

# City of Hesperia

## STAFF REPORT



**DATE:** October 17, 2017

**TO:** Mayor and Council Members

**FROM:** Nils Bentsen, City Manager

**BY:** Mike Blay, Director of Development Services  
Tina Bulgarelli, Administrative Analyst

**SUBJECT:** Resolution Amending the City-Wide Administrative Bail Schedule

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### RECOMMENDED ACTION

It is recommended that the Council adopt Resolution No. 2017-50, amending the City-wide administrative bail schedule.

### BACKGROUND

In 2002, the City Council adopted Resolution 2002-42, adopting a schedule of bail amounts for violations of the Hesperia Municipal Code.

Resolution 2002-42 was amended in 2010, to add fines related to obtaining permits and compliance with the Fats, Oils, and Grease (FOG) program, in 2014, amending fines related to spaying and neutering animals, and in 2014 related to water conservation measures.

On September 19, 2017, the City Council heard testimony on, and recommended action on Ordinance No. 2017-15, amending Title 16 of the Hesperia Municipal Code to allow for regulated indoor growth for personal use of cannabis, as allowed by State law.

Council directed staff to create a procedure for the registration of property addresses where cannabis for personal use will be cultivated. Council also directed staff to create a fee related to the registration to recover the costs of administering the program.

Staff received direction to include fines in the administrative bail schedule related to the failure to register an address where cannabis for personal use is cultivated.

### ISSUES/ANALYSIS

The fee for registration related to personal cultivation is included in the fee schedule amendment presented to Council as a separate item on the October 17, 2017 agenda.

Staff is proposing a set fine of \$1,000 per occurrence for failure to register a property where cannabis for personal use is cultivated.

Staff believes that the fine proposed would motivate citizens to register their property to remain in compliance with the program.

### **FISCAL IMPACT**

Adoption of this resolution will allow the City to fine individuals who do not comply with the cannabis cultivation regulations.

### **ALTERNATIVE(S)**

1. Provide alternative direction to staff.

### **ATTACHMENT(S)**

1. Resolution No. 2017-050
2. Recommended Bail Schedule Changes
3. Exhibit "A" – Administrative Bail Schedule