

ORDINANCE NO. _____

Ordinance Amending Title 12 Concerning Due Process Hearing for the Abatement of Dangerous Buildings

The following ordinance, consisting of three sections, was duly and regularly passed and adopted by the Board of Supervisors of the County of Lassen, State of California, at a regular meeting of the Board of Supervisors held on the ___th day of _____, 20__, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Chairman of the Board of Supervisors,
County of Lassen, State of California

Attest: JULIE BUSTAMANTE
Clerk of the Board

By: _____
MICHELE YDERRAGA, Deputy Clerk of the Board

I, MICHELE YDERRAGA, Deputy Clerk of the Board of the Board of Supervisors, County of Lassen, do hereby certify that the foregoing ordinance was adopted by the said Board of Supervisors at a regular meeting thereof held on the ___th day of _____, 20____.

Deputy Clerk of the County of Lassen Board of Supervisors

THE BOARD OF SUPERVISORS OF THE
COUNTY OF LASSEN ORDAINS AS FOLLOWS:

SECTION ONE: This ordinance shall take effect thirty (30) days after its passage, and before the expiration of fifteen (15) days after its passage shall be published with the names of the members voting for and against the same, once in a local newspaper of the County of Lassen, State of California.

SECTION TWO: Add Section 12.25.045 to the Lassen County Code to read as follows:

“A due process hearing shall be conducted before the hearing officer established at section 12.25.040 before the building official executes abatement or repair of any structure as authorized by Section 701.3(3) of the Uniform Code for the Abatement of Dangerous Buildings. Notice of the hearing shall be given by personal delivery or by mail at least ten days prior to the date of the hearing in accordance with Section 401.3 of the Uniform Building Code for the Abatement of Dangerous Buildings. At the hearing, the hearing officer shall confirm if the building official is authorized to execute abatement or repair in accordance with Section 701.3(3) of the Uniform Building Code for the Abatement of Dangerous Buildings. If an appeal hearing is conducted in accordance with Chapter 5 of the Uniform Code for the Abatement of Dangerous Buildings, it shall serve as the due process hearing described herein. The hearing officer’s decision shall be final”

SECTION THREE: If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.