

**B. Vacant and Abandoned Building Ordinance**

Recommendation: This item is presented to the City Council for discussion and comments. The City Council may direct staff to bring back the draft ordinance for further discussion at a future study session or to revise the draft ordinance for consideration at a future public hearing.

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY CALIFORNIA, REPEALING AND REPLACING CHAPTER 13.135 OF THE CATHEDRAL CITY MUNICIPAL CODE**

**WHEREAS**, Chapter 13 of the Cathedral City Municipal Code establishes a procedure to prevent, discourage, and/or abate conditions that endanger public health, safety, and welfare;

**WHEREAS**, the failure to maintain improved private property, including the maintenance of landscaping and the exterior of the building structure and the timely removal of trash and debris, creates blight conditions that: 1) have a negative effect on the City's neighborhoods and commercial corridors; 2) are attractive public nuisances; and 3) dissuade investment in the City by residents and businesses;

**WHEREAS**, abandoned buildings or structures are those that are not inhabited, occupied, or used and which are unsecured such that the public can gain entry without the consent of the owner;

**WHEREAS**, abandoned buildings or structures, when left unsecured without maintenance or monitoring, contribute significantly to the negative effects of the failure to maintain improved private property;

**WHEREAS**, the property maintenance issues associated with abandoned buildings or structures require more staff time and resources to investigate and abate through the Code Compliance Division;

**WHEREAS**, it is the City's goal to realize the eventual reuse or redevelopment of abandoned buildings or structures and the City endeavors to support such efforts to reasonably achieve this goal;

**WHEREAS**, vacant buildings, without active maintenance and monitoring, may deteriorate to an extent that they become abandoned buildings or structures;

**WHEREAS**, until such time that a vacant or abandoned building or structure is positioned for reuse or redevelopment, the property owner bears responsibility for its ongoing maintenance;

**WHEREAS**, a vacant or abandoned building or structure registry is a regulatory tool that establishes maintenance standards for such buildings, including specific requirements of a property owner to secure and monitor an abandoned building or structure;

**WHEREAS**, a registry requires a property owner to register a building or structure within a set period of time following the point in time in which it becomes abandoned;

**WHEREAS**, a vacant or abandoned building or structure registry typically includes an annual administration and monitoring fee, set by resolution, intended to offset staff time

to inspect a property and to respond to requests for service related to the property while it remains on the register;

**WHEREAS**, Chapter 13.135 of the Cathedral City Municipal Code, titled “Registration of Abandoned Properties”, currently contains an abandoned property registration program applicable to properties subject to default, a foreclosure sale, or a transfer in lieu of foreclosure or sale, and were adopted in 2008 as the City was experiencing the effects of the housing foreclosure crisis during the Great Recession;

**WHEREAS**, as established, Chapter 13.135 is too narrow and limited in scope to address the challenges the City is experiencing with vacant or abandoned buildings and structures; and

**WHEREAS**, City Council desires to repeal the current provisions of Chapter 13.135 and to replace it with a more comprehensive registry program intended to set a minimum standard for the ongoing maintenance and monitoring of vacant or abandoned buildings and structures to prevent the blight conditions caused by a lack of maintenance to an improved property.

**THEREFORE, THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY ORDAINS AS FOLLOWS:**

**SECTION 1. REPEAL AND REPLACEMENT OF CHAPTER 13.135 OF THE CITY OF CATHEDRAL CITY MUNICIPAL CODE**

Chapter 13.135 of the City of Cathedral City Municipal Code is repealed and replaced to read as shown on Exhibit “A” attached hereto.

**SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

Adoption of this ordinance is exempt from the requirements of the CEQA and is not considered a project under Division 13 (commencing with Section 21000) of the California Public Resources Code pursuant to Government Code Sections 65252.21(j) and 66411.7(n).

**SECTION 3. SEVERABILITY**

If any chapter, sections, subsections, subdivisions, sentences, clauses, phrases, or portion of this ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each chapter, sections, subsections, subdivisions, sentences, clauses, phrases, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

**SECTION 4. POSTING**

The City Clerk shall, within fifteen (15) days after passage of this Ordinance, cause it to be posted in at least three (3) designated public places; shall certify to the adoption and

posting of this Ordinance; and shall cause this Ordinance and its certification, together with proof of posting, to be entered in the Book of Ordinances of this City.

**SECTION 5. CERTIFICATION**

The foregoing Ordinance was approved and adopted at a meeting of the City Council held on the \_\_\_\_ day of \_\_\_\_\_, 2024, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

\_\_\_\_\_  
Mark Carnevale, Mayor

ATTEST:

\_\_\_\_\_  
Tracey Hermosillo, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Eric S. Vail, City Attorney

## EXHIBIT "A"

### Chapter 13.135 REGISTRATION OF VACANT OR ABANDONED BUILDINGS AND STRUCTURES

#### 13.135.010 Purpose.

The purpose of this Chapter is to ensure all vacant and boarded buildings comply with minimum property maintenance requirements, to encourage proactive and preventive maintenance of properties, to ensure maintenance issues are quickly and efficiently remedied, and to promote the health, safety, and welfare of the people of the City of Cathedral City.

#### 13.135.020 Definitions.

"Abandoned building or structure" means a building that is vacant and is in such a state of neglect that a reasonable person would believe that the building has not been used for its intended, lawful purpose and/or has not been lawfully occupied for an extended period of time.

"Active construction" means that (i) construction activity is taking place at a property without any pause, interruption, or suspension greater in duration than 180 days, per California Building Code Section 105.5, and (ii) the owner, owner of record, or a duly authorized agent, servant, assign, employee, or contractor acting or providing services on behalf thereof, is on-site at a property that is under construction, actively engaged in construction, maintenance, demolition, or related administrative activity, without any pause, interruption, or suspension greater in duration than 15 days.

"Active maintenance" means a building is actively maintained and monitored to the following standard:

- (1) Maintenance of landscaping and plant materials in good condition.
- (2) Maintenance of the exterior of the building including, but not limited to, paint, finishes, windows, doors, and signage in good condition and in compliance with this Chapter.
- (3) Any sign which advertises a use or business not being made on the premises, the name of the owner or user, or which identifies a product, an interest, service, or entertainment not available on the premises is prohibited.
- (4) Regular removal of all exterior trash, debris, and graffiti.
- (5) Prevention of criminal activity on the premises including, but not limited to, use and sale of controlled substances, prostitution, and criminal street gang activity.

- (6) Securing the property in a manner so as not to be accessible to unauthorized persons. Secure manner includes, but is not limited to, closing and locking of windows, doors (walk-through, sliding and garage), gates, and any other opening that may allow access to the interior of the property or structure(s), or the erection of temporary construction fencing approved by the Enforcement Official for not more than 180 days. In the case of broken windows, securing includes the replacement of the broken window.
- (7) Maintaining sufficient utility services to provide power for any alarm or security system and to properly irrigate all landscaping on the property.
- (8) The building or the lot on which the building is located, and the landscaping on such lot, does not contribute to and is not likely to contribute to blight because the owner is actively maintaining and monitoring the building and the lot so that it does not contribute to blight.

"Blight" or "blighted property" means any one or more of the following conditions or activities:

- (1) Abandoned Building or Structure.
  - (i) A building or structure which is not being inhabited, occupied, or used and which is unsecured. For purposes of this Chapter, a building or structure is unsecured when the public can gain entry without the consent of the owner.
  - (ii) A partially constructed, reconstructed, or demolished building or structure upon which work is abandoned. Work is deemed abandoned when there is no valid and current building or demolition permit, or when there has not been any substantial work on the project for a period of six months or more.
- (2) Attractive Nuisance. Property which is in an unsecured state so as to potentially constitute an attraction to children, a harbor for vagrants, criminals, or other unauthorized persons, or so as to enable persons to use the property for the purpose of committing a nuisance or unlawful act.
- (3) A building or structure which is in a state of disrepair:
  - (i) Exterior wall and/or roof coverings which have become deteriorated and do not provide adequate weather

protections, resulting in termite infestation and/ or dry rot.

- (ii) Broken or missing windows or doors which constitute a hazardous condition or a potential attraction to trespassers.
- (iii) Building exteriors, walls, fences, signs, retaining walls, driveways, walkways, sidewalks, or other structures on the property which are broken, deteriorated, or substantially defaced, to the extent that the disrepair is visible from any public right-of-way or visually impacts neighboring public or private property or presents an endangerment to public safety.
- (iv) Building exteriors, walls, fences, signs, retaining walls, driveways, walkways, sidewalks, or other structures on the property which have been repainted in such a manner that the appearance may be further deteriorated or substantially defaced.

(4) Property Inadequately Maintained.

- (i) Overgrown, diseased, dead, or decayed trees, weeds, or vegetation that: (1) are likely to harbor rats, pigeons, vermin, and other nuisances; or (2) substantially detract from the aesthetic and property values of neighboring properties; or (3) constitute a fire hazard or other condition that is dangerous to the public health, safety, or welfare; or (4) are likely to attract use as shelter by transients.
- (ii) Solid waste, which includes "garbage," "refuse," and "rubbish," and all "solid waste" as may be defined in this Code, constitutes blight and blighted property in the following situations: (1) the accumulation of solid waste is visible from a street or public right-of-way, is not enclosed in a City approved container, and is present for more than 72 consecutive hours; or (2) the accumulation of solid waste is being stored or disposed of in a manner that would allow the material to be transported by wind or otherwise onto or upon any public street, public right-of-way, or neighboring property, unless the method of storage or disposal is specifically allowed by this Code.

- (5) Any swimming pool, pond, or other body of water which is abandoned, unattended, unfiltered, drained with no cover to prevent the existence of a hazard, or not otherwise maintained, resulting in

polluted water. "Polluted water" is defined for the purpose of this Chapter, as water which contains organic growth, including algae, remains of rubbish, refuse, debris, papers, and any other foreign matter or materials, which, because of its nature or locations, constitutes an unhealthy or unsafe condition.

"Building" means any structure, including, but not limited to, any residential, commercial, industrial, assembly structure, or accessory structure approved for occupancy on either a lot of record or within a single project approved by the City pursuant to the City's Zoning Code.

"Commercial properties" means all properties in the City that are not developed for solely single-family residential uses. The term "commercial properties" includes apartment buildings that include five or more rental units.

"Development related agreement" means an agreement between the City and at least one other person or entity whereby an owner secures the authorization and approval of the City, whether through a duly authorized written contract, or via a land use permit or entitlement approval, to pursue a development or redevelopment project at a property where one or more abandoned buildings or structures, and/or vacant building is located.

"Enforcement Official" means the City Manager, Building Official, Code Compliance Chief, or their respective designees.

"Evidence of vacancy" means any building in the context of the totality of circumstances that would lead a reasonable Enforcement Official to believe that the building is vacant or occupied by a person without a legal right of occupancy. Such real property conditions include, but are not limited to: overgrown or dead vegetation; accumulation of newspapers, circulars, flyers, or mail; past due utility notices or disconnected utilities; accumulation of trash, junk, or debris; the absence of window coverings such as curtains, blinds, or shutters; the absence of furnishings or personal items consistent with residential habitation; or statements by neighbors, passersby, delivery agents, or government employees that the property is vacant.

"Local" means within 40 driving miles of the building, structure, or real property in question.

"Out of area" means in excess of 40 road or driving miles of the building, structure, or real property in question.

"Owner" means any person having legal or equitable title or any interest in real property, including all persons shown as owners on the last equalized assessment roll of the Riverside County Assessor's Office. An owner includes a person with power of attorney, an executor of estate, trustee, or who is a court appointed administrator, conservator, guardian, or receiver.

"Person" means any natural person, partnership of any kind, corporation, limited liability company, association, joint venture, or other organization, however formed, as well as trustees, heirs, executors, administrators, or assigns, or any combination of such persons.

"Vacant building" means a building where at least 50% of the total floor area within the building is not lawfully occupied.

### **13.135.030 Scope.**

- (a) **Applicability.** The provisions of this Chapter shall apply generally to all commercial property throughout the City of Cathedral City where there is a vacant building and where there is evidence of vacancy or any of the blight conditions specified in this Chapter are found to exist. For the purposes of this Chapter, abandoned buildings or structures shall be considered a subset of all vacant buildings and subject to the same requirements contained in this Chapter for vacant buildings.
- (b) **Regulations Cumulative.** The regulations provided by this Chapter are cumulative to each other and to any other available under City, State, or federal law.
- (c) **Authority to Enforce Chapter.** The Enforcement Official is authorized to administer and enforce this Chapter. The Enforcement Official may adopt supplemental regulations or policies to implement and interpret this Chapter. These regulations or policies must conform with the purpose of this Chapter.
- (d) **Development Agreement Exemption.** In the event that the City enters a development related agreement with the owner or developer of a property incorporating the partial or total demolition, repair, reconstruction, or preservation of a vacant building or structure the vacant building or structure in question is exempt from application of this Chapter, provided that the property is maintained in strict accord with the terms and conditions of the development related agreement. In the event that the City Manager, or his or her designee, determines in the City Manager's sole discretion the owner or developer of a property is in default with respect to any term or condition of a development related agreement through which any building or structure is exempt from application of this Chapter, the City may issue written notice to that owner that if the default in question is not cured in its entirety within 30 days of the issuance, that the exemption provided by this Section shall be revoked, and that this Chapter shall immediately become fully applicable to the building or structure in question.

### **13.135.040 Registration Requirement for Vacant Buildings.**

- (a) **Registration Required.** An owner of a vacant building must register their property with the Enforcement Official within 30 days of the building becoming vacant or being deemed vacant. If any building shows evidence of vacancy, it is hereby deemed vacant.
- (b) **Application Required.** Any person seeking to register a vacant building must submit a

complete application to the City using a form adopted by the City for that purpose.

- (c) Application Contents. The application for registration pursuant to this Section must contain or be accompanied by the following:
- (1) The name and address of each owner and the local property management company, if any, responsible for the security, maintenance, and marketing of the property in question.
  - (2) A maintenance plan describing and documenting how the maintenance requirements of this Chapter will be complied with.
  - (3) Documentation and information showing compliance with the local property management company requirements of this Chapter.
- (d) Annual Registration. The registration pursuant to this Section must be renewed annually or until such time that a building has reestablished legal occupancy and is no longer vacant under the definitions of this Chapter.
- (e) Monitoring Fee. An annual monitoring and inspection fee shall be established by resolution to fund the cost of inspection and enforcement related to this Chapter, provided that the fee shall not exceed the estimated reasonable cost of monitoring vacant buildings in the City. The fee is due with the application to register a vacant building and is due annually, even if the building is only vacant part of the year, unless a demonstration is made by substantial evidence to the satisfaction of the Enforcement Official that one or more of the following conditions apply:
- (1) The building is the subject of Active Construction for repair or rehabilitation in order to make the building habitable, and the owner is progressing diligently to complete such repair or rehabilitation within one year of the issuance of the building permit related to such repair or rehabilitation.
  - (2) Active Marketing. The building or property contains no Cathedral City Code violations, is ready for occupancy, and is actively being offered for sale, lease, or rent.
  - (3) Active Maintenance. The building receives Active Maintenance.

If unpaid in connection with a vacant building registration, a vacant building monitoring fee may be billed and delivered to the owner of the property by certified mail, postage prepaid, return receipt requested. Any owner aggrieved by the decision of the Enforcement Official relating to a vacant registration fee bill may appeal the decision pursuant to the procedures under Chapter 13.150 and shall be treated the same as permits and licenses for purposes of appeal. If the fee is not paid within 60 days following billing, the City Council may thereupon order that the fee be specially assessed against the property involved. If the City Council orders that the fee be specially assessed against the property, it shall confirm the assessment and thereafter said assessment may be collected at the same time and in the same manner as ordinary real property taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for

ordinary real property taxes. All laws applicable to the levy, collection, and enforcement of real property taxes are applicable to the special assessment. The City Council may also cause a notice of lien to be recorded. The notice shall, at a minimum, identify the record owner or possessor of the property, set forth the last known address of the record owner or possessor, a description of the real property subject to the lien, and the amount of the fee.

- (f) Notice City of Changes to Registration. Any person, partnership, association, corporation, fiduciary, or other legal entity that has registered a property under this Chapter must notify the Enforcement Official in writing of any change of information contained in the registration within 10 days of the change.

### **13.135.050 Maintenance Requirements for Vacant Buildings.**

- (a) Maintenance Required. It is unlawful for any owner to maintain any improved property in violation of the provisions of this Chapter. All vacant commercial buildings must be maintained in compliance with the Cathedral City Municipal Code and the following requirements:
  - (1) All doors, windows, and other openings are secure or boarded in accordance with this Chapter.
  - (2) Any temporary site perimeter fencing is placed in connection with a building permit.
  - (3) The property must be continuously monitored, as follows:
    - (i) Buildings with fire sprinkler systems must be maintained in working order.
    - (ii) Buildings with a centralized and registered fire and burglar alarm system must be maintained in working order, and monthly reports showing continued and active service shall be submitted to the Enforcement Official.
    - (iii) Buildings without fire sprinkler systems or fire alarm or burglar alarm systems shall be provided with continuous physical monitoring by means of an onsite patrol. "Continuous physical monitoring" shall mean the use of a licensed security agency and providing regular surveillance of the vacant building as part of the agency's security route.
  - (4) Disabled Access Features, facilities and equipment required by California Building Code Chapter 11B-108 shall be accessible to and useable by persons with disabilities and shall be maintained in operable working condition.
  - (5) A monthly report from the property owner or the property owner's representative or property management company that identifies each date

inspections were performed for the reporting period and a statement affirming that the building interior, exterior, and the entire site was inspected, the landscaping is maintained in good condition, and that all buildings are secure.

- (b) Insurance. The Owner shall maintain fire and liability insurance coverage as determined necessary by the City's Risk Manager. Any insurance policy shall require advanced, written notice to the Risk Manager in the event of cancellation of insurance or a reduction in coverage.

### **13.135.060 Local Property Management Requirement.**

- (a) Any owner located more than 40 miles by road from a property containing a vacant building that must be registered, must retain a local property management company with a business license in the City, and must be contracted to perform weekly inspections to ensure compliance with the Cathedral City Municipal Code.
- (b) The property must be posted with the name and contact phone number of the local property management company. The posting must be no less than 18" X 24", must be of a font that is legible from a distance of 45 feet, and must contain the following: "THIS PROPERTY MANAGED BY (LOCAL PROPERTY MANAGEMENT COMPANY)," and "TO REPORT PROBLEMS OR CONCERNS CALL (PHONE NUMBER)."
- (c) The posting must be placed on the interior of a window facing the street to the front of the property so it is visible from the street, or secured to the exterior of the building facing the street of the front of the property so it is visible from the street. If no such area exists, the posting must be on a stake of sufficient size to support the posting, in a location that is visible from the street to the front of the property, and to the extent possible, not readily accessible to potential vandalism. Exterior posting must be constructed of, and printed with, weather resistant materials.
- (d) The local property management company must inspect the property on a weekly basis to determine if the property is in compliance with the requirements of this Chapter and must perform all monitoring duties prescribed in this Chapter. If the property management company determines the property is not in compliance with this Chapter or any provision of the Cathedral City Municipal Code, it is the company's duty to notify the owner and bring the property into compliance.

### **13.135.070 Monitoring Program for Commercial Properties.**

- (a) Monitoring Program Established. A monitoring program is hereby established. The Enforcement Official is responsible for administering the monitoring program to enforce this Chapter.
- (b) Monitoring Program Duties. The Enforcement Official may do the following pursuant to the monitoring program:
  - (1) Inspect properties in the City to identify buildings that are vacant.

- (2) Order vacant buildings to comply with this Chapter and any other applicable codes.
- (3) Order vacant buildings that are open and accessible to be secured against unlawful entry in accordance with this Chapter.
- (4) Order the property on which the vacant building is located to be properly maintained.
- (5) Initiate proceedings against the owner of any vacant building found to be in violation of this Chapter or any other applicable code.
- (6) Maintain surveillance over vacant buildings so that timely code enforcement proceedings are commenced in the event the property becomes substandard or a nuisance.
- (7) Identify blighted property and initiate proceedings against the owner of record of any blighted property for failure to remedy such blight.

### **13.135.080 Boarding Standards.**

- (a) Boarding Standards. The boarding or securing of the doors, windows, or other openings of any building must comply with the following standards.
  - (1) Securing by Boarding. The boarding of doors, windows, and other openings must comply with the following requirements.
    - (i) Windows and similar openings must be boarded with exterior-grade plywood of a minimum thickness of 3/4 inch or equivalent. Plywood must be secured by 2"x4" or 4"x4" crossmembers, secured to the plywood by 3/8-inch plated carriage bolts with washers on each end. Bolts and nuts used to secure the crossmember must be threaded to the correct length and tightened securely. A minimum of two crossmembers must be used on each window. Each crossmember must be a continuous piece of lumber, and each must extend at least one foot past the window opening in each direction. Additional measures may be required as deemed necessary in the sole discretion of the Enforcement Official.
    - (ii) Exterior doors must be boarded with exterior-grade plywood of a minimum thickness of 3/4 inch or equivalent fitted to the entry door jamb with maximum 1/8-inch clearance each edge. The existing door must be removed and stored inside the building. Plywood must be secured by 2"x4" or 4"x4" crossmembers, secured to the plywood by 3/8-inch plated carriage bolts and matching hardware. A minimum of one door must be operable. Plywood for operable door openings must be attached to the door entry with three case hardened strap hinges of the type

specified by the Enforcement Official. Plywood must be secured by a case-hardened steel hasp and minimum two-inch hardened padlock, also of the type specified by the Enforcement Official. Additional measures may be required as deemed necessary in the sole discretion of the Enforcement Official.

- (iii) All boarded openings must be painted with exterior paint that is of a color compatible with the exterior color of the building and is approved by the Enforcement Official.
- (2) Alternative Methods of Securing a Building. Upon application for a boarding permit, the Enforcement Official may approve alternative methods of securing a vacant building. In making the determination to approve any alternative method, the Enforcement Official must consider the effectiveness of the alternative method to provide adequate and long-term security against the unauthorized entry and the aesthetic and other impacts of such method on the immediate neighborhood.
- (3) Additional Requirements. In connection with the boarding or securing of the doors, windows, or other openings of any building, the owner must also comply with the following requirements.
- (i) All utility services to the building must be terminated by removal of the meters and termination of electric power by Southern California Edison or any successor utility. Compliance with this Subsection may be waived in writing by the Enforcement Official as to electric power if electricity is necessary to power exterior security lighting, an alarm system, or equipment to be used in connection with the rehabilitation of the building for which there is a valid building permit.
  - (ii) The sewer must be capped in a manner approved by the Enforcement Official to prevent the accumulation of methane gas in the building or structure.
  - (iii) The interior of the building must be cleared of all trash, junk, garbage, debris, solid waste, and personal possessions to eliminate any fire or health hazard and prevent hindrance to firefighting equipment and personnel in the event of a fire.
  - (iv) The owner of any boarded building must register the building as vacant with the City in accordance with this Chapter.

### **13.135.090 Enforcement.**

- (a) Violation Unlawful. It is unlawful and declared a public nuisance for any person to violate any provision of this Chapter. The city may issue a notice of violation pursuant to Chapter 13.55 of this Code if there is any violation of this Section.
- (b) Criminal Penalties. Any person who violates any provision of this Chapter is guilty of a misdemeanor punishable by a fine of up to \$1,000, or by imprisonment in the County jail not exceeding six months, or by both such fine and imprisonment, except the City Attorney may prosecute a violation of this Chapter as an infraction, in his or her discretion, as set forth in Chapter 13.70 of this Code.
- (c) Administrative Penalties. Any person who violates any provision of this Chapter may be issued an administrative penalty in accordance with this Section and Chapter 13.58 of this Code.
  - (4) Appeal and Collection of Penalty. The Enforcement Official's administrative penalty may be appealed in the manner provided in Chapter 13.60 of this Code. Any administrative penalty may be collected as provided in Chapter 13.30 of this Code.
- (d) Fine for Commercial Properties. For any commercial properties subject to this Chapter, the initial penalty shall be \$2,500.00. If the violation continues after the compliance date in the first administrative citation or any extension period granted by the City, a second administrative penalty in the amount of \$5,000.00 may be issued. If the violation continues after the compliance date in the second administrative citation or any extension period granted by the City, a third administrative penalty in the amount of \$25,000.00 may be issued. Civil or Equitable Enforcement. Nothing in this Chapter prevents the City Attorney from bringing a civil or equitable action, at his or her discretion, to seek the abatement of any violation of this Code.
- (e) Ongoing Violations. Each day a violation is maintained, caused, aided, abetted, concealed, suffered, or permitted is a separate offense.
- (f) Remedies Cumulative. The remedies, procedures, and penalties provided by this Chapter are cumulative to each other and to any other available under City, State, or federal law.
- (g) Joint and Several Liability. The duties and liabilities specified in this Chapter are joint and several among and between all owners.