

DEPARTMENT: Planning and Building BY: Tony Lashbrook PHONE: 966-5151

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes No X)

Adoption of resolution establishing uniform procedures for the submission and consideration of complaints/requests for investigation by the Planning/Building, Health and Public Works Departments. This resolution finalizes the Board's action of 12/21/93.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Board requested analysis of complaint process in September, 1993. Board considered recommendations and provided direction to staff to finalize procedures on 12/21/93.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

1. Take no action - No Countywide policy would be established.
2. Adopt resolution establishing uniform policy as contained in the attached.
3. Adopt resolution establishing uniform policy different from the attached.

COSTS: (X) Not Applicable

A. Budgeted current FY \$ _____

B. Total anticipated costs \$ _____

C. Required additional funding \$ _____

D. Internal transfers \$ _____

SOURCE: () 4/5ths Vote Required

A. Unanticipated revenues \$ _____

B. Reserve for contingencies \$ _____

C. Source description: _____

Balance in Reserve for Contingencies, _____

if approved: \$ _____

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:

1. Resolution _____

2. Complaint Form _____

CLERK'S USE ONLY:

Res. No.: 94-27 Ord. No. _____

Vote - Ayes: _____ Noes: _____

Absent: _____ Abstained: _____

() Approved () Denied

(X) Minute Order Attached () No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____

ATTEST: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: _____
Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as:

Recommended


Not Recommended

For Policy Determination

Submitted with Comment

Returned for Further Action

Comment: _____

A.O. Initials: 

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: DUANE HALL, PLANNING DIVISION
JOHN DAVIS, BUILDING DIVISION
DR. MOSHER, COUNTY HEALTH OFFICER
MIKE EDWARDS, PUBLIC WORKS DIRECTOR

FROM: MARGIE WILLIAMS, CLERK OF THE BOARD *mw*

SUBJECT: COMPLAINT PROCESS

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,
ADOPTED THIS Order on January 25, 1994

ACTION AND VOTE:

9:40 a.m. Tony Lashbrook, Planning and Building Director;
A) Resolution Establishing Uniform Procedures for the
Submission and Consideration of Complaints/Requests for
Investigations by the Planning/Building, Health and Public
Works Departments

BOARD ACTION: Discussion was held. (M)Erickson,
(S)Balmain, to approve the procedures was withdrawn by
maker, as amendment to direct that if a complaint is filed
through the public process by someone working on behalf of
the County, the person would have the right to know who
filed the complaint, was not agreeable with the second.
(M)Parker, (S)Balmain, to adopt Res. 94-27 which
establishes procedures was amended following withdrawal of
second by Supervisor Balmain, and addition of second to
motion by Supervisor Erickson. Motion was amended,
agreeable with maker and second, directing that if a
complaint is filed through the public process (by anyone who
works on behalf of the County), the person has a right to
know who complained and will receive a copy of the
complaint/Ayes: Baggett, Erickson, Parker; Noes: Balmain,
Taber.

cc: Jeff Green, County Counsel
Mike Coffield, County Administrative Officer
File

MARIPOSA COUNTY RESOLUTION NO. 94-27

1 A RESOLUTION ESTABLISHING UNIFORM PROCEDURES FOR THE SUBMISSION
2 AND CONSIDERATION OF COMPLAINTS/REQUESTS FOR INVESTIGATION.

3 WHEREAS, the Board of Supervisors desires to establish
4 uniform procedures for the submission and consideration of
5 complaints/requests for investigation received by the Mariposa
6 County Planning and Building, Health and Public Works
7 Departments, and

8 WHEREAS, the Board of Supervisors has considered input
9 from all affected departments in the preparation of complaint
10 procedures,

11 NOW THEREFORE BE IT RESOLVED that the Mariposa County
12 Board of Supervisors establishes the following procedures for the
13 submission and consideration of complaints/requests for
14 investigation regarding building code, zoning code, public
15 health, wells, septic systems, unsafe housing, encroachment,
16 County roads and other similar issues.

17 1. All affected departments will use the uniform
18 County Request for Investigation Form attached hereto as Exhibit
19 A.

20 2. Affected County Departments shall require the
21 submission of the written form for complaints. This form must be
22 completed by a citizen or a governmental official requesting an
23 investigation. Staff will complete the form on behalf of members
24 of the Board of Supervisors when requested to do so by a Board
25 member. This requirement does not limit or reduce the
26 department's responsibility to address violations that they
27 became directly aware of based upon observation by staff or other
28

1 similar means. Verbal complaints may be accepted in such cases
2 where the department determines that an immediate threat to the
3 public health and safety exists. Such circumstances would
4 include unsafe food, failing septic system, hazardous material
5 spill, building in danger of collapse, etc. in which case an
6 inspection will be conducted based upon verbal complaints.

7 Complaints submitted by private citizens shall be kept
8 confidential by the department receiving the complaint. Release
9 of the complaint shall only occur if required by a court of law.
10 Complaints made by competing businesses, as determined by the
11 department receiving the complaint, shall be provided to the
12 complaintee upon their request. Complaints made by a County
13 Official or County employee acting in their capacity, shall be
14 provided to the complaintee.

15 3. Each department shall adopt written policies
16 regarding the handling of complaints and violations. These
17 policies shall be consistent with the Board direction contained
18 herein. The policies shall be made available to any interest
19 party upon request.

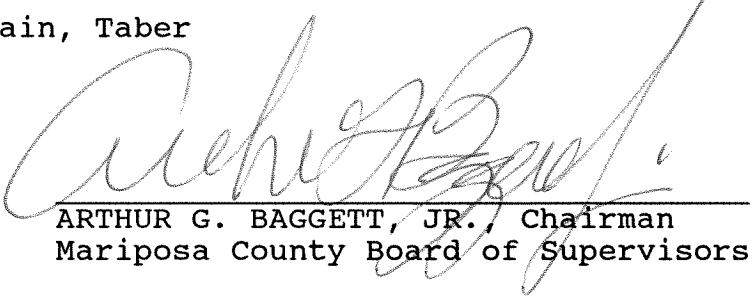
20 **PASSED AND ADOPTED** this 25th day of January, 1994 by
21 the Mariposa County Board of Supervisors by the following vote:

22 AYES: Baggett, Erickson, Parker


23 NOES: Balmain, Taber

24 ABSTAINED: None

25 EXCUSED: None

26 
ARTHUR G. BAGGETT, JR., Chairman
Mariposa County Board of Supervisors

27 ATTEST:

28 
MARGIE WILLIAMS, Clerk of the Board

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APPROVED AS TO FORM AND LEGAL SUFFICIENCY



Jeffrey Green, County Counsel

MARIPOSA COUNTY

REQUEST FOR INVESTIGATION

This form is to be utilized when a citizen is requesting that a County Department investigate a possible violation of a County law or other health and safety related problem.

This form is confidential if submitted by a private citizen in accordance with County policy. However, the form must be released if required by a court of law. Forms submitted by competing business entities, as determined by the affected department head, will be made available to the complainee at their request.

| | | |
|-------------|------|--------|
| Case Number | | |
| Dept. | Year | Number |

Complainant Information - (Person Completing This Form)

Name

Mailing Address

Phone Number

Do you wish to be contacted with the results of this investigation? yes no
If this complaint is being filed against a business, are you an owner or employee of a competing business? yes no not applicable

I certify that the information provided on this form is true and correct to the best of my knowledge.

Signature

Today's Date

Note: A competing business is a business that provides a similar service or manufactures or sells similar products as determined by the department head of the department receiving the complaint.

Description of Violation/Problem

Street Address of Violation

APN #

Property Owner-If Known

Nature of violation or problem (please be as specific as possible)

Driving directions to violation site from State Highway or Major County Road

For Staff Use Only

Staff Person Assigned

Date of Inspection

Investigation Findings:

Action Taken: _____

Affiliated Files: _____

Case Closed As: Unsubstantiated Abated Referred to Appropriate Department

Follow-Up:

Other Affected Departments Notified: _____ (circle)

Planning Building Health Public Works Sheriff Child Protective Services _____
other

Letters sent to property owner

_____ date date date

Complainant notified of action

_____ date date date

indicate if by telephone or letter

Notes _____
