

## **CHAPTER 30.64 – ENFORCEMENT**

### **Sections:**

- 30.64.010 – Violations
- 30.64.015 – Stop Work Orders
- 30.64.020 – Revocations

### **30.64.010 – Violations**

Any condition which does not conform to the provisions of this Title is a misdemeanor punishable pursuant to Section 1.20. In addition, a violation of any provision of this title thereof is a public nuisance subject to abatement by the City. No such license for uses, building or purposes where the same would be in conflict with the provisions of this Title shall be issued. Any such license or permit, if issued in conflict with the provisions of this Title, shall be null and void.

### **30.64.015 – Stop Work Orders**

In addition to the Building Official, the Director of Community Development shall have the authority to place a “stop work order” on a project that has been authorized by a building permit, sign permit, or swimming pool permit and that is not being constructed in a manner that is in compliance with approved plans and/or the various requirements of Title 30, including but not limited to, design review requirements.

### **30.64.020 – Revocations**

#### **A. Variances, Conditional Use Permits and Administrative Exceptions.**

The Director of Community Development and Hearing Officer shall have continuing jurisdiction over all variances, conditional use permits and administrative exceptions. To consider the revocation of a variance or a conditional use permit, the Director of Community Development or Hearing Officer shall hold a public hearing after giving notice by the same procedure as for consideration of a variance request and at least ten (10) days notice by mail to the applicant or permittee. The Director of Community Development or Hearing Officer may revoke and terminate the variance, conditional use permit or administrative exception in whole or in part, reaffirm the variance, modify the conditions or impose new conditions. A variance, conditional use permit and administrative exception may only be revoked or conditions modified or added on any one or more of the following grounds:

1. That the variance, conditional use permit or administrative exception was obtained by fraud or misrepresentation; or
2. That the variance, conditional use permit or administrative exception has been exercised contrary to any of the terms or conditions of approval; or
3. That the use is in violation of any statute, ordinance, law or regulation; or
4. That the use permitted by the variance, conditional use permit or administrative exception is being or has been so exercised as to be detrimental to the public health, safety or welfare or so as to constitute a nuisance.

**B. Home Occupation Permits.**

The Director of Community Development shall have continuing jurisdiction over all home occupation permits. To consider the revocation of a home occupation permit, the Director of Community Development or Hearing Officer shall hold a public hearing after giving at least ten (10) days notice by mail to the applicant or permittee and to all persons shown on the last equalized assessment roll as owning real property located within a radius of three hundred (300) feet of the exterior boundaries of the property proposed for a home occupation. If the property contiguous to that proposed for home occupation is owned by the same person or entity, the owners of contiguous property to that owned by the applicant shall also be notified. The Director of Community Development or Hearing Officer may revoke and terminate the home occupation permit in whole or in part, reaffirm the home occupation permit, modify the conditions or impose new conditions. The action of the Director of Community Development and Hearing Officer is appealable by the same procedure as for the home occupation permit. A home occupation permit may be revoked on any one or more of the following grounds:

1. That the property is being used contrary to the findings made by the Director of Community Development as required by Section 30.44.040 of this Title; or
2. That any condition imposed by the Director of Community Development has been or is being violated; or
3. When it appears that the home occupation authorized by the permit has been or is being conducted in violation of any State statute or City ordinance; or
4. When the home occupation is being conducted in a disorderly manner or to the detriment of the public; or
5. When the home occupation being carried on is different from that for which the permit was issued.

**C. Planned Residential Development Overlay Zone (PRD).**

In any case where the terms of approval of a precise plan of planned residential development or the approved development schedule contained therein have not been or are not substantially complied with, the Director of Community Development shall give to the permittee written notice of intention to consider revoking the approval of a precise plan and to reinstate the prior zoning. Such notice of intent to revoke approval of the development plan and the precise plan and to reinstate the former zone shall be given as prescribed by Article XV, Section 2 of the Charter and Chapter 30.63 of this Title.

**D. Wireless Telecommunications Facilities Permits.**

1. The Director of Community Development shall have continuing jurisdiction over all wireless telecommunications permits. Consideration of revocation shall comply with the same revocation procedures as for other permits in Section 30.64.020.A.
2. Violations of any conditions in a wireless telecommunication permit shall be subject to enforcement pursuant to Section 30.64.010. Failure to comply with any condition of approval or standards in Chapter 30.48 shall constitute grounds for revocation of the permit, subject first to written notice and an opportunity to cure.

3. The City reserves the right to terminate a wireless telecommunications facility permit at any time upon ninety (90) days written notice of said termination in the event it determines the wireless telecommunications facility creates a public nuisance or otherwise causes jeopardy to the public health, welfare or safety, and after written notice and opportunity to cure.
4. In the event of termination pursuant to this Section 30.64.020, the permittee shall remove its wireless telecommunications facility at its own expense and shall repair and restore all property affected by the placement, maintenance, and removal of the wireless telecommunications facility to a condition satisfactory to the Director of Community Development.

**E. Requests for Parking Reduction.** The Director of Community Development shall have continuing jurisdiction over any parking reduction permit for projects outside of redevelopment project areas. The Glendale Redevelopment Agency (or, if the Redevelopment Agency is suspended or eliminated, the City Council) shall have continuing jurisdiction over any parking reduction permit for projects within redevelopment project areas. To consider the revocation of a permit for parking reduction, the Director of Community Development, or his or her designee, or the Glendale Redevelopment Agency (or, if the Redevelopment Agency is suspended or eliminated, the City Council) shall hold a public hearing after giving notice by the same procedure as for consideration of a revocation of a conditional use permit, as provided in Section 30.64.020. The Director of Community Development or the Glendale Redevelopment Agency (or, if the Redevelopment Agency is suspended or eliminated, the City Council) may revoke and terminate the permit for parking reduction in whole or in part, reaffirm the permit for parking reduction, modify the conditions or impose new conditions. A parking reduction permit may only be revoked or conditions modified or added on any one or more of the following grounds:

1. The permit for parking reduction was obtained by fraud or misrepresentation;
2. The permit for parking reduction has been exercised contrary to any of the terms or conditions of approval;
3. There has been a change in occupancy or the characteristics of the use such that the findings made pursuant to Section 30.50.040 can no longer be made;
4. The use is in violation of any local, State or federal law; or
5. The use permitted by the permit for parking reduction is found by the Director of Community Development or the Glendale Redevelopment Agency (or, if the Redevelopment Agency is suspended or eliminated, the City Council) to be detrimental to the public health, safety or welfare or to constitute a nuisance.

**F. Parking Use Permits.** When off-site parking is secured by a lease, the lessee shall provide proof to the Director of Community Development on an annual basis of such lease for off-site parking spaces. If the off-site parking lease agreement between the parties lapses, the operator of the use leasing the parking spaces shall immediately notify the Director of Community Development.

If replacement parking is not obtained by the applicant to the satisfaction of the Director of Community Development within 90 days of the expiration of the parking lease(s), the Director of Community Development shall schedule, notice and cause a revocation hearing to be conducted on the applicant's zoning use certificate, the parking use permit and any related permits. The Director of Community Development may extend the period of time during which the applicant may seek alternative parking prior to scheduling a revocation hearing.