



# Public Information

County of Ventura • Resource Management Agency • Code Compliance  
800 South Victoria Avenue, Ventura, CA 93009 • 805 654-2463 • [vcrma.org/divisions/code-compliance](https://vcrma.org/divisions/code-compliance)

## Civil Administrative Penalties Program

### What is the authority under which civil penalties may be imposed?

The Ventura County Board of Supervisors adopted an ordinance that amended Section 8114-3.7 of the Non-Coastal Zoning Ordinance relating to the imposition of civil penalties, in effect since 2007. The Coastal Zoning Ordinance (Section 8183-5.7) was similarly amended in 2017. The Ventura County Building Code was amended effective January 1, 2011, making violations of the Building Code subject to the imposition of Civil Administrative penalties as well. Each of these codes and ordinances may be viewed online at <https://vcrma.org/>.

### Why are civil penalties imposed?

Penalties are imposed to motivate the correction of violations. The Civil Administrative Penalties Program was created in response to a growing number of unresolved Planning-related code violation cases. Without a tangible consequence for failing to correct violations, many property owners simply ignore the County's requests. Prolonged violation cases may pose dangers to the community and reduce property values. The intent of daily fines is to motivate timely correction of violations, which is in everyone's best interest. The penalty amount can range up to \$1,000 per violation per day.

### When are civil penalties imposed?

Penalties are only imposed after a violation has been confirmed and a Notice of Violation (NOV) issued. While generally, penalties are imposed after a violation has remained uncorrected for more than 30 days, shorter time frames may apply if warranted by conditions. Staff time related to the violation case is also tracked and billed to the property owner beginning 30 days after the NOV, not as a penalty, but as *cost recovery*.

A Notice of Impending Civil Administrative Penalties is issued simultaneously with the Notice of Violation, which the opportunity to correct a violation before penalties may be imposed. Both a Notice of Imposition of Civil Administrative Penalties and the recording of a Notice of Noncompliance (NONC) on the property may be provided if a violation remains unabated.

Cases that involve particularly dangerous situations may be processed at a quicker pace. When correction of the violation is delayed, but the property owner is taking steps towards abatement, the property owner may make a written request to *stay* imposed penalties. If the request is granted, the property owner will be required to either complete abatement within 90 days, or to enter into a Compliance Agreement. This is a contract to correct the violations in a specified manner and time frame.

Once penalties have been imposed, they may run *daily* against the property until all violations are abated. New owners and potential buyers, beware! Civil penalties are recorded as a lien payable upon sale or refinance of the property.

Penalties are not generally imposed if the property owner remains in communication with their Code Compliance Officer, and they are making reasonable and continued efforts to abate violations.

### How are penalty amounts determined?

The Code Compliance staff determines penalty amounts based upon the Building Code and/or Zoning Ordinance provisions and the Guidelines adopted by the Ventura County Board of Supervisors. The Guidelines inform penalty amounts that are fair, appropriate, and proportionate to the nature of

the violation. Objective factors allow for lowering the penalty amount if mitigating circumstances are found or raising the penalty if there are aggravating circumstances.

### **Independent Appeal Hearing Officer**

The property owner may contest the *amount* of the penalty if an appeal is filed within 10 days of the Notice of Imposition. The appeal is heard by an independent Hearing Officer whose decision is final, unless an appeal is filed in Superior Court within 20 days of the Hearing Officer's decision. The Hearing Officer's role is limited to determining an appropriate penalty amount, not whether a violation exists.

### **Contact Us for Information and Questions**

If you have general questions about the Civil Administrative Penalties Program, visit Code Compliance's website at: [vcrma.org/divisions/code-compliance](http://vcrma.org/divisions/code-compliance), or call (805) 654-2463.

If you have violations on your property, you should contact the officer who has been handling your case.