

ORDINANCE NO.. \_\_\_\_\_

ORDINANCE AMENDING CHAPTER 12.16 OF  
THE SANTA CRUZ COUNTY CODE AND TO ADD  
SECTIONS 12.16.020, 12.16.030, 12.16.040 and 12.16.050  
RELATING TO STREET NAMES AND BUILDING NUMBERS

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Chapter 12.16 of the Santa Cruz County Code as adopted by Ordinance No.2548, is hereby amended in addition to adding sections 12.16.020, 12.16.030, 12.16.040 and 12.16.050 as follows:

CHAPTER 12.16

STREET NAMES AND BUILDINGNUMBERS

SECTIONS:

- 12.16.0 10 Assignment of Street Names and Building Numbers
- 12.16.020 Appeal Procedures
- 12.16.030 Violation, Public Nuisance and Abatement Costs
- 12.16.040 Violation - Penalty
- 12.16.050 Enforcement

12.16.010 ASSIGNMENT OF STREET NAMES AND BUILDING NUMBERS.

The Emergency Services Coordinator may assign a street name to each road/street and/or a number to each building within the unincorporated area of the county at the time a building permit is issued, upon recommendation of a public safety agency or request of an interested party. When, in the opinion of the County Emergency Services Coordinator, a building has an existing number which does not conform to an established pattern within a neighborhood and when such a lack of conformity constitutes a threat to the public safety, welfare, and convenience, or when a road name constitutes such a threat, the County Emergency Services Coordinator shall have the authority to assign a new appropriate name or number to said road/street or building. The decision of the Emergency Services Coordinator shall be appealable to the County Fire Marshal in accordance with appeal procedures contained herein. The decision of the County Fire Marshal

shall be final. (Ord. 2548, 3/28/78; 2800, 10/30/79; 3948, 9/20/88; 4079, 8/28/90)

#### 12.16.020 APPEAL PROCEDURES.

A. Appealable Decisions. Any order relating to the assignment of street names and building numbers administered by County Emergency Services shall be appealable to the County Fire Marshal.

B. Service of Order and Notice of Right to Appeal. All assignment of street names and building numbers administered by County Emergency Services shall be served in accordance with the Uniform Fire Code as adopted by County Code Chapter 7.92, and shall be accompanied by a written "NOTICE OF RIGHT TO APPEAL."

C. Initiating Appeal. Any beneficially interested owner of developed real property has the right to appeal the order served by the County Emergency Services Coordinator related to assignment of street names and building numbers. The assignment of street names and/or building numbers shall be appealed to the County Fire Marshal by filing a written "NOTICE OF APPEAL" within ten (10) days after service of such written order. The notice shall state the order appealed from, the identity of the appellant(s) and mailing address, and the specific grounds upon which the appeal is taken.

D. Stay of Order. The filing of a properly completed notice of appeal shall have the effect of staying the implementation of the order appealed from until the final decision of appeal, except for orders affecting acts or conditions which, in the opinion of the County Fire Marshal, pose an immediate threat to life or property as the result of panic, fire or explosion.

#### E. Hearing of Appeal.

1. County Emergency Services shall set the matter to be heard at a date within sixty (60) days of receipt of such Notice of Appeal of assignment of street names and building numbers. No more than two (2) continuances may be granted, unless good cause is shown. Written notice of the time and place set for hearing shall be served on the appellant by first class mail to the mailing address as shown on the County Assessor's records at least five (5) days prior to the date set for hearing. County Emergency Services shall transmit to the County Fire Marshal all records related to the appeal.

2. At the hearing on the appeal, County Emergency Services shall first present evidence in support of the order to name a road or change an address. The appellant shall next, present evidence in support of the grounds enumerated in his/her notice of appeal. The appellant and County Emergency Services shall each have one opportunity to rebut the evidence presented by the other. The hearing shall be de novo in all respects.

F. Decision of the County Fire Marshal. Upon hearing the appeal, the County Fire Marshal may issue a decision affirming, modifying or vacating the order of County Emergency Services. The decision related to assignment of street names and building numbers shall be in writing and shall be served upon the appellant by mail in the manner provided for the notice of hearing pursuant to subsection E of this section. The decision of the County Fire Marshal shall be final.

G. Time for Decision. The County Fire Marshal shall have the power to continue any hearing and may, in his/her discretion, take the appeals under submission. The County Fire Marshal shall render a decision not later than the thirtieth (30<sup>th</sup>) day following the date the matter was taken under submission, and forthwith notify the interested parties as previously set forth.

H. Appeal of Decision of County Fire Marshal. The decision of the County Fire Marshal is subject to judicial review under the provisions of Code of Civil Procedure Section 1094.5. Under the provisions of Code of Civil Procedure Section 1094.6, any petition for judicial review must be filed in the appropriate court no later than the 90<sup>th</sup> day following the date on which this decision becomes final. The date the decision becomes final is its effective date as stated in the decision.

#### 12.16.030 VIOLATION, PUBLIC NUISANCE and ABATEMENT COSTS.

In addition to the effects of violation enumerated in Article 3 of the Uniform Fire Code, any violation of the fire code shall be deemed a public nuisance pursuant to Santa Cruz County Code Section 1.12.050 and/or the fire district's code. In the event that a public nuisance is not abated in accordance with the order of the County Emergency Services coordinator or the order of the County Fire Marshal appeal, if any, the County Fire Marshal may, upon securing approval of the Board of Supervisors, proceed to abate the nuisance by force account, contract, or any other method deemed most expedient by the board. The cost of such abatement may be charged to the record owner, or assessed to the property in a manner provided in Sections 1.14.040 through 1.14.080 of the Santa Cruz County Code.

#### 12.16.040 VIOLATION - PENALTY.

Unless otherwise provided, it is unlawful for any person, firm or corporation to violate any of the provisions of the code adopted in this chapter, or to fail to comply with any order made thereunder, or any certificate or permit issued thereunder, or to fail to comply with an order by the County Fire Marshal, or to fail to comply with an order of the court of competent jurisdiction within the time fixed therein. Every such violation or noncompliance shall be deemed an infraction or misdemeanor, in accordance with Chapter 1.12 of the Santa Cruz County Code.

#### 12.16.050 ENFORCEMENT.

The County Fire Marshal and his/her delegated subordinates, pursuant to the provisions of Section 836.5 of the Penal Code of the State of California, are authorized to arrest a person without a warrant whenever they have reasonable cause to believe that the person has committed an infraction or a misdemeanor in their presence which is a violation of any of the provisions of this chapter. Upon making such an arrest, the County Fire Marshal or his/her delegated subordinate shall prepare a citation and release the person pursuant to Section 853.6 of the Penal Code of the State of California, the provisions of which are hereby adopted by reference as part of this section.

## SECTION II

This ordinance shall take effect on the 31<sup>st</sup> day after the date of final passage.


PASSED AND ADOPTED this      day of \_\_\_\_\_, 2001, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES:            SUPERVISORS  
NOES:           SUPERVISORS  
ABSTAIN:       SUPERVISORS

\_\_\_\_\_  
Chair of the Board of Supervisors

Attest: \_\_\_\_\_  
Clerk of the Board

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Marie Costa  
Assistant County Counsel

DISTRIBUTION:    Emergency Services  
                         County Fire Marshal  
                         CAO  
                         County Counsel