the address of the subject premises. The failure of any such person to receive a copy of the notice and order shall not affect the validity of any proceedings or actions taken under this chapter. Service by certified mail in the manner herein provided shall be affixed to the copy of the notice and order and retained by the inspector or enforcement officer.

C. Proof of service of the notice and order shall be certified at the time of service by a written declaration under penalty of perjury executed by the persons effecting service, declaring the date and manner in which service was made. The declaration, together with any receipt card returned in acknowledgment of receipt by certified mail, shall be affixed to a copy of the notice and order and retained by the code enforcement officer.

D. After a notice and order becomes final upon failure to file a timely appeal the ~~city clerk~~ code enforcement officer, or his/her designee, may file a certificate of nuisance in the office of the Siskiyou County clerk-recorder to certify that: (A) the subject property is being maintained in violation of the Fort Jones Municipal Code and/or applicable statute, rule, code and regulation; and (B) the property owner has been so notified.

E. The fee for filing a certificate of nuisance with the office of the Siskiyou County clerk-recorder shall be established by resolution of the town council.

F. Whenever it is determined by the code enforcement officer, chief of police, or other enforcement officer that the corrections ordered by the certificate of nuisance have been completed so that the premises no longer exists in a condition that is in violation of the Fort Jones Municipal Code and/or applicable statute, rule, or code, and all outstanding fees/fines have been paid, a certificate of abatement may be recorded in the office of the Siskiyou County clerk-recorder certifying that all required corrections have been made and that the subject premises is no longer being maintained as a public nuisance.

G. Service of the demand for payment which is personally served shall be deemed completed at the time of such delivery. Service of a notice of public nuisance which is served by mail is deemed completed on the date said notice of public nuisance is deposited in the mail.

H. Proof of service of the demand for payment shall be certified at the time of service by a written declaration under penalty of perjury executed by the persons effecting service, declaring the date and manner in which service was made. The declaration, together with any receipt card returned in acknowledgment of receipt by certified mail, shall be affixed to a copy of the demand for payment and retained by the code enforcement officer or other enforcement officer.

I. The prevailing party in any proceeding conducted pursuant to this chapter and associated with the abatement of a public nuisance shall be entitled to recovery of attorneys' fees incurred in any such proceeding.

8.24.090 Summary abatement - procedures

If, upon the determination of a code enforcement officer, police officer, or other authorized enforcement officer, a particular public nuisance as described in this chapter or any other applicable statute, rule, code or regulation poses an immediate threat to public health and safety, the authorized enforcement officer who made the public nuisance determination may dispense with the notice and hearing requirements of the public nuisance appeals procedures set forth in this chapter and cause town crews or private contractors to take such reasonable actions that are necessary to immediately abate the activity or activities and/or condition or conditions causing the public nuisance as follows:

A. Prior to the town performing any abatement work pursuant to this chapter, the authorized enforcement officer who caused the summary abatement shall, if feasible, cause an inventory to be taken which lists those items which are proposed to be removed from the property and discarded.

B. Prior to ordering summary abatement pursuant to this chapter, the authorized enforcement officer who caused the summary abatement shall prepare a written report which sets forth in writing the facts and circumstances establishing:

1. Why advance notice of the abatement to the property owner, occupant and/or agent having charge or control is not reasonable or feasible or why prior advance notice was not effective;
2. Why the subject property constitutes a public nuisance; and
3. Why immediate abatement of the public nuisance is necessary.

D. A copy of the summary abatement report shall be served as soon as possible to the owner(s) of record of the parcel of land on which the public nuisance exists by certified mail, postage prepaid, return receipt requested, to each such person at their address as it appears on the last equalized assessment roll of the county or as known to any city officer or other enforcement officer. If no address of any such person so appears or is otherwise known, then a copy of the summary abatement report shall be so mailed, addressed to such person(s), at the address of the subject premises. The failure of any such person(s) to receive a copy of the summary abatement report shall not affect the validity of any proceedings or actions taken under this chapter.

E. Proof of service of the summary abatement report shall be certified at the time of service by a written declaration under penalty of perjury executed by the persons effecting service, declaring the date and manner in which service was made. The declaration, together with any receipt card returned in acknowledgment of receipt by certified mail, shall be affixed to a copy of the summary abatement report and retained by the officer or agent who prepared the summary abatement report.

F. The prevailing party in any proceeding conducted pursuant to this chapter and associated with the abatement of a public nuisance shall be entitled to recovery of attorneys' fees incurred in any such proceeding.

G. If the town elects to perform public nuisance abatement work pursuant to this chapter, the owner of record of the property shall be liable for all costs of abatement incurred by the town.

8.24.100 Failure to abate nuisance - penalties

A. Any owner, agent, person having charge of, or occupying, any premises on which a nuisance is being committed within the town, or any person creating, causing, committing, or maintaining a nuisance who refuses or neglects to abate the same in pursuance to the request specified in the notice and order within the period specified therein, may be charged with either an infraction or a misdemeanor as specified below. Any such person, owner or agent may be subject to administrative penalties as provided by this code.

B. Any violation of the Fort Jones Municipal Code by a member of the public that is not exclusively deemed an infraction violation may be deemed a misdemeanor violation and may be prosecuted as such for the purposes of this chapter. The fourth and each subsequent violation that would otherwise be an infraction violation within a 12-month period commencing upon the date of the first violation shall be deemed a misdemeanor violation. A separate offense occurs for each day a misdemeanor violation is continued and/or maintained.

C. Upon conviction of any misdemeanor violation, the convicted violator shall be required to pay all applicable civil fines in addition to any misdemeanor penalties.

D. Nothing in this chapter is intended to prohibit or preclude the town from seeking and recovering restitution in any misdemeanor violation proceeding. The prevailing party in any misdemeanor violation proceeding associated with the abatement of a public nuisance shall be entitled to recovery of attorneys' fees incurred in any such proceeding. This shall be in addition to all other available remedies as hereinafter set forth as provided by law.

E. Failure to comply with a notice of violation may result in the issuance of a field citation or such other action or proceeding pursuant to this chapter or permitted by law.

8.24.110 Failure to abate nuisance - Notice to show cause

If the owner, agent or person having charge of or occupying any premises on which said nuisance is being committed fails to comply with the notice by completing the abatement within the period prescribed in the notice and order, or by making such other arrangements as may be satisfactory to the authorized enforcement officer who made the public nuisance determination, the enforcement officer or authorized agent shall thereupon deliver a notice, by certified mail, postage prepaid, return receipt requested, to the said persons, and a copy thereof to any lien or mortgage holder as may appear from a title report obtained from a title company, to appear before the town council, to be heard and show cause, if any, why the nuisance should not be abated by the town. The failure of any such person(s) to receive a copy of such notice shall not affect the validity of any proceedings or actions taken under this chapter. The cost of the title report shall be added to the costs chargeable to such persons as hereinafter set forth.

8.24.120 Council hearing - abatement

At the time fixed in the notice, the town council shall proceed to hear the testimony of said persons to whom such notice has been given or their representatives or other competent persons who may be present and desire to testify respecting the nuisance, the estimated cost of abating the same and any other matter which the town council may deem pertinent thereto. Upon the conclusion of the hearing, the town may by resolution declare its finding, and in the event that it so concludes, it may declare that the nuisance is being committed, and that the owner, agent, or person having charge of or occupying the premises on which the nuisance is being committed, shall commence the abatement of the same within fifteen (15) days after the date of posting on the premises a notice of the adoption of the resolution, and shall complete such abatement within sixty (60) days of such date or such other shorter time as may be deemed necessary by the town council. On or about the day the premises are posted, the code enforcement officer or his/her authorized agent shall deliver copies of the resolution to all said persons as such persons' names and addresses appear on the last equalized assessment roll, or as known to the code enforcement officer, and to each mortgagee or lien holder at their last known address.

8.24.130 Right to abate

In the event the nuisance is not abated the code enforcement officer shall cause the nuisance to be abated. The town administrator will determine either by use of town employees or by contracting with a licensed contractor for the abatement.

8.24.140 Abatement costs – procedures

A. If the town elects to perform public nuisance abatement work pursuant to this chapter, the owner of record of the property shall be liable for all costs of abatement incurred by the town, including, but not limited to, administrative costs.

B. Administrative fines are set forth in the schedule of fines adopted by resolution of the town council.

C. Recovery of costs pursuant to this chapter shall be in addition to and shall not limit any prevailing party's right to recover any cost that a prevailing party is entitled to recover by law.

D. Upon completion of any abatement work performed by or under the direction of the town, the issuing code enforcement officer or other enforcement officer shall prepare an abatement cost report in the form prescribed by FJMC 8.24.140 (D) which provides an accounting of the cost, including incidental expenses, incurred as a result of abating any public nuisance on each separate lot or parcel of land where the work is performed by the town.

E. The abatement cost report shall itemize all costs associated with the rehabilitation, demolition or repair of said property, buildings or structures, including any salvage value relating thereto and a total of all such costs. The abatement cost report shall also include the following information:

1. A description of the subject real property;

2. The names and addresses of the persons entitled to receive notice;
3. A description of the work completed;
4. A determination that the amount of the costs set forth in the abatement cost report are accurate and reasonable;
5. Notice of the opportunity to appeal the amount and the reasonableness of the abatement costs; and
6. Notice of the town's intention to make the final and approved abatement costs a special assessment against the property.

F. The filing and recordation of the abatement cost report shall be done by the issuing code enforcement officer or his/her authorized designee, who shall cause the abatement cost report to be filed in the office of the Siskiyou County clerk-recorder.

G. The fee for filing an abatement cost report with the office of the Siskiyou County clerk-recorder shall be established by resolution of the town council.

H. The abatement cost report and any amended or supplemental report shall be served upon the record owner and/or any agent having charge or control of the property. The failure of the code enforcement officer or other enforcement officer to serve any person required herein to be served shall not invalidate any proceedings hereunder as to any other person duly served or relieve any such person from any duty or obligation imposed by the provisions of this chapter.

I. Service of a copy of the abatement cost report shall be made upon all persons entitled thereto pursuant to FJMC 8.24.140 (F) either personally or by certified mail, postage prepaid, return receipt requested, at their address as it appears on the last equalized assessment roll of the county or as otherwise known to the issuing inspector or authorized agent. If an address of any such person does not appear on the last equalized assessment roll or is not otherwise known to the issuing code enforcement officer or other enforcement officer, then a copy of the abatement cost report shall be addressed to such person(s) and mailed to the address of the subject premises. The failure of any such person to receive a copy of the abatement cost report shall not affect the validity of any proceedings or actions taken under this chapter.

J. Proof of service of the abatement cost report shall be certified at the time of service by a written declaration under penalty of perjury executed by the persons effecting service, declaring the date and manner in which service was made. The declaration, together with any receipt card returned in acknowledgment of receipt by certified mail, shall be affixed to a copy of the abatement cost report and retained by the issuing inspector or authorized agent.

K. Service of an abatement cost report which is personally served shall be deemed completed at the time of such delivery. Service of an abatement cost report which is served by mail is deemed completed on the date said abatement cost report is deposited in the mail.

8.24.150 Abatement cost report – appeals process

A. Any party possessing a legal or equitable interest including but not limited to a leasehold interest in the property that is the subject of an abatement cost report may appeal from the abatement cost report

to the Fort Jones town council. Such appeal shall be limited to the following issues:

1. The amount of the abatement costs; and
2. The reasonableness of the abatement performed.

B. All appeals from any abatement cost report shall be in writing and shall contain the following information:

1. Name(s) of each appellant;
2. A brief statement setting forth the legal or equitable interest of each appellant;
3. A brief statement in ordinary and concise language of the specific cost items protested, together with any material facts claimed to support the contentions of the appellant;
4. Brief statement in ordinary and concise language of the relief sought and the reasons why the abatement costs should be modified or otherwise set aside;
5. The signatures of all parties named as appellants and their official mailing addresses.

Any appeal filed that fails to provide all of the information required by this section shall be deemed incomplete as provided by FJMC 8.24.150 (E).

C. A complete and proper appeal of abatement cost report as described in FJMC 8.24.150 (B) shall be filed with the code enforcement officer or his/her authorized designee, at the Fort Jones Police Department, within 10 days from the date service of the abatement cost report is completed pursuant to EMC 8.24.140 (I). Any appeal not timely filed shall be rejected.

D. Not later than five days from the date the appeal is filed, the code enforcement officer or his/her designee shall determine whether the appeal is complete. If the appeal is determined to be incomplete, the code enforcement officer or his/her designee shall immediately mail to the appellant a notice of incomplete filing which shall provide a written explanation of the reasons why the appeal has been determined to be incomplete. If service of the notice of incomplete filing is completed within five days from the date the appeal is filed, the 10-day time period within which to file a completed appeal of abatement cost report shall not be extended.

E. The code enforcement officer or his/her designee shall present any appeal filed pursuant to this chapter to the town administrator so that he/she can arrange for the appeal to be reviewed by the town council at a regular scheduled meeting or by setting a special meeting.

F. Enforcement of the abatement cost report shall be stayed during the pendency of an appeal therefrom which is properly and timely filed pursuant to this chapter.

G. Failure to timely and properly file an appeal from an abatement cost report shall constitute a waiver of all rights to an appeal of the abatement cost report or any portion thereof. The determination that the amount of the costs set forth in the abatement cost report is accurate and reasonable shall be deemed final on the day that service of the abatement cost report is deemed completed.

8.24.160 Abatement cost report – appeals hearing process

A. As soon as practicable after determining that a proper and complete appeal has been filed and presented to the town administrator by the determining code enforcement officer or his/her designee, the town administrator or his/her designee shall schedule an appeal hearing before the town council. Such date shall be not less than 10 days from the date the appeal was filed with the town administrator.

B. As soon as feasible after the abatement costs report appeal hearing has been scheduled, the code enforcement officer or his/her designee shall prepare a notice of appeals hearing (“hearing notice”) which shall be in substantially the same form as follows:

You are hereby notified that a hearing will be held before the Fort Jones Town Council at _____ on the ___ day of _____, _____, at the hour of _____, upon the Abatement Cost Report served upon you. You may be present at the hearing. You may be, but need not be, represented by an attorney. You may present any evidence at the hearing which pertains to the costs of abatement and/or the reasonableness of the abatement performed.

C. The code enforcement officer or his/her designee shall, at least 10 days prior to the date scheduled for the appeal hearing, cause a copy of the hearing notice to be provided to each appellant either by causing a copy of said notice to be delivered to each appellant personally or by causing a copy of said notice to be delivered by certified mail, postage prepaid, return receipt requested, and addressed to each appellant at the address shown on the appeal.

D. The issuing code enforcement officer or his/her designee, shall prepare an abatement cost hearing packet for the Fort Jones town council to review prior to the hearing. The packet shall include a copy of the notice and order, a staff report and any evidence of the violation(s). The staff report should include a written case history, a summary of the different inspections, the status of pending permit applications, a record of conversations or correspondence with the property owner or person otherwise responsible for the violation(s), and recommended corrections and repairs.

E. The Fort Jones town council shall conduct an administrative appeal hearing pursuant to the appeal procedures set forth in this chapter. The town council shall review all evidence, documents, and written testimony submitted at or before the scheduled appeal hearing and shall hear all oral testimony offered at said hearing.

F. Each party appearing at the hearing shall have the following rights:

1. To call and examine witnesses;
2. To introduce documentary and physical evidence;
3. To cross-examine opposing witnesses;
4. To impeach any witness regardless of which party first called the witness to testify;
5. To rebut evidence; and
6. To be represented by anyone who is lawfully permitted to do so.

G. If an appellant fails to attend the scheduled abatement costs appeals hearing, the hearing will proceed without the appellant and he or she will be deemed to have waived his or her rights to be orally heard at the appeals hearing.

H. At the conclusion of the hearing, the administrative appeals officer shall render his/her decisions and findings, which may include a decision to ratify the abatement cost report in its entirety, and/or modify the amount of the abatement costs to be recovered, and/or modify the terms of payment of the abatement costs. If the appellant is present at the hearing, the decision(s) of the town council shall be final at the conclusion of the hearing. If the appellant is not present at the hearing, the code enforcement officer or his/her designee shall mail notice to the appellant of the town council's decision(s); and said decision(s) shall become final at the time said notice is deposited in the mail.

8.24.170 Abatement cost report – collection of costs

A. The owner of record of the subject property shall pay all costs of abatement no later than 30 days from the date the abatement cost report becomes final pursuant to FJMC 8.24.140 (I). The amount of the abatement costs for which the owner of record shall be responsible shall be as set forth in the final abatement cost report.

B. If the abatement costs are not paid within 30 days from the date the abatement cost report becomes due pursuant to EMC 8.24.140 (I), the abatement costs may become a special assessment against that parcel.

C. Notice of the imposition of a special assessment may be sent by certified mail, return receipt requested, to the property owner, if the property owner's identity can be determined from the records of the office of the Siskiyou County assessor or the office of the Siskiyou County clerk-recorder. The notice shall be given at the time of imposing the assessment and shall specify that the property may be sold after three years by the tax collector for unpaid delinquent assessments.

D. The notice of special assessment shall be filed and recorded in the office of the Siskiyou County clerk-recorder.

E. The fee for filing a notice of special assessment with the office of the Siskiyou County clerk-recorder shall be established by resolution of the town council.

E. Subject to the requirements applicable to the sale of property pursuant to Section 3691 of the Revenue and Taxation Code, the town may conduct a sale of vacant residential developed property for which the payment of an assessment is delinquent.

F. Upon entry of a second or subsequent civil or criminal judgment within a two-year period finding that an owner of property is responsible for a condition that may be abated pursuant to this chapter, excepting any conditions abated pursuant to Section 17980 of the California Health and Safety Code, the town is entitled to recover treble the costs of abatement from said owner.

G. The prevailing party in any proceeding conducted pursuant to this chapter and associated with the abatement of a public nuisance shall be entitled to recovery of attorneys' fees incurred in any such proceeding.

8.24.180 Other remedies

A. California Unfair Business Practices Act

The town may seek and obtain any remedies which may also be available to the town pursuant to the California Unfair Business Practices Act as set forth in Sections 17000 through 17208 of the California Business and Professions Code.

B. California Drug Abatement Act

The town may seek and obtain any remedies which may also be available to the town pursuant to the California Drug Abatement Act as set forth in Sections 11570 through 11587 of the California Health and Safety Code.

C. California housing law

The town may seek and obtain any remedies which may also be available to the town pursuant to the California housing law as set forth in Sections 17910 through 17995.5 of the California Health and Safety Code.

D. California Red Light Abatement Act

The town may seek and obtain any remedies which may also be available to the town pursuant to the California Red Light Abatement Act as set forth in Sections 11225 through 11235 of the California Penal Code.

E. Recovery of civil penalties

The code enforcement officer may seek such civil penalties and other relief as may be awarded under the provisions of the unfair competition laws commencing at Section 17200 of the Business and Professions Code.

F. Certificates of occupancy suspension and/or revocation

The building official may seek and order suspension and/or revocation, pursuant to the Uniform Building Code and/or any applicable statute, rule, code or regulation, of any certificate of occupancy for any property which is being maintained in violation of the Fort Jones Municipal Code, and/or any applicable statute, rule, code or regulation.

G. Fines – Assessments

1. If the fines imposed under this chapter are not paid within the time specified, such fines shall be assessed against the parcel of land pursuant to Section 38773.5 of the Government Code, and shall be transmitted to the tax collector for collection and shall be subject to the same penalties and the same procedures and sale in case of delinquency as provided for ad valorem taxes.

2. If, subsequent to service of the notice and order prior to transmittal of the notice of unpaid costs to the tax collector for collection as set forth in subsection (A) of this section, the property subject to the notice and order is sold, or title otherwise transferred to a bona fide purchaser, said costs shall be the responsibility of the owner of record as of the date said notice and order was placed in the United States Postal System or posted on the property.

3. In addition to assessing the unpaid costs as provided in subsection (A) of this section, the tax collector or his designated representative may pursue any remedy provided by law for collection of the unpaid costs.

H. Franchise Tax Board deduction denial

The code enforcement officer may seek a court order that the owner not claim any deduction with respect to state taxes for interest, taxes, expenses, depreciation or amortization paid in association with the cited dwelling in accordance with provisions of Section 17980.7(b) of the Health and Safety Code and Sections 17274 and 24436.5 of the Revenue and Taxation Code.

I. Injunctive relief

The town may seek and obtain injunctive relief to enjoin any violation or continuing violation of the Fort Jones Municipal Code and/or any applicable statute, rule, code or regulation.

J. Penalties for maintaining substandard housing

Penalties for violations of the state housing law, Section 17910 et seq. of the Health and Safety Code, are set forth in Sections 17995 through 17995.5 of the Health and Safety Code.

K. Performance bonds

As part of any court action, the town is authorized to require any person responsible for causing or maintaining conditions which constitute a public nuisance to post a performance bond to ensure compliance with the Fort Jones Municipal Code and/or any applicable statute, rule, code or regulation.

L. Private nuisance action

The town may initiate and maintain a private nuisance action against any person or entity responsible for causing or maintaining conditions which constitute a nuisance as against any property of the town.

M. Receivership

The town may seek and obtain any remedies for an appointment of a receiver which may also be available to the town pursuant to Sections 17980 through 17992 of the California Health and Safety Code.

N. Re-inspection fees

The fee for any re-inspection shall be established by resolution of the town council.

O. Treble costs

Pursuant to Section 38773.7 of the Government Code, upon entry of a second or subsequent civil or criminal judgment within a two-year period finding that an owner or person described in Section 38772(d)(3) of the Government Code is responsible for a condition that may be abated pursuant to Section 38773.7 of the Government Code, a court may order that person to pay treble the costs of abatement.

P. Stop work orders

The building official and any other authorized agent may seek and order stop work orders pursuant to the Uniform Building Code and/or any applicable statute, rule, code or regulation, whenever any work is being done contrary to the provisions of the Fort Jones Municipal Code and/or any applicable statute, rule, code or regulation.

Q. Warrants for abatement and inspection

Nothing in this chapter shall preclude the town from seeking abatement and/or an inspection warrant at any time and independent from any other remedy provided by the Fort Jones Municipal Code and/or any applicable statute, rule, code or regulation.

R. Cumulative remedies

The remedies set forth in this chapter shall be cumulative and in addition to any and all other remedies, civil, equitable or criminal, afforded to the town under the law.



RESOLUTION # 2001

A RESOLUTION OF THE COUNCIL OF THE TOWN OF FORT JONES ESTABLISHING CERTAIN FEES FOR NUISANCE ABATEMENT

WHEREAS, the Council of the Town of Fort Jones has determined that in order to continue providing effective services for the public welfare, the Town must establish and increase fees for certain municipal services in order to accurately reflect the Town's true cost in providing such services; and

WHEREAS, the Council desires to fees for following purposes:

- A. A specific Town benefit conferred, or privilege granted (California Constitution, Article XIII C, §1 (e)(1));
- B. A Town service or product (California Constitution, Article XIII C, §1 (e)(2));
- C. A charge imposed for Town's issuing licenses and permits, performing investigations, inspections, and audits, and administrative enforcement - and adjudication (California Constitution, Article XIII C, § I (e)(3)); or
- D. A monetary charge imposed by the Town as a result of a violation of law (California Constitution, Article XIII C, § 1 (e)(5)); and

WHEREAS, the Town has incurred costs as part of citing and abating nuisances and building violations on private property.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF FORT JONES:

SECTION 1. The following Fees will be levied against the property/property owner:

- 1. Filing Fee to Siskiyou County Clerk-Recorder: Actual Cost
- 2. Mailing Fee: Actual cost, set by the United States Postal Service, plus \$10 processing fee
- 3. Re-Inspection Fee: \$200 per property/parcel
- 4. Travel Costs: IRS Reimbursement Rate
- 5. Staff Time: \$50/hour

Nothing in this chapter is intended to prohibit or preclude the town from seeking and recovering any costs pursuant to Sections 1032 through 1033.5 of the Code of Civil Procedure

SECTION 2. There is a reasonable relationship between the fees to be collected for the provision of various Town services and the Town's costs in providing those services, as identified in the data made available.

SECTION 3. That the cost of nuisance and building abatement services shall constitute an assessment against the parcel and shall be a lien on such parcel of land in accordance with provisions of the Government Code of the State of California, Health and Safety Code of the State of California.

The foregoing resolution was adopted at a regular meeting of the Town Council of the Town of Fort Jones, held on the 13th day of December 2021 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED: _____
Michelle DeCausmaker, Mayor

ATTEST: _____
Celeste McFall, City Clerk

APPROVED AS TO FORM and LEGAL CONTENT: _____
Margaret Long, City Attorney



Town of Fort Jones
Public Works Department

Fats, Oils, and Grease (FOG) Control Program

Town of Fort Jones
11960 East St.
Fort Jones, CA 96032
Ph: (530) 468-2281
Fax: (530) 468-2598



1.0 FOG CONTROL PROGRAM

1.1 PURPOSE

The purpose of the Town's fats, oils and grease (FOG) Control Program is to prevent FOG from entering the Town's sewer collection and treatment system through the establishment of regulations for the discharge of FOG and other insoluble waste from food service establishments (FSE). The purpose of this ordinance is to further implement procedures for recovering costs associated with FOG discharges and blockages, to establish administrative requirements for FSEs, and to establish enforcement procedures for these regulations.

1.2 DEFINITIONS

For purposes of this document, the following definitions shall apply:

- a) **Best Management Practices (BMPs)**. Activities, prohibitions, maintenance procedures and other management practices to prevent or reduce the direct or indirect introduction of fats, oils and grease (FOG) into the public sewer.
- b) **Town**. The Town of Fort Jones, a municipal corporation, of the State of California.
- c) **Fats, Oils and Grease (FOG)** shall mean and include any waste containing quantities or concentrations of dispersed biodegradable fats, oils and greases.
- d) **Food Service Establishment (FSE)** shall mean any entity utilizing the Town's sewer collection system for operation in a permanently constructed structure, maintained and used or operated for the purpose of storing, preparing, serving, or manufacturing, packaging, or otherwise handling food for consumption by the public or for sale to other entities, its members, or employees.
- e) **Food Grinder** or garbage grinder or garbage disposal shall mean any device installed in the plumbing or sanitary sewage system for the purpose of grinding food waste or food preparation byproducts for the purpose of disposing into the City sewer system.
- f) **FOG Discharge Permit** shall mean the permit issued by the Town to a FSE for utilizing the Town sewer system in compliance with the terms, conditions, and criteria of the FOG Control Program set forth in this document.
- g) **Grease Control Device (GCD)** shall mean any Grease Interceptor, Grease Trap, or other mechanism, device, or process, which is attached to, or is applied to, wastewater plumbing fixtures and lines, the purpose of which is to trap or collect or treat FOG-laden



wastewater prior to its discharge into the Town sewer system. "Grease Control Device" also includes any other Town approved method to reduce FOG. Grease control devices must be sized in accordance with the California Plumbing Code.

- h) **Grease Interceptor** shall mean a Town approved multi-compartment device that is required to be located, as according to the California Plumbing Code, between a FSE and the connection to the Town sewer system. These devices primarily use gravity to separate FOG from the wastewater as it moves from one compartment to the next. Grease interceptors must be cleaned, maintained and have the FOG and solids removed and disposed of in accordance with the terms and conditions of the City's FOG Discharge Permit. Grease Interceptor includes a gravity grease interceptor.
- i) **Grease Trap** shall mean a Town approved grease control device that is used to serve individual fixtures. Grease traps must be cleaned, maintained, and have the FOG and solids removed and disposed. A Grease trap is also referred to as a hydro-mechanical grease interceptor.
- j) **Remodeling** shall mean a physical change or operational change that increases the amount of FOG discharged to the Town sewer system by the FSE in an amount that alone or collectively causes or creates a potential for blockages or sanitary sewer overflows (SSO) to occur.
- k) **Responsible Person.** A person who the Town determines is responsible for causing, permitting, or maintaining a public nuisance or a violation of the Municipal Code, Uniform Plumbing Code, applicable state codes, any National Pollutant Discharge Elimination System ("NPDES") permit or any wastewater discharge permit. The term "responsible person" includes, but is not limited to, a property owner, tenant, person with a legal interest in the property, person in possession of the property or person that exercises custody and control over the property.
- l) **Waste Hauler** shall mean any person or entity that collects the contents of a grease control device for the purpose of transporting it to a recycling or disposal facility. A Waste Hauler may also provide grease control device maintenance services.

1.3 PROHIBITIONS

1. General FOG Discharge Prohibitions.

No Food Service Establishment shall discharge or cause to be discharged into the sewer system FOG that may accumulate and/ or cause or contribute to blockages in the sewer system or at the sewer lateral which connects the Food Service Establishment to the sewer system.

2. Specific FOG Prohibitions.

The following specific prohibitions shall apply to all Food Service Establishments:



- a) Discharge of any FOG-containing wastewater that is not connected to a grease control device is prohibited, unless a waiver has been granted in accordance with Section 1.7.2 or 1.7.3 below.
- b) Non-grease laden sources such as, but not limited to, hand-wash sinks, toilets, urinals, and stormwater, shall not be connected to a grease control device.
- c) No dishwasher shall be connected to a grease trap or interceptor.
- d) Discharge of wastewater with temperatures in excess of 1400°F (600°C) into any grease control device is prohibited.
- e) Garbage disposals (food grinders) shall be prohibited at all New Food Service Establishments. Existing Food Service Establishments shall remove all garbage disposals when they remodel or within one hundred eighty (180) days from receiving a notice from the Town to remove its garbage disposal(s) based on the Town's finding that the FSE at any time caused or contributed to an SSO.
- f) Direct disposal of any waste cooking oil into any drain or cleanout that is connected to the sewer system is prohibited.
- g) Introduction of any additive into a grease control device or directly into the sewer system for the purpose of emulsifying FOG, biologically/ chemically treating FOG for grease remediation, or as a supplement to any grease control device maintenance is prohibited, unless specifically authorized in writing by the Town.
- h) Discharge of any waste which has been removed from a grease control device into the sewer system is prohibited.

1.4 FOG DISCHARGE PERMIT REQUIREMENT

1. Food Service Establishment (FSE)

No FSE shall discharge into the Town's sewer system without obtaining a FOG Discharge Permit from the Town. The FOG Discharge Permit is a legally-binding agreement issued to a FSE to utilize the Town sewer system setting forth the terms, conditions, and criteria of the FOG Control Program. The FOG Discharge Permit is prepared and maintained by the Town, and its provisions may be modified periodically as required to ensure each FSE's compliance with the terms and conditions of this chapter, as they may be amended from time to time. Failure to comply with the FOG Discharge Permit conditions will constitute a violation of this chapter. In addition to the FOG Discharge Permit, the Town may also issue specific permit conditions to any FSE. In the event that the Town issues specific permit conditions to an FSE, the basis for those specific



permit conditions shall be disclosed to the FSE in writing and appended to the FOG Discharge Permit. Failure to comply with the individual permit conditions will constitute a violation of this document.

2. Responsible Persons

Responsible persons of commercial properties or their designee(s) identified on the FOG Discharge Permit shall be responsible for the installation and maintenance of a Grease Interceptor serving multiple FSE that are located on a single parcel. The responsible person of the parcel containing a common use Grease Interceptor shall submit an application for and be the Permittee under a FOG Discharge Permit.

3. FSE/Responsible Person Notification Regarding Planned Changes

Any existing FSE or Responsible Person which substantially changes its menu, operation, or remodels shall submit in writing a detailed description of the proposed changes. The applicability of an existing FOG Discharge Permit, waiver, stay or variance from the requirement to install, operate and maintain a Grease Control Device will be assessed by the Town based on the information contained in the description and the Permit, waiver, stay or variance may be revoked and replaced or amended as the changed circumstances warrant.

4. Permit Application

a) Each existing FSE/Responsible Person shall submit an FOG Discharge Permit Application to the Town within forty-five (45) days following the effective date of this document.

b) All newly constructed FSEs and FSEs which change ownership, shall submit a FOG Discharge Permit Application at least sixty (60) days prior to startup. Any FSE which fails to submit the required FOG Discharge Permit application in a timely manner may be prohibited from discharging to the Town sewer system.

5. Permit Renewal

Annually, each FOG Discharge Permittee shall renew its FOG Discharge Permit by the expiration date indicated on the Permit.

6. Reporting Requirements

Each FOG Discharge Permittee shall report to the Town any spills of FOG and/or sewage and any unauthorized discharges into the Town sewer system within the time period following the occurrence of the event as specified in and according to the requirements set forth in the FOG Discharge Permit.

7. Right to Enter and Inspect

The Town shall have the right to enter and inspect each FSE premises or Responsible Person's common use Grease Interceptor for announced or unannounced inspections. The Town shall have access to all facilities and records necessary for determining compliance with this document. An inspection may include a review of all logs and documentation of the FOG Control Program, inspection of all kitchen facilities, and inspection of any and all Grease Control Devices and appurtenant plumbing on the premises.

1.5 BEST MANAGEMENT PRACTICES REQUIRED



All Food Service Establishments shall implement Best Management Practices (BMPs) to minimize the discharge of FOG to the sewer system, including, but not limited to, the following, as applicable:

1. Installation of Drain Screens. Drain screens shall be installed on all drainage pipes in food preparation areas.
2. Segregation and Collection of Waste Cooking Oil. All waste cooking oil shall be collected and stored properly in recycling receptacles such as barrels or drums. Such recycling receptacles shall be maintained properly to ensure that they do not leak. Licensed waste haulers or an approved recycling facility must be used to dispose of waste cooking oil.
3. Disposal of Food Waste. All food waste should be disposed of directly into the trash or garbage and not into sinks and shall be disposed of in a manner that will ensure against leakage in the trash container or anywhere else.
4. Employee Training. Employees of the Food Service Establishment shall be trained by ownership/ management periodically as specified in the FOG wastewater discharge permit on the following subjects:
 - a) Dry-wiping pots, pans, dish ware and work areas before washing to remove grease.
 - b) Properly disposing food waste and solids in plastic bags prior to disposal in trash bins or containers to prevent leaking and odors.
 - c) The location and use of absorption products to clean under fryer baskets and other locations where grease may be spilled or dripped.
 - d) Properly disposing grease or oils from cooking equipment into a proper grease receptacle without spilling.
5. Maintenance of Mechanical Exhaust Ventilation Filters. Filters shall be cleaned as frequently as necessary to be maintained in good operating condition. The wastewater generated from cleaning exhaust filters shall be disposed of properly.
6. Kitchen Signage. Best management and waste minimization practices shall be posted conspicuously in the food preparation and dishwashing areas at all times.

1.6 FOOD GRINDERS

The use of a Food Grinder, which discharges food wastes from an FSE into the Town sewer system, is prohibited.



1.7 PRETREATMENT REQUIREMENTS

1. Pretreatment Required

All FSEs are required to install, operate and properly maintain approved types and adequately sized Grease Control Devices. Grease Control Devices shall separate and remove FOG contained in wastewater discharges from FSEs prior to discharge of the wastewater to the Town sewer system. All fixtures, equipment and drain lines located in the food preparation and clean up areas of the FSE that are potential sources of FOG discharge shall be connected to a Grease Control Device. Detailed requirements for device maintenance shall be specified in the FOG Discharge Permit.

- a) Existing FSE - All existing FSEs are required to have and to properly operate and maintain a Grease Control Device according to the requirements set forth in the FOG Discharge Permit, unless the FSE has obtained a waiver as described in Section 1.7.2 and 1.7.3 below, and shall be required to follow all requirements of the FOG control program of this document.
- b) New FSE, FSE Which Change Ownership, and FSE Which Undergo Remodeling - As of the effective date of this document, all newly constructed FSEs, FSEs which change ownership, and FSEs which undergo remodeling shall be required to install a Grease Control Device, according to requirements of the FOG Discharge Permit, unless a waiver is granted under Section 1.7 and 1.7.3 below, and shall be required to follow all requirements of the grease control program of this document.

2. Waiver for Alternative Pretreatment

A waiver from the FOG pretreatment requirements to allow alternative pretreatment technology that is at least equally effective in controlling the FOG discharge, in lieu of installing and operating a Grease Control Device, may be granted to a FSE demonstrating that it is impossible or impracticable to install, operate or maintain a Grease Control Device. The applicant shall bear the burden of demonstrating that the alternative method is at least equally effective. The Town's determination to grant a waiver will be based upon, but not limited to, evaluation of the following conditions:

- a) Town determination there is no adequate location for installation and/or maintenance of a Grease Control Device.
- b) Town determination there is no adequate slope for gravity flow between kitchen plumbing fixtures and the Grease Control Device and/or between the Grease Control Device and the private collection lines or the Town sewer system.
- c) Town determination that alternative pretreatment technology is equivalent to or better than a Grease Control Device in controlling its FOG discharge. In addition, the FSE must be able to demonstrate, after installation of the proposed alternative pretreatment, its effectiveness to control FOG discharge through downstream visual monitoring of the sewer system at its own expense.



3. Waiver from Pretreatment Requirements

A waiver from installation of a Grease Control Device may be granted to a FSE that has been determined to have negligible FOG discharge and insignificant impact to the Town sewer system. The Town's determination to grant or revoke a waiver shall be based upon, but not limited to, evaluation of the following conditions:

- a) Town determination that quantity of FOG discharge as measured or as indicated by the size of the FSE based on seating capacity, number of meals served, menu, water usage, amount of on-site consumption of prepared food and other conditions that show contribution to FOG discharges;
- b) Town determination that adequacy of implementation of BMPs and compliance history are sufficient;
- c) Town determination that sewer size, slope, condition based on visual information, FOG deposition in the sewer by the FSE, and history of maintenance and sewage spills in the receiving sewer system;
- d) Town determines that the changes in operations that significantly impact FOG discharge;
- e) Any other condition the Town deems reasonably related to the generation of FOG Discharges.

4. Operations and Maintenance Requirements

All Grease Control Device shall be maintained in efficient operation at all times by the FOG Discharge Permittee at the Permittee's expense. Details of required maintenance shall be specified in the FOG Discharge Permit.

1.8 FEES

1. Each FOG Discharge Permit requires an application fee of **\$100.00**. Following a change of ownership, a substantial change in operation, remodeling, or an increase in flow or waste generation of FOG, a revised application must be submitted with payment of an application fee of \$100.00. The application fee must be paid when the FOG Discharge Permit application is submitted to the Town. The initial permit has a one-year term and is renewable annually.
2. Each FOG Discharge Permit requires an annual renewal fee of \$50.00, which shall be submitted with the annual permit renewal application.
3. The Town will set the application fee and annual renewal fee in accordance with applicable law, and may amend these fees from time to time as permitted by law.

1.9 ENFORCEMENT



Failure to comply with the Town's FOG Control Program as provided in this document, all generally applicable provisions of the Town's municipal code, and the FOG Discharge Permit or any individual permit conditions will result in enforcement action against the FSE. All fines are defined in this Section and published in the **Town's Master Fee Schedule**, as both may be amended from time to time.

1. The first violation of the FOG Control Program will result in a warning issued by the Town. For each warning, the Town will make one attempt to contact the FSE's responsible party (permittee) as listed on the permit and follow-up any such verbal warning with written confirmation of the violation. If such attempt at direct contact is unsuccessful, the Town will mail written notice of the violation to the permittee. The permittee will have seven (7) days from the date of the notice to respond and correct the violation. If the permittee does not correct the violation within this time, a second violation will be issued.
2. Upon the occurrence of two or more violations, the Town will notify the permittee in writing by mail of the violation and a fine of \$100.00 will be assessed and collected on the next service bill. The permittee will have seven (7) days from the date of the notice to respond and correct the violation. If the permittee does not respond and correct the violation within the seven (7) days, a per day **fine of \$50.00**, up to a maximum of **12 days and \$600.00** will be imposed and charged on permittee's next service bill. The fee, up to its maximum, will be assessed until the violation is corrected or the Town declares the permittee to be non-compliant and discontinues sewer service to the permittee.
3. When three or more violations of the FOG program have been committed and remain uncorrected, the Town may disconnect sewer service to the non-compliant permittee.

Managing FATS, OILS, and GREASE

DO~~N~~'T...



1
DO NOT pour cooking residue directly into the drain.



2
DO NOT dispose of food waste into the garbage disposal.



3
DO NOT pour waste oil directly into the drain.



4
DO NOT wash floor mats where water will run off directly into the storm drain.

DO...



1
Wipe pots, pans, and work areas prior to washing.



2
Dispose of food waste directly into the trash.



3
Collect waste oil and store for recycling.



4
Clean mats inside over a utility sink.



DO NOT

**POUR FATS, OILS, OR GREASE
DOWN THE DRAIN**

NO VIERTA

**GRASAS, ACEITES, O LA GRASA
POR EL DESAGUE**

Help protect the environment!



**THE TOWN OF
FORT JONES**

For more information about the proper disposal of Fats, Oils or Grease please contact the Town of Fort Jones Public Works Department at (530) 598-3952

DISCUSSION / REPORTS

ACTION ITEMS

MEMORANDUM OF UNDERSTANDING
BETWEEN THE TOWN OF FORT JONES AND THE CITY OF ETNA REGARDING THE ALLOCATION OF
FUNDING FOR PROPOSTION 68 PER CAPITA GRANT FUNDS

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Per Capita Grant Program, setting up necessary procedures governing application(s); And

WHEREAS, said procedures established by the State Department of Parks and Recreation require the grantee's Governing Body to certify the approval of project application(s) before submission of said applications to the State; and

WHEREAS, the grantee will enter into a contract with the State of California to complete project(s);

NOW, THEREFORE, BE IT RESOLVED that the Town of Fort Jones hereby:

1. Approves a portion of the Grant funding to be allocated to the City of Etna; and
2. Approves the filing of the project application for the Per Capita program grant for the installation of solar panels and shade structure at Dotty Olson Community Pool; and
3. Delegates the authority to the City of Etna, or designee to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the grant.

Approved and adopted the day of December 13, 2021.

I, the undersigned, hereby certify that the foregoing MOU was approved by the Town of Fort Jones following a roll call vote:

Ayes:
Noes:
Abstain:
Absent:

Approved:

Michelle DeCausmaker, Mayor

Attest:

Celeste McFall, City Clerk

Monday, December 13, 2021

Town Administrator Job Posting/Hiring

Process

- Posting should be on several platforms such as: Indeed , Facebook , Administrative Job Posting site , Craig's List , Siskiyou Daily News ,Personal Preference.
- Position Posted immediately and proof of notification sent to all Council members forthwith.
- Karl, Mercedes and Kathye to have access to all applications as soon as submitted.
- Every 21 days (3 weeks) applications reviewed for possible candidate by Karl, Mercedes, Kathye and impartial qualified person Colleen Baker and interviews scheduled. Until the position is filled.
- Potential applicants available to Council at January meeting for consideration.Hiring will be done by Council. To avoid a conflict of interest Karl would not have input at this stage.

The Town of Fort Jones Administrator

The Opportunity

On behalf of the Town of Fort Jones, we invite applications for this unique career opportunity. The Town administrator will have an excellent opportunity to work with an enthusiastic community, supportive Town Council, and a dedicated staff to improve and grow the Town of Fort Jones. The Town administrator is the chief advisor to the Town Council and charged with managing city services and operations. The position will require a broad range of professional abilities and understanding in all areas of municipal functions with an emphasis on strong leadership and on a commitment to enhancing the Town's future success and potential growth. The Town administrator is a highly visible employee who is expected to be accessible to the community, the Town Council, and Town staff.

The Town of Fort Jones is nestled in Scott Valley the western portion of Siskiyou County, along highway 3. It provides an abundance of opportunities for outdoor recreation including hunting and fishing along the Scott River, hiking trails to the Marble Mountains and the Trinity Alps. The Town's motto is "The Gateway to the Marble Mountains". Approximately 1.7 sq. miles in area, the Town has a population of around 689 residents. The majority of the Town is residential with commercial uses concentrated in the Historic Downtown. The Town Park also provides playgrounds for children, sites for family and special events.

City Government Structure

The Town operates today under the Council/Manager form of government. The five council members are elected to four year overlapping terms. One council member is selected annually by the Council to serve as Mayor. The Town Council appoint the Town Administrator and Town Attorney, as well as, members of the Town's advisory committees and Planning Commission. The Town Council and Town Administrator are heavily engaged in intergovernmental activities and are proactive about maintaining strong cooperative relationships with regional agencies. The Town of Fort Jones is support by approximately 4 full-time employees and the FY 2018-19 operating budget of \$1 million. Law enforcement, Town engineering services, planning, and building inspection are all provided through contracts. The Town operates its own water utility, and its wastewater treatment .

The Ideal Candidate

The successful candidate must be a professional with integrity, outstanding judgment, and management skills. The Town is looking for a progressive and professional Administrator, with a demonstrated track record of providing steady leadership during challenging times, and a proven ability to cultivate strong working relationships with all stakeholders. The Town Administrator should be approachable by the council, community and staff, and will be expected to build a good working environment based upon trust, mutual respect and cooperation. The ideal candidate will have the following characteristics:

- Knowledge and experience with managing a complex organization in an environment with high expectations
- Committed to transparency in government
- In-depth knowledge of the laws and core issues facing California cities

- Able to embrace modern technology systems as a tool to minimize operational costs while enhancing internal and external services
- Business-oriented and results-driven with the ability to identify, research, and recommend creative and progressive partnerships, grant opportunities, economic development opportunities, and operational improvement strategies
- Ability to form reliable partnerships with state, county, and regional officials

Compensation & Benefits

The salary will remain consistent with the high value placed on the level of responsibilities for the position. The anticipated salary range is \$65,000 for candidates that fulfill all qualifications. Salary is negotiable, for lesser qualifications and /or experience. A mutually negotiated employment contract will be developed . The Town provides an employee benefit package, including: • Deferred Compensation: Town pays up to 7% match in a 457 plan • Medical Insurance: The Town provides a GSRMA health plan. The majority of costs are covered by the City 80% ,with the employee covering 20% • Vacation, Sick Leave. • 12 paid holidays per year

Recruitment Process

This is a confidential process until finalists are identified and mutual interest is expressed. Candidates should be aware that references will not be contacted until mutual interest has been established. Early submittal strongly encouraged. Interested candidates should apply to Town Hall, submitting a compelling cover letter and comprehensive resume to the contact below. First review of resumes by the Town Council will begin on Monday, January 10, 2022. Appointment and contract approval are anticipated to take place in January 2022. Start date for the new Town Administrator will be at a mutually agreeable date. The position will remain open and applications accepted until the position is filled.

Apply

Town of Fort Jones

fortjonesca.org

PO Box 40

Fort Jones CA 96032

530 468-2281

FLSA Status: Exempt
Employee Association: Non-Represented

TOWN ADMINISTRATOR
Job Description

DEFINITION

Under the administrative direction of the Town Council, the Town Administrator shall be responsible for the efficient administration of the affairs of the Town. The Town Administrator shall plan, direct, and coordinate, through appointed department heads, the various services and activities as determined by the Town Council in accordance with the Town's Municipal Code.

SUPERVISION RECEIVED AND EXERCISED

Appointed by and receives administrative direction from the Town Council.

Exercises direct supervision over appointed Department Heads.

EXAMPLES OF ESSENTIAL DUTIES – May include, but are not limited to, the following:

Enforce all laws and ordinances of the Town and ensure that all contracts, permits, and privileges granted by the Town are faithfully observed.

Direct and supervise all Department Heads and employees in the efficient delivery of municipal services; establish and maintain an organizational structure of offices, departments, positions, and units within the Town in the interest of efficient, effective and economical conduct of the Town's business.

With the guidance and direction from Town Council, promote, demote, discipline, and discharge any and all officers and employees of the Town, except elective officers and Town Attorney; represent the Town in negotiations with Town employee collective bargaining units.

Recommend to the Town Council the adoption of ordinance and resolutions deemed necessary and appropriate for the best interest of the Town; develop, plan and implement Town goals and objectives; recommend and administer policies and procedures.

Directs, coordinates, and participates in the preparation of the annual budget and in budget control activities and other fiscal responsibilities

Interpret and apply Town ordinances, policies, procedures, rules and regulations.

Supervise and evaluate performance of Department Heads. Manage all aspects of Human Resources.

Establish and maintain effective working relationships with those contacted in the course of work

Communicate clearly and concisely, both orally and in writing.

Performs other duties and related work as required.

PHYSICAL DEMANDS

Frequently sit, talk or hear; use hands to finger, handle, or feel objects, tools or controls; reach with hands and arms and occasionally required to walk; occasionally lift and/or move up to 25 pounds.

MINIMUM QUALIFICATIONS

Experience and Training:

Any combination of experience, education, and training that would provide the equivalent knowledge and abilities is qualifying. A typical way to obtain the required knowledge and abilities would be:

Experience:

Five years of increasingly responsible experience as a Town Administrator, Assistant Town Administrator, Assistant Town Manager, Department Head working in a full service Town is highly desirable.

Training:

- High School Diploma or GED
- Equivalent to graduation from an accredited four year college or university with a degree in business administration, public administration, political science or related field. A Master's Degree in public administration or business administration is preferred.

License/Certificate:

A California Driver's License or equivalent, if a resident of another state and a satisfactory driving record are conditions of initial and continued employment.



THE TOWN OF FORT JONES

TO: FORT JONES CITY COUNCIL

MEETING DATE: DECEMBER 13, 2021

FROM: KARL DREXEL, CITY ADMINISTRATOR

SUBJECT: REVIEW AND APPROVE AMERICAN RESCUE PLAN ALLOCATIONS

BACKGROUND:

The American Rescue Plan (ARP) was approved by Congress in February 2021 and provided funding to Cities economically affected by the COVID-19 virus pandemic. These funds must be allocated to projects by December 31, 2024, and fully expended by December 31, 2026. The Treasury Department has issued interim regulations on how to utilize these dollars. In summary there are four spending categories as noted below:

Category A - Support public health response: Fund COVID-19 mitigation efforts, medical expenses, behavioral healthcare and certain public health and safety staff.

Category B - Premium pay for essential workers: Offer additional support to those who have and will bear the greatest health risks because of their service in critical infrastructure. Funds can be used retroactively back to January 27, 2020.

Category C - Replace public sector revenue loss: Use funds to provide government services to the extent of the reduction in revenue experienced due to the pandemic.

Category D - Water, sewer and broadband infrastructure: Make necessary investments to improve access to clean drinking water, invest in wastewater and stormwater infrastructure and provide unserved or underserved locations with new or expanded broadband access.

I have been working with staff to try and properly allocate the Fort Jones allocation. Because our allocation is not a very large amount, it is difficult to decide what funds get spent where. In following other cities allocation process, we have come up with a tentative distribution based on the categories listed above. Total allocation to the Town of Fort Jones is \$165,542 for which \$82,771 was received in July 2021 and the remaining will be received in July 2022.

Category	2021	2022	Total
A	30,000	47,269	77,269
B	24,000	24,000	48,000
D	10,000	30,273	40,273
Total			165,542

We don't have any expenses in the C Category because we did not have a reduction in revenue from 2019-2021. But the allocations proposed are:

Category A

Fire Department

\$30,000 toward new Type I engine

\$16,017 in Medical Equipment

\$5,313 for iPads for trucks

\$5,900 for camera equipment

City Hall

\$10,039 Awnings for Library and front and back doors

Economic Development

\$10,000 Community Economic Development

Category B – Essential Workers

\$24,000 in Premium Pay for Essential Workers '21

\$24,000 in Premium Pay for Essential Workers '22

Category D – Public Works

\$3,000 New Pipe Inspection camera system

\$10,000 Water Tank Cleaning and Lining

\$27,273 New flow meters and Software Water/wastewater

City staff has reviewed the federal interim regulations and prepared the preliminary allocations to projects based on those regulations. These regulations are interim and subject to change. Should there be any modifications made to the regulations that voids any of these recommend project, staff will return to Council to request such modifications.

RECOMMENDATION:

Staff recommends the Council Approve the proposed allocations.