

# **Calaveras County Civil Grand Jury**

## **Calaveras County Code Compliance**

### **Communication is a Two-Way Street**

**June 2, 2025**



Photo by E. Özel (Pixabay.com).

## **SUMMARY**

“Compliance through education” is one of the core values of Code Compliance, a division of Calaveras County’s Building Department. It serves as the code enforcement arm for a variety of departments within the County, and also receives and investigates complaints from concerned citizens about possible safety and nuisance code violations in their community. Compliance in the County is complaint-driven, meaning Code Compliance often needs the public’s help to know when there is a problem, typically by submitting a citizen complaint form.

Calaveras County Civil Grand Jury (CCCGJ) received complaints from members of the public that complaints submitted to Code Compliance were received with an inadequate response back to the complainants. While Code Compliance does note on both its website and its citizen complaint form that it is the responsibility of the complainant to contact the department for updates on a submitted complaint or code enforcement case, CCCGJ found that the existing submittal process leaves some citizen complainants doubting whether their complaints are actually received and treated seriously. Others are left frustrated by the difficulty of obtaining an update on an open case from Code Compliance staff.

Code Compliance has one of the smallest department staffs in the County, considered fully staffed at five full-time employees, yet currently it is operating on a staff of four, only one of whom is dedicated to code enforcement. CCCGJ has reported on understaffing and underfunding at Code Compliance leading to public frustration for years, while the number of complaints it receives continues to rise. This has led Code Enforcement Officers to devise creative solutions for assigning caseload by section of the County, as well as adopting a point-based system for ranking cases by priority. Code Compliance is also in the process of implementing an eTRAKiT system that integrates and streamlines the permitting, inspecting, and violation citing process for all staff, including Code Enforcement Officers in the field.

CCCGJ found there is room to improve how Code Compliance staff interface with the public, notably in regard to citizen complainants, who want to know their concerns about the health, safety, and beauty of their neighborhoods are heard and taken seriously. Increasing staff to better handle workload and following Code Compliance’s own core values to respond to and educate citizen complainants in a timely, respectful manner are important steps toward decreasing frustrations within the community.

## **GLOSSARY**

CCCGJ            Calaveras County Civil Grand Jury

## **METHODOLOGY**

In order to better understand the citizen complaints it received, Calaveras County Civil Grand Jury (CCCGJ) conducted various interviews and reviewed information available online, including the Calaveras County Code Compliance website, citizen complaint form, and previous CCCGJ reports on this subject. Internal Code Compliance documents were also reviewed to provide greater understanding of how the department operates and to establish consistency.

## BACKGROUND

CCCGJ received complaints from members of the public regarding the difficulty of obtaining follow-up information related to a submitted citizen complaint. CCCGJ decided to inquire into what Code Compliance's stated internal obligations are to respond to complainants, and whether they are meeting those obligations.

Code Compliance is a division of the Calaveras County Building Department which notifies property owners when their property is in violation of State or County law, and may issue fines or other abatement measures if the owner does not bring their property into compliance. Code Compliance is responsible for overseeing the County's Abandoned Vehicle Abatement (AVA) program, and it also acts as the code enforcement arm for other County departments (e.g., Planning, Public Works, and the Environmental Management Agency), ensuring the County in its various projects is acting in compliance with building and zoning codes while safeguarding the public and environment.

Compliance enforcement in Calaveras County is primarily complaint driven. Code Compliance relies on complaints from the public to know where a possible violation exists before it can be addressed.

CCCGJ has published multiple reports on Code Compliance over the years. In 2009, a reduction in tax revenue for Calaveras County led the Building Department to reduce Code Compliance from a staff of five (a Code Enforcement Officer for each County district) to two, as reported by the 2013-2014 CCCGJ. This understaffing and the inefficiency that resulted from it generated numerous citizen complaints to the Civil Grand Jury.

The 2012-2013 CCCGJ report recommended Code Compliance increase its staff. While the Board of Supervisors agreed, it would not approve increasing staff numbers until a source for funding those positions could be found. Application fees for medical cannabis cultivation provided those funds in 2016, and Code Compliance was able to increase its staff from two employees to five. However, the County's cannabis ordinances are subject to change, and today funding for Code Compliance is primarily coming from the County's general fund and the recovery of costs accrued in the abatement process through fees.

CCCGJ in its 2018-2019 report on Code Compliance recommended that Code Compliance keep five Code Enforcers on staff—one to handle cases from each County district—plus one supervisor. In its response to the report, the Building Department agreed with this recommendation.

The Building Department and Code Compliance also agreed with the 2018-2019 CCCGJ's recommendation that Code Compliance adopt a policies and procedures manual, and by the end of 2019 a manual was in circulation among Code Compliance staff. The Code Compliance Policy and Procedure Manual is based on the on-the-job experience and institutional knowledge of its Senior Code Enforcement Officer, and provides guidelines to staff for, among other things, prioritizing cases and addressing various issues that arise during the abatement process.

## DISCUSSION

Code Compliance states on its website that its mission is “to protect the health, safety, and welfare of our community members, to mitigate public nuisances, and to protect property values by encouraging compliance with state and local laws.” Its stated primary goal is to promote voluntary compliance through education.

As such, Code Compliance repeatedly emphasizes the importance of best communication practices in its Policy and Procedure Manual. It exhorts Code Enforcement Officers to act professionally, courteously, and fairly when speaking with members of the public, and to treat every interaction as an opportunity to educate. Code Enforcement Officers also receive training in de-escalation techniques and situational awareness, as issuing a citation of violation can lead to heightened emotions and confrontation.

When it comes to communication with a complainant, in most situations Code Compliance relies on the complainant to make contact. On the Frequently Asked Questions section of its website, it explains that “due to caseload, we typically only contact reporting parties if more information is needed. You are always welcome to contact Code Compliance for an update or to provide more information.”

The old citizen complaint form for mailing or faxing a complaint used similar language, urging complainants to “keep us informed of any improvement or lack of improvement. We rely on you to request further service when needed!”

Whether a member of the public receives acknowledgement when they submit a citizen complaint form differs depending on the method of submittal. If a complaint is sent by email through Code Compliance’s website, the complainant will receive an electronic receipt that does not include a case number. (Because a case still needs to be opened to obtain a case number, the complainant would need to contact Code Compliance to request that information.) If the complaint is given in person at Code Compliance’s office, a case will be opened the same day and the complainant may receive a case number but no receipt.

However, if a complainant sends in a complaint form by posted mail, there is no system in place nor obligation for Code Compliance to acknowledge receipt of the complaint beyond opening a case.

In any of these situations, if the complainant wants more information about the progress of their case, the complainant still needs to contact Code Compliance with that request. Code Compliance does not provide that information unprompted for a variety of reasons, including time constraints imposed on Code Enforcement Officers by their caseload and travel to visit sites, the privacy of the owner of the property against which a complaint has been leveled, and the fact that some cases deemed low priority or not a violation (such as neighborly disputes about noises, aesthetics, or easements) are resolved by communication between the affected parties without Code Compliance’s involvement.

CCCGJ examined whether Code Compliance’s Policy and Procedure Manual contains any guidance for Code Enforcement Officers responding to citizen complainants. Code Compliance’s Policy and Procedure Manual states that it is a living document that needs to be updated as laws and best practices change, while also emphasizing that it is a set of guidelines and that Code Enforcement Officers ultimately must use their own discretion when making judgment calls.

Cases where there is imminent danger to health or safety are addressed as soon as possible. For all others, the Policy and Procedure Manual contains a priority assessment matrix of seven criteria to help Code Enforcement Officers triage cases, where a case is assigned one point for each of the criteria it meets. Cases that meet more of those criteria are ranked higher priority for investigation, whereas those that meet only one are lowest priority and, due to high caseloads, may remain unaddressed as higher-scoring cases come in.

The Policy and Procedure Manual contains general guidance on how best to communicate with, educate, and treat members of the public, especially property owners who are receiving a notice of violation or in the abatement process. However, it lacks similar guidance on Code Enforcement Officers' obligations when it comes to communicating with those who have filed complaints and addressing their concerns about the safety of their neighborhoods and value of their properties.

The main reason given for a lack of follow-up with complainants is the volume of complaints Code Compliance receives. Code Compliance typically receives about 120-150 complaints per year, but in 2024 that number was over 300. CCCGJ found that while the number of complaints each year has been steadily increasing, the department is regularly operating with less than a full staff.

While officially part of the Calaveras County Building Department, Code Compliance has one of the smallest staffs in the County, considered fully staffed at five employees. However, currently Code Compliance has four employees on staff, two of whom are full-time Code Enforcement Officers, with only one of those dedicated to handling compliance cases. Because cases are typically assigned to Code Enforcement Officers by the County district in which the properties they concern lie, Code Compliance has had to find creative solutions to allocating cases to employees since it has not had sufficient staff to assign one Code Enforcement Officer to each County district. In addition to processing complaints from the public, Code Compliance also acts as the code enforcement arm of other County departments, which further complicates the likelihood of cases deemed low priority being addressed.

One solution the Building Department has offered to mitigating the perennial high caseload to low staffing problem is the adoption of the electronic tracking system eTRAKiT, which integrates the permitting and inspecting process for County staff across relevant departments. When fully implemented, it is the hope that a Code Enforcement Officer will be able to reference codes, document site conditions complete with photos, and enter and print out citations even while in the field, greatly saving the amount of time spent traveling between properties and the office. However, though technology can help decrease the amount of time a Code Enforcement Officer spends on each case, it does not negate the need for more staffing.

## **FINDINGS, RECOMMENDATIONS, RESPONDENTS**

Pursuant to Penal Code §933 and §933.05, the Calaveras County Civil Grand Jury requires responses within 60 days from elected county official(s), and within 90 days from governing bodies. In order to be included and published in the next Civil Grand Jury report, invited responses must be received within 90 days.

After conducting interviews and reviewing reference documents, the CCCGJ findings and recommendations are as follows:

**F1:** Code Compliance does not have a consistent mechanism in place to acknowledge and confirm the receipt of citizen complaints by all methods of submittal (email, posted mail, and in-person), leaving some concerned citizens unsure whether their complaints are even received.

**R1:** Calaveras County Civil Grand Jury recommends Code Compliance adopt a system of acknowledging and confirming to the complainant that their complaint has been received, including a case number if a case is opened, for all methods of complaint submittal, to be implemented by December 31, 2025.

**Required Response**

Calaveras County Board of Supervisors

**Invited Response**

Calaveras County Code Compliance

**F2:** Code Compliance's citizen complaint form and website create a reasonable expectation that a complainant request for follow-up information will be answered in a timely and professional manner. Yet Code Compliance's Policy and Procedure Manual lacks guidance regarding Code Enforcement Officers' obligations, if any, to respond to complainants requesting follow-ups on their cases.

**R2a:** Calaveras County Civil Grand Jury recommends Code Compliance, in order to better adhere to their stated core values, institute a clear procedure for responding to complainant requests for follow-up information, by December 31, 2025.

**Required Response**

Calaveras County Board of Supervisors

**Invited Response**

Calaveras County Code Compliance

**R2b:** Calaveras County Civil Grand Jury recommends Code Compliance follow their stated core values to treat every interaction as an opportunity to educate, and respond in a timely and professional manner to complainant requests for follow-up information regarding complaint cases, beginning no later than December 31, 2025.

**Required Response**

Calaveras County Board of Supervisors

**Invited Response**

Calaveras County Code Compliance

**F3:** With staff vacancy rates frequently at 20% or higher, Code Compliance is operating at staff levels insufficient to handle its high case load, leading to cases taking longer to be resolved, if they are deemed a high enough priority to be addressed at all.

**R3:** Calaveras County Civil Grand Jury recommends Code Compliance hire additional Code Enforcement Officers to bring Code Compliance up to fully staffed levels, that being five employees, by December 31, 2025.

**Required Response**

Calaveras County Board of Supervisors

**Invited Response**

Calaveras County Code Compliance

**DISCLAIMER**

Reports issued by the Civil Grand Jury do not identify the individuals interviewed. Penal Code §929 requires that reports of the Civil Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.

**REFERENCE SOURCES**

Calaveras County Code Compliance. “Calaveras County Code Compliance.” Accessed February 9, 2025.

<https://codecompliance.calaverasgov.us/Portals/CodeCompliance/Documents/Code%20Compliance%20Article.pdf>.

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Calaveras County Grand Jury (sic), *Calaveras County Grand Jury Report 2018-2019*, “Code Compliance,” June 7, 2019, pages 30-35. <https://grandjury.calaverasgov.us/Reports>.