

# DALY CITY CODE ENFORCEMENT

## **Overview**

The City is concerned with the safety and general well being of the community and preservation of its aesthetic aspects. Toward this end, Municipal Code requirements are adopted and enforced.

Daly City undertakes code enforcement efforts when a complaint is received or City staff observes a violation.

Buildings and property must be maintained in a safe and habitable manner. Permits are required for work to improve or maintain buildings or property.

The Code Enforcement Division enforces permitting requirements regarding buildings to protect health and life safety and responds to building, zoning, and public nuisance violations and seeks compliance.

## **Responsibility**

Please understand that the simple existence of certain construction or improvements when the building was purchased **does not** mean it was built with permits and is legal.

Note: Daly City requires the seller of residential property provide the buyer with a Residential Requirements Report (3R).

The 3R is a listing of permit and zoning history of the property. It is intended to provide the buyer direction regarding what is legal.

Some construction that is not legal may be legalized by obtaining permits. If you have questions in this regard, contact the Building Division at (650) 991-8061.

*The legality of construction or improvements of a structure and the condition and use of the property are ultimately the responsibility of the **current** owner.*

## **The Code Enforcement Process**

When a complaint is received, or staff observes a violation, the following steps are undertaken to have the violation abated:

- An inspection is scheduled to determine if the complaint has merit. If it does not, the case is closed.
- If the complaint has merit, a letter explaining the violations is mailed to the property owner. It provides direction and timelines to abate the violations.
- If the violations are not abated within reasonable timelines, the case may be referred to the Administrative Hearing Board.

## **Permits**

Permits are required to do construction work. This includes plumbing fixture replacement, new electrical work, window, furnace and water heater replacements, addition of walls, rooms or decks, and demolition work.

Call the Building Division at (650) 991-8061 if you are uncertain whether your project requires permits.

Most often, permits are required to abate code violations. **Make sure permits are issued before work is begun.**

*Note: A permit to abate code enforcement violations expires if work is not completed and a final inspection passed within 60 days of permit issuance.*

## **Fees**

Enforcement fees represent the staff time incurred to gain compliance. They increase over time. Common violations and the associated fees are listed below (for violations abated within 30 days):

Building maintenance problems	..\$300
Construction without permits	.....\$300
Unsafe/dangerous building	.....\$200
Expired permit	.....\$100
Fence problem	.....\$200
Housing code violation	.....\$250
Illegal secondary unit	.....\$600
Retaining wall	.....\$100
Conditions of approval violation	..\$250
Sign permit violation	.....\$100
Illegal home occupation	.....\$250
Miscellaneous	.....\$200

Fees accrue and are due from the date of the letter following the initial investigation. They increase if the violation is not abated within 30 days, 60 days and/or within 90 days from the date of the letter.

## ***Administrative Hearing Board***

When abatement does not occur within a reasonable time, the case is taken before the Administrative Hearing Board. The cost for this action is \$1,994 in addition to the enforcement fee. The Board consists of three City department heads and has the authority to assess penalty fees up to \$10,000. The hearing is conducted as follows:

- The Board will hear a staff report presentation ***and will entertain public comments***. The property owner may present their case.
- The Board renders its decision. Their Findings and Order are prepared and mailed to the property owner.
- Failure to abate the violations or follow the Board's order will result in imposition of penalty fees and the City may abate the violations at the owner's expense.

## ***Appeals***

A decision of the Board may be appealed to the City Council by filing a written request to the City Clerk within ten days of the hearing. The request must be accompanied by a check in the amount of \$100.

*NOTE: Property owners, failing to appear before the Board, forfeit their right to appeal the Board's decision.*

If you have questions, please call the Code Enforcement Division at (650) 991-8260.

Building Division  
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# **CODE ENFORCEMENT PROCEDURES AND FEES**



**CODE  
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