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**RESOLUTION NO. R- 50-15**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLTON  
RESCINDING RESOLUTION NO. R-86-13 AND RE-ESTABLISHING  
THE CODE COMPLIANCE HOUSING APPEALS BOARD (“CCHAB”)  
AS A SEVEN MEMBER BOARD**

THE CITY COUNCIL OF THE CITY OF COLTON DOES RESOLVE AS FOLLOWS:

**WHEREAS**, on March 1, 1994, the City Council passed, adopted and approved Resolution No. R-27-94 re-establishing the “Housing Advisory Appeals Board” consisting of seven members appointed by the City Council in accord with the provisions of Chapter 2.30 of the Colton Municipal Code and renaming it the “Code Enforcement and Housing Advisory Appeals Board”; and

**WHEREAS**, for many years since re-establishing the Code Enforcement and Housing Advisory Appeals Board, it had been difficult to assemble a quorum for the monthly meetings, either due to vacant seats remaining unfilled or some previously appointed members not consistently appearing at meetings, which had hindered City staff’s ability to get code compliance agenda items heard; and

**WHEREAS**, under the Colton Municipal Code and related public safety and health codes, a decision of the Board is a legal prerequisite to the City taking further action to abate public nuisances and address code compliance issues and, therefore, it’s role is more than just advisory; and

**WHEREAS**, in order to address these issues, on November 5, 2013, the City Council adopted Resolution No. R-86-13, which did the following: (i) renamed the “Code Enforcement and Housing Advisory Appeals Board” as the “Code Compliance and Housing Appeals Board” (“CCHAB”); (ii) restructured the CCHAB as a three-member subset of a larger seven-member “Code Compliance Commission”; and (iii) established a procedure whereby CCHAB members would hear code compliance cases on an alternating-month basis, based upon what City electoral district they represent. By doing so, the CCHAB quorum requirement was reduced to two, making it easier to convene meetings in order to hear code compliance cases.

1           **WHEREAS**, the City Council has appointed new members to the Code Compliance  
2 Commission, filling previously vacant seats. Further, these newly appointed members have  
3 expressed a strong desire to attend scheduled meetings and hear code compliance cases as they  
4 arise each month, rather than on an alternating-month basis.

5           **WHEREAS**, given these facts, the structure established through Resolution No. R-86-13  
6 is no longer necessary.

7           **NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF COLTON DOES**  
8 **HEREBY RESOLVE AS FOLLOWS:**

9           1.       The City Council hereby renames the “Code Compliance Commission” as the  
10 “Code Compliance and Housing Appeals Board” (“CCHAB”), which shall consist of seven  
11 members appointed by the City Council in accord with the provisions of Chapter 2.30 of the  
12 Colton Municipal Code. The members currently serving on the “Code Compliance Commission”  
13 are hereby appointed to the CCHAB to serve for the electoral district of the Councilmember that  
14 appointed them to the Code Compliance Commission.

15           2.       The CCHAB shall have such duties, powers, obligations and rights pursuant to the  
16 California Building Code, the Uniform Code for the Abatement of Dangerous Buildings, and the  
17 Colton Municipal Code as they may be adopted and amended by the City Council from time to  
18 time. The CCHAB shall also function as the “local appeals board” and “the housing appeals  
19 board” specified in the California Health and Safety Code, sections 17920.5 and 17920.6.

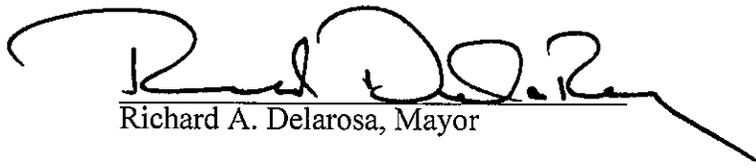
20           3.       The three-member subset, two-person quorum, and alternating-month meeting  
21 procedure as set forth in Section 3 of Resolution No. R-86-13 is hereby rescinded. For purposes  
22 of all meetings, the full membership of the CCHAB shall be seven members and a quorum shall  
23 be at least four members.

24           4.       The CCHAB shall be deemed to be a “Standing Committee” for purposes of the  
25 Brown Act and shall comply with the agenda, open meeting, and other requirements of the Brown  
26 Act.

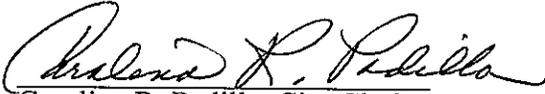
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5. Except as otherwise set forth herein, Resolution No. R-86-13 is hereby rescinded in its entirety.

**PASSED, ADOPTED AND APPROVED** this 2<sup>nd</sup> day of June, 2015.

  
Richard A. Delarosa, Mayor

ATTEST:

  
Carolina R. Padilla, City Clerk

1 STATE OF CALIFORNIA )  
2 COUNTY OF SAN BERNARDINO ) ss  
3 CITY OF COLTON )

4 CERTIFICATION

5 I, **CAROLINA R. PADILLA**, City Clerk of the City of Colton, California, do  
6 hereby certify that the foregoing is a full, true and correct copy of **RESOLUTION NO.**  
7 **R-50-15**, duly adopted by the City Council of said City, and approved by the Mayor of  
8 said City, at its Regular Meeting of said City Council held on the **2<sup>nd</sup> day of June, 2015**,  
9 and that it was adopted by the following vote, to wit:

10 AYES: COUNCILMEMBER Toro, Jorin, Navarro, González,  
11 Bennett, Suchil and Mayor  
12 DeLaRosa

13 NOES: COUNCILMEMBER None

14 ABSTAIN: COUNCILMEMBER None

15 ABSENT: COUNCILMEMBER None  
16

17 **IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official  
18 seal of the City of Colton, California, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

19  
20  
21 \_\_\_\_\_  
22 CAROLINA R. PADILLA  
23 City Clerk  
24 City of Colton

25 (SEAL)  
26  
27  
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