

RESOLUTION NO. 2017-50

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, ADOPTING RESOLUTION NO. 2017-50, AMENDING THE CITY-WIDE ADMINISTRATIVE BAIL SCHEDULE

WHEREAS, the administrative bail schedule was adopted via Resolution No. 2002-42; and

WHEREAS, the administrative bail schedule was amended on March 2, 2010, incorporating fines related to the administration of the Fats, Oils, and Grease (FOG) Program, on August 19, 2014, amending fines related to the mandatory spay and neuter of animals, and on August 5, 2014, incorporating fines related to mandatory water conservation efforts; and

WHEREAS, Fines are levied as an incident of the voluntary act of an individual or business and not the result of property ownership; and

WHEREAS, on September 19, 2017, the City Council heard and took action on Resolution No. 2017-15, which amends Title 16 of the Hesperia Municipal Code related to the personal cultivation of cannabis on private property; and

WHEREAS, the State allows local jurisdictions to regulate the indoor personal cultivation of cannabis; and

WHEREAS, the Council directed staff to prepare fees and a program to require registration of an address where personal cultivation of cannabis is occurring; and

WHEREAS, the failure to register a property is a violation of the Hesperia Municipal Code, and as such should be subject to fines/penalties to promote Municipal Code Enforcement; and

WHEREAS, the City of Hesperia is responsible for enforcement of the Hesperia Municipal Code in its entirety; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HESPERIA, AS FOLLOWS:

Section 1. In all respects, the facts as set forth in this resolution are true and correct.

Section 2. The following resolutions are hereby amended: Resolution No. 2002-42.

Section 3. The schedule of fines set forth in Exhibit "A" are hereby adopted and shall be applied to the specified violations. The effective date of this resolution shall be November 17, 2017.

Section 4. Interpretation of this resolution may be made by the City Manager or designee.

Section 6. If any section, sub-section, sentence, clause, or word in the resolution is held to be invalid by decision of any court of competent jurisdiction or action of State legislation, such decision or legislation shall not affect the validity of the remaining portions of this resolution.

Section 7. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

ADOPTED AND APPROVED this 17th day of October, 2017.

Paul Russ, Mayor

ATTEST:

Melinda Sayre
City Clerk