

Guide to Residential Ordinances



City of Concord
Building, Engineering and
Neighborhood Services Department
Neighborhood Services Division

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GUIDE TO RESIDENTIAL ORDINANCES

There are numerous ordinances, or laws, in Concord that pertain to residential property. Most of these have been enacted to protect and preserve the basic character and quality of life in residential neighborhoods. They are typically designed to control accumulation of junk, trash, refuse, and vehicles, which are abandoned, unregistered or in disrepair. The City also has an interest in ensuring that businesses do not operate where they are obviously inconsistent with the residential character of a neighborhood, just as it wishes to ensure that sidewalks and walkways are safely maintained and are not obstructed by trees and shrubs.

These ordinances are enforced by the City and State or County agencies, where applicable. Copies of individual ordinances and the Concord Municipal Code can be found on the City's web site at www.cityofconcord.org. Ordinances are periodically updated to reflect the changing needs of the City, its residents, and state law. We welcome any questions or comments. You may reach the **Neighborhood Services Division at 671-3075**.

This document is simply a guide, and not meant to be a final or complete compliance doctrine.



PUBLIC NUISANCE ORDINANCE

In April, 2000, the City Council adopted a Public Nuisance Ordinance which is a part of the City's Municipal Code. This Ordinance was revised in 2006 to incorporate changes in law at the state and local level and more clearly describe property maintenance requirements. A public nuisance can be a junked car, a building in disrepair, a dead or diseased tree, a stagnant swimming pool or a number of other conditions.

One important feature of this Ordinance is the Administrative Citation, which is similar to a parking ticket. Citations will be issued in cases where a property owner fails to voluntarily correct a public nuisance. Because the citations do not involve the judicial system, they are more efficient and effective than bringing the matter to court. The current fine for a first offense is \$100, second offense is \$200 and subsequent offenses are \$500. Fines are set by State law and subject to increases.

WHAT TO DO ABOUT NEIGHBORHOOD ISSUES

If you feel comfortable, try the “Good Neighbor” approach. Talk with your neighbor about the nuisance, and ask for their cooperation to correct it. For best results, always approach people in a friendly, rational manner. Never approach someone when you are angry or out of con-

trol. Many times, people appreciate their neighbors contacting them and will correct the problem. Other times, people may be offended and become defensive and uncooperative. Therefore, use your best judgment before and during the interaction with your neighbor.

REPORTING VIOLATIONS

If your “Good Neighbor” efforts do not result in the violation being corrected, call the City of Concord’s **Neighborhood Services Division’s 24-Hour Hotline at 671-3282**. Please have the following information ready:

1. **The general type or nature of the complaint or nuisance.**
2. **Your name, address, and telephone number.**

This information will allow us to keep you updated on the status of our response to your complaint, and to call you if we need further information. Your identity will be kept confidential. Anonymous callers may call for updates.
3. **The exact location of the problem:**

House number and street. If the address is unknown, details which help to identify the property are helpful, i.e. “northwest corner of First and Main streets, directly across from the purple house.”

4. **A detailed description of the offending situation or problem.**

Be specific about the “type” of activity, or nuisance condition, and “where” on the property the activity or nuisance condition is located. Also, include any other details that may help us to observe an activity, such as, the “time” and “day” the activity is most likely to occur.

For example: “Vehicle repair activity. The resident, Mr. Goodwrench, at 123 Main Street has been repairing cars on his driveway for a month, on Thursdays and Fridays, from 5 p.m. to 6 p.m. There are car parts on the front lawn.”

In certain circumstances, we may need your assistance in pursuing violations where photos and records of events may be helpful. For example, certain alleged code violations may be taking place after normal business hours.

CODE ENFORCEMENT PROCESS

■ CITY FOLLOW-UP

Staff will investigate complaints within 2–5 business days after they are received. If the complaint is valid, it is the City’s practice to issue a courtesy notice to the owner(s), in order to give them an opportunity to correct or eliminate the nuisance. If the nature of the complaint suggests there are **immediate health or safety concerns** an investigation is conducted the same day the complaint is received.

■ NON-COMPLIANCE

If the responsible party(ies) does(do) not comply, the City may use any or all of the following processes to obtain compliance:

1. Charge inspection fees for non-compliance;
 2. If appropriate, cause the removal or abatement of a violation;
 3. Issue an Administrative Citation;
- or,
4. **Initiate legal action.**

These processes, individually or collectively, can remedy the violation in as little as a few days or several months depending upon the circumstances, nature of the violation, and cooperation of the property owner.

■ FEES

The Neighborhood Services Division assesses a fee for each reinspection visit to the site of a violation. The fee is assessed only if the code violation is continued after the City’s initial notification and a subsequent reinspection reveals that the problem, as cited, was not corrected.

■ ABATEMENTS

The City has the authority to remove, or abate property nuisances including, but not limited to, inoperable or unregistered vehicles, miscellaneous materials, refuse, garbage, and debris from a property after the property owner has been notified and fails to comply. If an abatement action is necessary, the City will charge the property owner for all costs involved in the investigation and abatement of the violation, including an administrative fee for the abatement. Failure to pay these costs could result in a tax lien being placed against the property where the violation occurred.

■ PENALTIES

Failure to comply with any provision of the Municipal Code may be charged as an infraction or misdemeanor at the discretion of the City Attorney. An infraction is punishable by a fine not exceeding \$100 for the first violation, \$200 for the second violation in one year, and \$500 for each additional violation within one year of the first occurrence. A misdemeanor is punishable by a fine set by the State or County, or by imprisonment in the City or County jail, or by such fine and imprisonment.

■ CONFIDENTIALITY

It is not the City’s intent to increase neighborhood animosity, nor to prolong personal feuds when there is a need to enforce the Municipal Code. Toward that end, we will make every effort to keep the names and identities of complainants confidential. Complainants are advised, however, that persons who file complaints may be asked to appear as witnesses if the case goes to court.

■ ANIMAL CONTROL



Animals running at large are prohibited. Animal owners should not allow their animals to disturb another person by making

excessively loud noises. Persons disturbed by an animal may sign a formal complaint. For more information, or to make a complaint about an animal disturbance, please call **County Animal Services at 335-8300**.

■ BUILDING PERMITS



Building Permits are required for safety reasons for most home improvements including sprinkler systems, patio covers,

spas, most decks, interior remodeling, window replacement, garage conversions, carports, retaining walls, etc. Prior to starting any project always contact the **City's Building Division at 671-3107**.

■ HOME BUSINESSES

Any activity, whether for pay or not, which creates a nuisance is prohibited. Some home business activities are allowed. Please be aware that many businesses, including home businesses, are required to pay a City business tax and may require a business license.

For further information about home businesses, business license and tax requirements, please call the **Finance Department at 671-3178**. For complaints about home businesses, please call **Neighborhood Services at 671-3075** or the **24-hour hotline at 671-3282**.

■ FENCE, WALL AND SHRUB HEIGHT AND LOCATION



The City's fence, wall and shrub regulations are intended to encourage variety and flexibility in design, development

and maintenance; permit increased use of yard areas; establish the heights of such barriers in order to maintain clear sight distances; and, reduce crime. Height is regulated depending on where the barrier is located on the property. Generally, barriers in the front yard at the property line are limited to three (3) feet in height. In general, no barrier should exceed six (6) feet in height without first obtaining Zoning and Building Permits. Barbed wire, razor wire, ultra barrier, electrified and other hazardous fences are not permitted contiguous to, or along any public street or sidewalk.

For information about barrier heights and placement, please call the **Planning Division at 671-3152**. For information about obtaining a building permit, please call the **Building Division at 671-3107**. For enforcement of heights and locations, please call **Neighborhood Services at 671-3075**.

VEHICLES

■ VEHICLE REPAIRS



The registered owner of a vehicle may perform routine maintenance on his/her vehicles, or on vehicles belonging to

immediate family members, in public view at his/her residence. Routine maintenance includes changing the oil and/or tires; replacement of the water pump, alternator, brakes, shocks, oil, air filters and/or spark plugs; and, similar work. Major repairs including pulling engine blocks, repair or replacement of transmissions or front and rear axles, major body repair, dismantling, and similar work, is not permitted in public view and must be done in an enclosed garage.

For complaints about vehicle repair, please call **Neighborhood Services at 671-3075** or the **24-hour hotline at 671-3282**.

■ VEHICLES



Parking regulations are designed to maintain and promote safety on our public streets and protect our water supply.

Parking your vehicle on a paved surface helps prevent fluids and oil from seeping into the ground and contaminating the ground water. Parking regulations help to improve the appearance of the neighborhood and the value of your property by preventing the accumulation of abandoned or inoperable vehicles in public view.

■ PARKING ON PUBLIC STREETS



It is unlawful to park any trailer, boat, mobile home, or motor home on any public street in a residential area

for more than 72 hours. Please call the **Concord Police Department at 671-3259** for enforcement.

■ PARKING OR STORAGE ON RESIDENTIAL PROPERTIES

Motor vehicles must be parked on a paved driveway, have current registration, and be maintained in operating condition. Vehicles registered as “non-operable” with the Department of Motor Vehicles are not considered as being currently registered by the City of Concord, and must be stored out of public view. Please call **Neighborhood Services at 671-3075** for enforcement.

■ **PARKING ON OR ACROSS SIDEWALKS**

Parking any vehicle so as to obstruct a sidewalk is unlawful. Please call the **Concord Police Department at 671-3220** for enforcement.

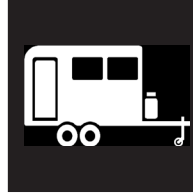
■ **PARKING OR STORAGE OF INOPERABLE VEHICLES**



Inoperable or junk vehicles are defined as those that are not fully operational and/or do not have current vehicle

registration. On private property, an inoperable or junk vehicle may only be parked in a garage out of public view; otherwise, the vehicle is subject to being towed. All operable vehicles must be parked on a paved driveway or surface. Inoperable vehicles left on the public street are also subject to being towed. To report violations on single-family property, please call **Neighborhood Services at 671-3075**. To report violations on the public street, public property, or multi-family property, please call the **Concord Police Department at 671-3259**.

■ **PARKING OR STORAGE OF RECREATIONAL VEHICLES**



Motorhomes, travel trailers, boats and other recreational vehicles can be parked on a paved driveway unless they are

in disrepair, unregistered, or are a sight distance or pedestrian obstruction. One recreational vehicle may be parked in the rear or side yard if behind a six-foot high, opaque fence, and a five-foot setback from adjoining properties needs to be maintained in the side or rear yard. For more information, or to report violations please call **Neighborhood Services at 671-3075** or the **24-hour hotline at 671-3282**.

GARBAGE, TRASH, JUNK, AND DEBRIS

■ CONTAINERS

The City prohibits the storage of shipping containers, freight containers, cargo containers, box cars, storage containers, moving containers, construction containers, commercial containers, or similar items for more than thirty days, other than at a site where an activity is being performed pursuant to a valid permit.

■ GARBAGE ACCUMULATION

The accumulation of garbage, trash, junk, and debris helps spread disease, harbor insects and rodents, and detracts from the appearance of property. These problems can be reduced by placing trash in proper containers and keeping property free of junk and debris. Storing trash and recycling containers out of public view helps enhance the visual image of the neighborhood and the quality of our community. Containers may not be placed out until 24 hours before a scheduled garbage pickup, and must be removed and properly stored within 24 hours after pickup.

It is a violation of the City's Municipal Code to allow the accumulation of garbage, trash, junk and debris, including vehicle parts and equipment. Items not removed after notification by Neighborhood Services may be abated by the City and the cost of removal plus administrative fees will be charged to the property owner.

■ BURNING OF TRASH AND GARBAGE

Burning trash or garbage is prohibited in the City of Concord unless a permit has been obtained from the Contra Costa County Consolidated Fire Protection District. For more information please call 930-5500.

■ GARBAGE SERVICE



All occupied premises within the City are required to have weekly garbage service from the City's approved

provider. **Concord Disposal, the City's approved provider, can be reached at 682-9113.** For more information, or to report trash, junk, and/or debris accumulation or lack of garbage service, please call **Neighborhood Services at 671-3075 or the 24-hour hotline at 671-3282.**

■ RECYCLING AND HAZARDOUS MATERIALS



The City of Concord offers numerous recycling programs including residential curbside and green waste recycling,

commercial and apartment recycling, composting classes, construction and demolition waste recycling, and household hazardous waste recycling including oil, paint and other hazardous materials. For more information visit the City's web site at <http://www.cityofconcord.org/living/recycle.htm>.

■ WEEDS



Overgrown plant material, including grass and weeds can create a fire hazard, provide a breeding ground and harborage for rodents and insects, and can make a neighborhood look unattractive. Regular maintenance of existing landscaping, and the removal and/or trimming of dry and/or overgrown weeds and other vegetation will help to enrich the character of your neighborhood. Weeds or grass eight (8) inches or taller is a violation of Concord's Municipal Code. To report violations, please call **Neighborhood Services at 671-3075 or the 24-hour hotline at 671-3282.**

■ FLAMMABLE MATERIALS



Above-ground tank and bulk storage of flammable and combustible liquids is not permitted in a residential area.

For further information or to report violations call Contra Costa County Consolidated Fire District, 930-5581.

■ TREES AND HEDGES



Trees, hedges or other foliage that encroach onto the public right-of-way (streets, sidewalks, curbs and gutters) are prohibited. If such foliage obstructs the view or any public right-of-way, the foliage should be trimmed or removed to provide adequate visibility. Trees and shrubbery that overhang onto streets and sidewalks must be kept trimmed at least twelve (12) feet above the street and gutter, at least eight (8) feet above the entire sidewalk, and at least sixteen (16) feet above the street and gutter along bus routes. Neighborhood Services has the authority to order the trimming, preservation, or removal of trees, shrubs and hedges on private property when it is found that an emergency or hazardous situation exists. The property owner will be billed for the service. Neighborhood Services does not have authority for trees, shrubs or other foliage on private, residential rear or side yards that do not affect health and public safety. For more information or to report violations concerning trees, hedges or other foliage on private property, please call **Neighborhood Services at 671-3075 or the 24-hour hotline at 671-3282.**

OTHER CITY NEIGHBORHOOD SERVICES:

The City of Concord provides numerous services to assist residents in maintaining or rehabilitating their property and/or neighborhood.

■ HOUSING REHABILITATION PROGRAMS



The City's Housing Rehabilitation Program offers grants and low interest rate loans for many home repairs, and emergency home repair assistance for the elderly and disabled. Federal grants and Redevelopment funds have been used to establish a revolving fund to finance these loans. For more information, please call the City of Concord's

Housing Division at 671-3364.

■ NEIGHBORHOOD PARTNERSHIP PROGRAM



The City's Neighborhood Partnership Program fosters a collaboration between the City and residents to create an

environment in which residents are afforded an opportunity to participate in City affairs and to help organize and maintain self-sustaining neighborhoods throughout the community. For more information or to form a Neighborhood Partnership, please call **Neighborhood Services at 671-3075.**

■ NEIGHBORHOOD WATCH PROGRAM



The Concord Police Department provides information on the Neighborhood Watch Program and methods of

keeping your home safe and secure. For more information please call the **Community Action and Awareness Unit at 671-3237.**

IMPORTANT TELEPHONE NUMBERS

Police, Fire, or Medical

In Case of Emergency call	911
Fire – Non-emergency	930-5500
Police – Non-emergency Assistance.....	671-3220

Neighborhood Watch 671-3237

State of California

(General Information)..... (916) 322-9900

Bay Area Air Quality Management

(To lodge a complaint about an odor,
excess smoke, dust or fallout, call
toll free 24 hours a day)1-800-334-ODOR

City of Concord

Building Division	671-3454
Housing Division (Home Repair Loans).....	671-3364
Housing Rights, Inc. (Housing Counseling).....	1-800-261-2298
Planning Division.....	671-3152
Recycling.....	671-3394
Street Repairs/Spills/Obstructions.....	671-3050

Concord Disposal 682-9113

Contra Costa County

Animal Control	335-8300
Alternative Dispute Resolution	646-2127
Hazardous Material.....	646-2286