

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENDALE, CALIFORNIA, AMENDING COMPREHENSIVE CITYWIDE FEE RESOLUTION REGARDING ADMINISTRATIVE CITATION FINE AMOUNTS FOR VIOLATION OF THE PROHIBITION ON THE DISTRIBUTION OF DISPOSABLE FOODWARE ACCESSORIES AND AMENDING THE EXISTING COMPREHENSIVE CITYWIDE FEE SCHEDULE FOR THE FISCAL YEAR 2021-22 TO ADD VIOLATIONS SUBJECT TO FINES AND PROCESSING FEES RELATED TO REQUIREMENTS FOR THE REDUCTION OF PLASTIC WASTE

WHEREAS, Chapter 1.24 of Title 1 of the Glendale Municipal Code (“GMC”) authorizes City enforcement officers to issue administrative citations to responsible persons for violations of the GMC; and

WHEREAS, Chapter 1.24 of Title 1 of the GMC provides that the amount of the fine to be assessed by means of an administrative citation shall be specified by resolution of the City Council; and

WHEREAS, the fine amounts are intended to incentivize violators to correct violations of the GMC in a speedy and efficient manner, thereby conserving City code enforcement resources; and

WHEREAS, Chapter 1.24 of Title 1 of the GMC provides that due to the significant risk posed by certain violations to public health, safety and welfare, the amount of fine to be imposed for certain violations of the GMC shall be of a greater amount than others and shall be established by resolution of the City Council and thus, initial and subsequent fine amounts vary based on such severity, falling into one of three fine tiers; and

WHEREAS, Chapter 1.24 of Title 1 of the GMC provides that the City may also recover the cost of processing the administrative citation (processing fee); and

WHEREAS, the Council adopted Resolution 13-96 on June 25, 2013, which established the fine schedule for the then-recently adopted administrative citation program; and

WHEREAS, the Council adopted Resolution 13-216 on December 10, 2013, which included additional GMC violations subject to administrative citation fines and included the amount the City may charge to recover its costs in processing each administrative citation via a processing fee; and

WHEREAS, the Council has, at various times since, in the past, adopted additional resolution which have added, amended, or deleted GMC violations subject to administrative citation fines; and

WHEREAS, the Council adopted Resolution Nos. 21-84 and 21-85 on June 8, 2021, which established certain fees and increased certain fees for various services, permits and certificates provided by the City, and adopted a comprehensive Citywide fee schedule for the fiscal year 2021-22; and

WHEREAS, on _____ the City council adopted Ordinance No. 5964 regulating the use of polystyrene and single-use plastic products, which regulations applied to certain City activities but not more broadly to the businesses; and

WHEREAS, simultaneously with this Resolution, the Council has adopted Ordinance No. _____, which repeals Glendale Municipal Code Chapter 8.42 regulating polystyrene and single-use plastics and replaces it with broader plastic waste reduction regulations targeted at the reducing plastic waste city-wide basis; and

WHEREAS, the City desires to modify the prior violations of the GMC related to the prohibition on the distribution of disposable foodware accessories with violations targeted at the reduction of plastic waste, which will be subject to administrative citation fines and processing fees.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GLENDALE:

SECTION 1. Fine Amounts: GMC Section Reference. In addition to the violations and corresponding fine amounts to be assessed by means of an administrative citation already adopted in Resolutions 13-96 and 13-216, as well as various other resolutions related to administrative citations, the following additional violations and corresponding fine amounts related to the prohibition on the distribution of disposable foodware accessories to be assessed by means of an administrative citation, set forth in the attached **Exhibit 1**, are adopted.

SECTION 2. Repeat Violations. Following the issuance of two warning notices, the administrative citation fine amount for a third violation of the same GMC provision by the same responsible party within twelve (12) calendar months from the date of the first warning notice issued shall be the same for each violation as for the first administrative citation and shall not exceed a maximum of \$300 in any calendar year, as set forth in the attached **Exhibit 1**.

SECTION 3. Late Payment. Payment of the administrative citation fine amount after thirty (30) days from the date of the administrative citation shall be subject to an additional late payment charge. The late payment charge shall equal seven percent (7%) of the administrative citation fine amount due the City, or seven percent (7%) of the amount remaining unpaid to the City if a portion of the fine amount was timely paid. Late payment charges shall be in addition to the amount of the administrative citation fine amount. In addition, interest shall accrue on all unpaid monies due, exclusive of late payment charges, at the rate of one half of one percent per month, pro rata, of the total amount due from the date the administrative citation fine amount becomes delinquent until the date that all delinquent amounts are paid to the City.

SECTION 4. Processing Fee. Every administrative citation will be assessed a \$22 administrative citation processing fee. This processing fee is in addition to the administrative citation fine amount, any applicable late fee, interest, or collection costs.

SECTION 5. This Resolution's adopted fees and fines take effect on the effective date of Ordinance No. _____.

Adopted this _____ day of _____, 2023.

Mayor

ATTEST:

City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF GLENDALE)

I, Dr. Suze Abajian, City Clerk of the City of Glendale, do hereby certify that the foregoing Resolution No. _____ was adopted by the Council of the City of Glendale, California, at a regular meeting held on the ____ day of _____, 2023, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

City Clerk

EXHIBIT 1

Administrative Citation Process

Schedule of Chapter 8.46 Code Violations

Code Section	Code Description	3rd Violation*	Additional Violations	Annual Maximum
GMC 8.46.070	Plastic Waste Reduction - Violations and Penalties	\$25	\$25	\$300

*Violators receive warning notices for the first two violations. Fines for violations are assessed on a per-day basis.