

The following table summarizes the changes to FBMC Title 1 that constitutes a repeal and replace of the current Title 1.

Amendments to FBMC Title 1	
Sections with a (*) indicate an addition of a new section or subsection	
Chapter 1.04	
FBMC Section	Proposed Change(s)
1.04.010 Definitions	<ul style="list-style-type: none"> • Revising the following definitions for the sake of clarity, modernization, or grammatical errors: <ul style="list-style-type: none"> ○ Central Business District or Central Traffic District ○ Holidays ○ Written
1.04.060 Misdemeanor Violations	<ul style="list-style-type: none"> • Adding section 1.04.060 to Chapter 1.04 <ul style="list-style-type: none"> ○ This section establishes the authority to constitute a violation of the Municipal Code as a Misdemeanor. ○ Originally this was in section 1.12.010 (A)
Chapter 1.06	
Chapter Table of Contents	<ul style="list-style-type: none"> • Section renumbering
1.06.030 Definitions	<ul style="list-style-type: none"> • Including “Chapter 1.12” in the description of the section at the start of section 1.06.030. • Adjusting the definition of “Responsible Party or Responsible Parties,” to include “or any party with a legal interest in the affected property”
*1.06.060 Hearing and Hearing Officer	<ul style="list-style-type: none"> • Adding “And Hearing Officer” to the title of the section so that it will be called “Hearing and Hearing Officer” • *Replacing 1.06.060 (B) with subsection titled “Powers of the Hearing Officer.” <ul style="list-style-type: none"> ○ Describes the duties and powers of the Hearing Officer • Renumbering subsection titled “Evidence” to 1.06.060 (C).
*1.06.080 Hearing Procedures and Rules	<ul style="list-style-type: none"> • Replacing existing 1.06.080 with a new section titled “Hearing Procedures and Rules.” <ul style="list-style-type: none"> ○ Lists the powers of the Hearing Officer and the details of the proceedings.
1.06.090- 1.06.150	<ul style="list-style-type: none"> • Renumbering existing sections to account for the replacement of 1.06.080 with a new section <ul style="list-style-type: none"> ○ Changing Section “Decision” from 1.06.080 to 1.06.090 ○ Changing Section “Decision in Writing” from 1.06.090 to 1.06.100 ○ Changing Section “Payment and Collection of Penalties” from 1.06.100 to 1.06.110 ○ Changing Section “Defaults and Uncontested Cases” from 1.06.110 to 1.06.120 ○ Changing Section “Cost Accounts” from 1.06.120 to 1.06.130 ○ Changing Section “Imposition of Liens or Special Assessments” from 1.06.130 to 1.06.140 ○ Changing Section “Judicial Review of Decision of Hearing Body or Hearing Officer” from 1.06.140 to 1.06.150

1.06.090 Decision	<ul style="list-style-type: none"> • Grammatically restructuring subsection B for clarity. • Adding reference to Chapter 1.12 in subsection D.
1.06.120 Defaults and Uncontested Cases	<ul style="list-style-type: none"> • Adding language that addresses defaults and uncontested cases as it relates to the right to a hearing.
1.06.140 Imposition of Liens or Special Assessments	<ul style="list-style-type: none"> • Adjusting subsection D to remove “any penalty imposed pursuant to this section, and” to account for the new chapter that details the penalties.
Chapter 1.08	
1.08.010 Appeal of Administrative Decision	<ul style="list-style-type: none"> • Adjusting the title to “Appeal of Administrative Decision and Citation” • Adding language to subsection A to include administrative citations, references to Chapter 1.12, and specifying who has the ability to appeal. • Adjusting sentence structure in subsection B, and adjusting the number of days from the date of service of any determination, action, or decision from 15 days to 10 days. • Eliminating current subsection C that details the hearing fee requirements because the fees are established in other sections and in the Fee Schedule. • Subsection D is changing to subsection C. • Removes the language about an appeal processing fee because it’s established elsewhere, and adds “decision” to specify that appeals of administrative decisions will need to be filed in a timely manner in order to not have the right to appeal waived.
*1.08.030 Procedure for a Request for Hearing	<ul style="list-style-type: none"> • Adjusting title to “Procedure for a Request for Hearing/Appeal of an Administrative Citation” • Renumbering subsections to account for new sections replacing subsection A through D. <ul style="list-style-type: none"> ○ Sections A through D now describe the process, timeframes, and the authority of City staff for appeals of administrative decisions or administrative penalties. ○ Subsection E (FKA subsection B) adjusting the number of calendar days that an appeal hearing will be set within. ○ Subsection F (FKA subsection C) adding a reference to section 1.06.120. ○ Subsection G (FKA subsection D) adding language about the ability of the Hearing Officer to grant a hardship waiver or whether the City can request reimbursement of the costs of the Hearing Officer’s services. Also specifying that the Hearing Officer’s decision shall be final.
Chapter 1.12	
*1.12.010 Penalty	<ul style="list-style-type: none"> • Changing the title of the Chapter from “General Penalty” to “Administrative Citations and Penalties.” • Removing the existing section 1.12.010 titled “Penalty” because the section language was moved to 1.04.060.

	<ul style="list-style-type: none"> • Turning section 1.12.010 into the “Findings and Purpose” of the Chapter.
*1.12.020 Citation	<ul style="list-style-type: none"> • Adding section 1.12.020 titled “Citation.” <ul style="list-style-type: none"> ○ Stating that this Chapter will be referred to as the “Fort Bragg City Administrative Citation Ordinance.”
*1.12.030 Definitions	<ul style="list-style-type: none"> • Adding section 1.12.030 titled “Definitions.” Section defining the following terms in the context of the Chapter: <ul style="list-style-type: none"> ○ “Administrative Costs” ○ “Administrative Code Enforcement Remedies” ○ “Citation” or “Administrative Citation” ○ “Department” ○ “Enforcement Officer”
*1.12.040 Scope of Chapter	<ul style="list-style-type: none"> • Adding section 1.12.040 titled “Scope of Chapter” to indicate the who and when can utilize the Chapter and the exceptions to the uses of the Chapter.
*1.12.050 Nonexclusively and Election Proceedings	<ul style="list-style-type: none"> • Adding section 1.12.050 titled “Nonexclusively and Election of Proceedings” to establish that it’s at the discretion of the City to what extent and in what cases the enforcement proceedings established in this Chapter and the Code will be utilized.
*1.12.060 Recordation of Notice of Violation	<ul style="list-style-type: none"> • Adding section 1.12.060 titled “Recordation of Notice of Violation” establishing the process of recording violations with the Mendocino County Recorder.
*1.12.070 Administrative Penalty; Amounts.	<ul style="list-style-type: none"> • Adding section 1.12.070 “Administrative Penalty; Amounts” specifying the process for citing administrative penalties in connection with administrative citations, the amount limits that administrative penalties can be cited within, and the ways that citations/penalties can be modified.
*1.12.080 Citation for Violation of the Code	<ul style="list-style-type: none"> • Adding section 1.12.080 “Citation for Violation of the Code” establishing how a citation will be issued, the appropriate evidence to substantiate the administrative citation, and the repercussions of a violation going uncorrected.
*1.12.090 Service Procedures	<ul style="list-style-type: none"> • Adding section 1.12.090 “Service Procedures” establishing the way that administrative citations will be served on Responsible Parties.
*1.12.100 Appeal of an Administrative Citation	<ul style="list-style-type: none"> • Adding section 1.12.100 “Appeal of an Administrative Citation” to indicate that the appeal of administrative citation will fall under the same procedures set forth in Chapter 1.08.
*1.12.110 Hardship Waiver	<ul style="list-style-type: none"> • Adding section 1.12.110 “Hardship Waiver” to indicate when a Responsible Party may seek a financial hardship waiver and what information would need to be submitted in order for the City to determine whether a waiver will be granted.