

RESOLUTION R18-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES AMENDING EXHIBIT A TO RESOLUTION NO. R17-14 BY SETTING FORTH THE ADMINISTRATIVE FINES FOR VIOLATIONS OF TITLE 18 OF THE PALOS VERDES ESTATES MUNICIPAL CODE AS IT PERTAINS TO REGULATION OF PERSONAL CULTIVATION OF MARIJUANA

The City Council of the City of Palos Verdes Estates, California hereby resolves as follows:

SECTION 1: The City Council finds and declares as follows:

1. At its regular meeting on October 10, 2016 the City Council introduced Ordinance No. 16-718 ("Administrative Citation Ordinance") which adds Chapter 1.50, entitled "*Administrative Citations and Penalties*" and consisting of §§1.50.010 to 1.50.110, to Title 1 of the Palos Verdes Estates Municipal Code ("PVEMC") and allows City enforcement officers to issue administrative citations for PVEMC violations. The Administrative Citation Ordinance allows fine amounts to be adopted by City Council resolution, pursuant to Government Code § 53069.4(a)(1).
2. On October 10, 2016, the City Council adopted Resolution No. R16-33 which included the City's fine schedule for purposes of imposing fines pursuant to Chapter 1.50 of Title 1 of the PVEMC.
3. On March 28, 2017 the City Council adopted Resolution No. R17-14 which amended the fine schedule to include administrative fines for violations of Chapter 9.18 of the PVEMC, entitled "*Social Host Liability for Parties at which Underage Drinking Occurs*".
4. At its regular meeting on November 28, 2017 the City Council adopted Ordinance No. 17-725; an ordinance amending Title 18 of the PVEMC in order to expressly ban commercial (medical and non-medical) marijuana activities, allow for the delivery of medical marijuana, reasonably regulate indoor cultivation of marijuana for personal use, and ban all outdoor cultivation of marijuana; and amending Section 8.56.020 (smoking prohibited) to include additional locations where smoking is prohibited in light of current state laws regarding recreational marijuana use.
5. Ordinance No. 17-725 indicated that the City Council shall establish a schedule of administrative fines for violations of Chapter 18.73 of the PVEMC.

SECTION 2: The fine amounts attached as Exhibit "A" to Resolution No. R17-14 are hereby amended to include the specific fine amounts for a violation of Chapter 18.73 of the PVEMC.

SECTION 3: The amended schedule of fines is hereby adopted as set forth in attached Exhibit

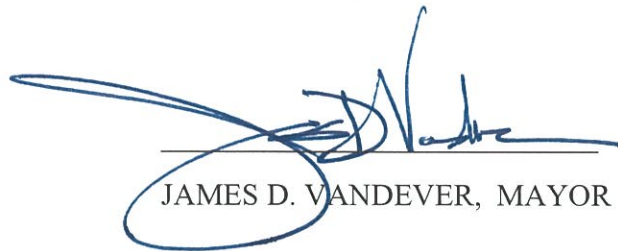
“A” and incorporated by this reference.

SECTION 4: The effective date for the fines coincides with the effective date of Ordinance No. 17-725.

SECTION 5: This Resolution is effective immediately upon adoption.

SECTION 6: The City Clerk shall certify to the passage and adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 10th day of January, 2018.




JAMES D. VANDEVER, MAYOR

ATTEST



Lauren Pettit, Deputy City Clerk

APPROVED AS TO FORM:



Christi Hogin, City Attorney

RESOLUTION R18-05

EXHIBIT A

FINE SCHEDULE FOR ADMINISTRATIVE CITATION ORDINANCE

A. Except as otherwise provided herein, violations of the Palos Verdes Estates Municipal Code are subject to an administrative fine in the following amounts:

1. A fine not exceeding one hundred dollars (\$100.00) for the first violation.
2. A fine not exceeding two hundred dollars (\$200.00) for a second violation of the same provision within one year.
3. A fine not exceeding five hundred dollars (\$500.00) for each additional violation of the same provision within one year of the first violation.

B. Pursuant to Government Code section 53069.4, violations of any of the provisions of Title 15 of the Palos Verdes Estates Municipal Code are subject to an administrative fine in the following amounts:

1. A fine not exceeding one hundred dollars (\$100.00) for the first violation.
2. A fine not exceeding five hundred dollars (\$500.00) for a second violation of the same provision within one year.
3. A fine not exceeding one thousand dollars (\$1000.00) for each additional violation of the same provision within one year of the first violation.

C. Notwithstanding the foregoing, violations of Chapter 9.18 of the Palos Verdes Estates Municipal Code are subject to an administrative fine in the following amounts:

1. A fine not exceeding two thousand five hundred dollars (\$2,500.00) for the first violation.
2. A fine not exceeding five thousand dollars (\$5,000.00) for a second violation of the same provision within one year.
3. A fine not exceeding seven thousand five hundred dollars (\$7,500.00) for each additional violation of the same provision within one year of the first violation.

D. Notwithstanding the foregoing, violations of Chapter 18.73 of the Palos Verdes Estates Municipal Code are subject to an administrative fine in the following amounts:

1. ***A fine not exceeding two thousand five hundred dollars (\$2,500.00) for the first violation.***
2. ***A fine not exceeding five thousand dollars (\$5,000.00) for a second violation of the same provision within one year.***

3. *A fine not exceeding seven thousand five hundred dollars (\$7,500.00) for each additional violation of the same provision within one year of the first violation.*

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF PALOS VERDES ESTATES)

I, Lauren Pettit, Deputy City Clerk for the City of Palos Verdes Estates, California, do hereby certify that the foregoing Resolution **R18-05** was duly and regularly approved and adopted by the City Council of the City of Palos Verdes Estates at its regular meeting of the City Council on the 10th day of January, 2018, by the following vote:

AYES: COUNCILMEMBERS: Vandever, Peterson, King, Davidson, Kao

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

RECUSED: COUNCILMEMBER: None


Lauren Pettit, Deputy City Clerk