

INTRODUCED: May 14, 2018

A RESOLUTION No. 2018-R044

To request that the Chief Administrative Officer cause to be prepared and submitted to the Council a report making recommendations for an appeals process for civil penalties imposed pursuant to City Code § 11-105.

\_\_\_\_\_  
Patron – Ms. Larson

\_\_\_\_\_  
Approved as to form and legality  
by the City Attorney  
\_\_\_\_\_

PUBLIC HEARING: MAY 29 2018 AT 6 P.M.

WHEREAS, section 11-105 of the Code of the City of Richmond (2015), as amended, makes it unlawful for weeds or any other vegetation 12 inches high or over to exist on any property within the city of Richmond; and

WHEREAS, subsection (e) of section 11-105 of the Code of the City of Richmond (2015), as amended, prescribes civil penalties for violations of that section; and

WHEREAS, it is the Council's belief that an appeals process for persons upon whom civil penalties have been imposed pursuant to subsection (e) of section 11-105 of the Code of the City of Richmond (2015), as amended, should be implemented to provide such persons with an opportunity to appeal and contest the validity of such civil penalties; and

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSTAIN: \_\_\_\_\_

ADOPTED: \_\_\_\_\_ REJECTED: \_\_\_\_\_ STRICKEN: \_\_\_\_\_

WHEREAS, the Council believes that recommendations for a process for appealing such civil penalties will improve the environmental enforcement process for the City; and

WHEREAS, the Council believes that it is in the best interests of the citizens of the City of Richmond that the Council request that the Chief Administrative Officer cause to be prepared and submitted to the Council a report that makes recommendations for an appeals process, to the extent permitted by law, for civil penalties imposed pursuant to subsection (e) of section 11-105 of the Code of the City of Richmond (2015), as amended, for violations of that section;

NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RICHMOND:

That the Council hereby requests that, within 60 days of the adoption of this resolution, the Chief Administrative Officer cause to be prepared and submitted to the Council a report that makes recommendations for an appeals process, to the extent permitted by law, for civil penalties imposed pursuant to subsection (e) of section 11-105 of the Code of the City of Richmond (2015), as amended, for violations of that section.



# Richmond City Council

The Voice of the People

Richmond, Virginia

Office of the Council Chief of Staff

RECEIVED

MAY 14 2018

OFFICE OF CITY ATTORNEY

## Ordinance/Resolution Request

**TO** Allen Jackson, City Attorney

**THROUGH** Lou Ali, Council Chief of Staff *NKB on behalf*

**FROM** Steven Taylor, Council Policy Analyst *ST*

**COPY** Kristen Larson, 4th District Council Member  
 Bryce Lyle, 4<sup>th</sup> District Liaison  
 Haskell Brown, Deputy City Attorney  
 Meghan Brown, Deputy Council Chief of Staff *MKB*

**DATE** May 2, 2018

**PAGE/s** 1 of 2

**TITLE** Requesting that the CAO Develop an Appeals Process of Citations Issued by the City Department.

This is a request for the drafting of an **Ordinance**  **Resolution**

**REQUESTING COUNCILMEMBER/PATRON**

K. Larson

**SUGGESTED STANDING COMMITTEE**

Government Operations

### ORDINANCE/RESOLUTION SUMMARY

The patron requests that a resolution be drafted requesting that CAO develop an appeals process that specifically allows for administrative appeals of civil penalties issued pursuant to City Code Section 11-105(e).

The resolution should include a request that the CAO report the recommendations to City Council in 60 days.

