



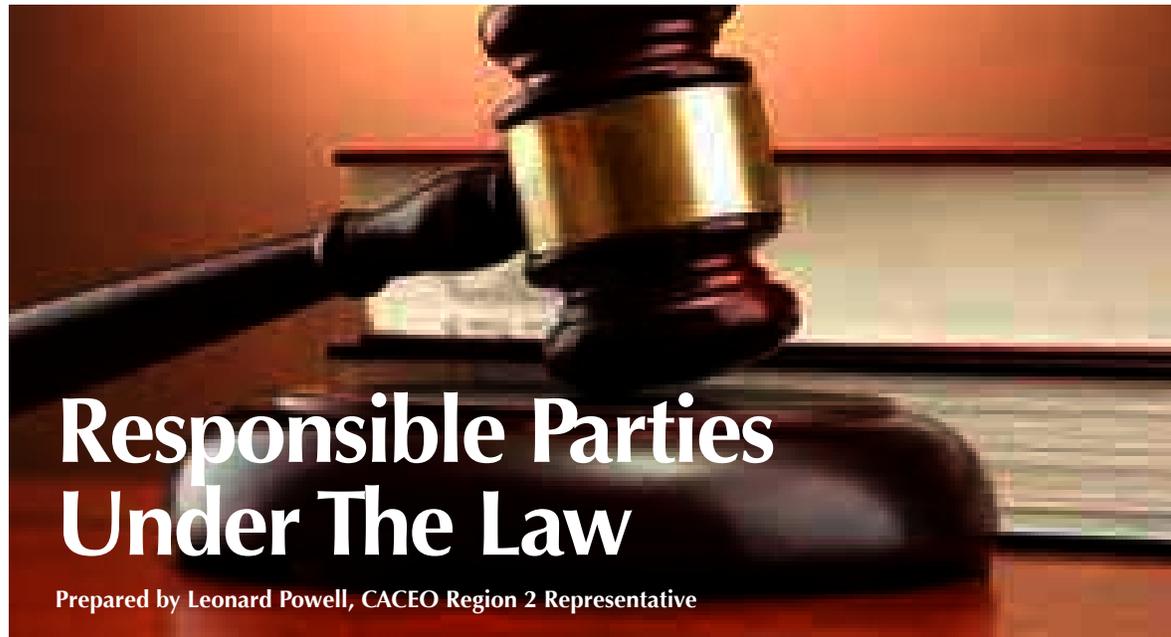
CACEO *news*

California Association of Code Enforcement Officers

Want to be a Guest Writer?

Do you have a story to share? Is your city or county doing something interesting?

Whether it's an exciting new program or how you managed a complex issue, we want to hear about it. If you would like your story to be featured in an upcoming CACEO News, contact Stacie Lewis at slewis@caceo.us. ✦



Responsible Parties Under The Law

Prepared by Leonard Powell, CACEO Region 2 Representative

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Who should you name as the responsible party in your code enforcement actions? The property owner? The tenant? A third party? It may depend on which authority you are citing under. Many of our code enforcement tools specify who we may name as responsible, and should be the primary source in guiding this decision. The table below outlines key terms under several commonly used codes. Citing the persons named under each particular code is a proper exercise of your enforcement authority. Assuming you have been delegated the authority to enforce the code by your agency, following the code should insulate you from personal liability since you are operating within the normal scope of your job duties. Always referring back to the code to determine who is the "designated" responsible party will help ensure defensible actions by naming the correct parties.

PROPERTY OWNERS ONLY

Tools #2 and #4 below (and potentially #1) list property owners as the only party responsible for violations or corrections. This is because remedies under those sections potentially affect the owner's right to use and lease out the property (when those defects are not the result of the occupant's housekeeping). Since the remedies can lead to an order to vacate, mandatory repairs, or demolition of a structure, the enforcement action may raise questions related to an owner's rights under the US Constitution's Fifth and Fourteenth Amendments related to "government takings" and citizens' "due process" requirements. Here, demolishing a building can generate potential claim of a "government taking" because it deprives an owner of some (but not all) of the rights to use his or her property, and since vacating or demolishing would deprive an owner of some of his or her property interests, they are entitled to a notice and opportunity to be heard on the matter. Naming and noticing the proper

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Check out the CACEO LinkedIn page and like us on Facebook to get the latest updates on code enforcement.



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- VACANT

PRESIDENT'S MESSAGE



Al Brady

Hello General Membership!

In my last message it was spring time and now summer has come and gone although in some parts of the state it may feel like summer is still here!

Autumn is upon us, and with that comes our Annual Code Enforcement Seminar. Our 9th Annual Seminar was held in beautiful Monterey Bay, in Seaside, California. Another big turnout came to see our talented instructors teach curriculum on various interesting topics. The Seminar Committee and staff did another excellent job of making the Seminar a big success.

CACEO has an awards program every year to honor individuals and agencies doing wonderful work around the state. Awarded at this year's Seminar were:

- Innovative Program of the Year: City of Santa Maria
- Officer of the Year Award: Dave Mason, County of Del Norte
- John Lowe Award: Kerry Simpson, City of Rancho Cordova
- Lifetime Achievement Award: Linda Garner, City of Santa Cruz

Congratulations to all the winners! I also want to say thank you to all of you, whether you were nominated or not, for your tireless efforts, commitment and talents to our organization and to our profession!

We look forward to seeing you in Anaheim next year at the Paradise Pier Hotel for our 10th Annual Code Enforcement Seminar. Mark your calendars for October 6-9, 2015, where Mr. Gordon Graham (highly sought-after international speaker), will be our keynote speaker! I also want to remind everyone that from here forward, we will be having our annual seminars earlier in the month to hopefully avoid conflicting dates with CALBO's annual conference in order to allow CALBO professionals to attend our seminar.

In the legislative department, CACEO again partnered up with R.A.M.P., Regional Asthma Management Program, co-sponsoring major housing legislation. Our jointly sponsored bill this year was Senate Bill 1167. This legislation requires property owners to abate sub-standard conditions causing pest infestations and also address any sub-standard conditions that contribute to the infestation by simply aligning existing codes related to pest

Desire, commitment, due diligence and professionalism are the hallmarks of the CACEO Board of Directors. While we strive for perfection, let us hope to capture excellence in the interim of that pursuit!



infestation and habitability. The bill sailed through both the Senate and Assembly by margins of 37-0 and 74-0, respectively, only to be briefly stalled by the California Apartment Association. The bill could have been hung up, but our talented Legislative Co-Chair Kerry Simpson was once again up to the task, and articulated well what the bill is and what it will do in her testimony at the State Capital! In short, all concerns were put to rest as the bill was signed into law by Governor Brown on July 7, 2014.

In closing, we have had a lot of interest in general members wanting to join the CACEO Board of Directors. This is both very gratifying and humbling, knowing such interest is on the rise! This tells me what I envisioned years ago came to fruition sooner than I thought. While we only have twenty-four Board seats for the entire state, it lets our current Board know there is much interest in their seats! In the Los Angeles region, we had six candidates vie for only one seat. Since I have been on the Board, there have never been more hotly contested regions for Board seats! Through the professional commitment of our Board of Directors, we have changed the landscape of providing improved continuing education classes and state seminars. I realize there are limited seats on the Board, but you can always reach out to your local regional representative in further promoting our profession and brand, and you never know, maybe you will be the one that wins the next election and joins the Board of Directors!

Desire, commitment, due diligence and professionalism are the hallmarks of the CACEO Board of Directors. While we strive for perfection, let us hope to capture excellence in the interim of that pursuit!

For all of you that I met at the Seminar, and for the rest of you in the state, always, always remember to please be safe in your daily duties and travels!

Sincerely,

Al Brady
CACEO President ♦

MISSION STATEMENT

CACEO exists to promote and advance the profession of code enforcement while serving and supporting its members by: Offering comprehensive education and certification, Providing legislative advocacy on issues of importance to the code enforcement profession, Facilitating a network for an exchange of information and technology.

EXECUTIVE DIRECTOR'S MESSAGE



Melissa Dixon

Can you believe it's December already? I'm having trouble understanding how this year went by so fast. Seems like just yesterday we were celebrating the New Year! But then I look back at CACEO's accomplishments for the year, and I start to wonder how we managed to fit it all in. Here's a recap:

EDUCATION:

- Pest Infestation and Health Hazards of Vectors / SB 488 Discussion; 01/16/14: 28 Attended
- Pest Infestation and Health Hazards of Vectors / SB 488 Discussion; 01/23/14: 27 Attended
- How to Effectively Use The Health and Safety Code & More; 02/13/14: 18 Attended
- Fourth Amendment & Sovereign Citizenship; 03/11/14: 25 Attended
- Medical Marijuana Dispensaries Updates; 03/12/14: 16 Attended
- Fourth Amendment & Sovereign Citizenship; 03/13/14: 22 Attended
- The Complete Guide to Customer Driven Code Enforcement, A Two Day Training Seminar; 03/26 & 27/14: 40 Attended
- Fourth Amendment & Sovereign Citizenship; 04/09/14: 30 Attended
- Basic Spanish Communication for Code Enforcement Officers; 04/17/14: 34 Attended
- Code Technicians and Support Staff Training; 04/29/14: 54 Attended

- The Complete Guide to Customer Driven Code Enforcement A Two Day Training Seminar; 05/28 & 29/14: 31 Attended
- Code Technicians and Support Staff Training; 05/29/14: 37 Attended
- Sovereign Citizens & Medical Marijuana Dispensaries Updates; 06/19/14: 33 Attended
- Managerial Leadership Training; 06/25&26/14: 31 Attended
- Strategic Leadership Creating a Vision for the Future; 07/16/14: 21 Attended
- Defensive Tactics: Responding to and Surviving Physical Confrontations and Acts of Aggression; 08/07/14: 33 Attended
- Defensive Tactics: Responding to and Surviving Physical Confrontations and Acts of Aggression; 08/21/14: 27 Attended
- How to Effectively Use The Health and Safety Code & More; 11/04/14: 36 Attended
- Managerial Leadership Training; 11/05/14: 14 Attended
- Say What You Mean, But Don't Say It Mean; 12/04/14: 15 Registered
- Say What You Mean, But Don't Say It Mean; 12/09/14: 8 Registered

ANNUAL SEMINAR:

Registrations – 280

In addition to all of this, representatives from the Board of Directors attended the CPOA Law Enforcement Legislative Day and met with legislators on behalf of CACEO, as well as attended the League of California Cities Annual Conference, staffing the CACEO booth and preaching the benefits of an effective code enforcement program.

What will 2015 have in store for CACEO? Only time will tell. But building off this momentum from 2014, it's sure to be impressive! ✦

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In our 9th year as CACEO, you need to ask yourself why you were among the few that did not attend this year's Annual Seminar. With a steady growth and interest in the profession, the Seminar always has something for everyone.

"[I liked] the variety of classes. Great presenters. Great food. Great location. Networking with code brothers & sisters."



2014 Recap

Embassy Suites Monterey Bay - Seaside
1441 Canyon Del Rey
Seaside, CA 93955

Regardless where your jurisdiction is located and the types of laws you enforce, you were sure to find interest in one of these topics:

- Great Tips On How To Win Your Hearing
- Compliance Solutions & Collaborations
- Working With Persons With Special Needs
- Medical Marijuana Dispensary Updates
- Everything You Need TO Know About Vehicle Abatement
- Human Trafficking
- Violent Intruder Response
- Realignment & Code Enforcement: Tools To Survive
- Dog Biting
- Self Defense Tactics
- Growing Strong Neighborhoods In Your Community
- Landlord and Tenant Basics
- Honey Oil Lab Awareness
- Criminal Prosecution and Cost Recovery
- Officer Safety: Knowing Your Surroundings
- Inspiring Organizational Greatness
- How To Use The Health & Safety Code
- Apartment Inspection and Post Disaster Program
- Sub-Standard Buildings & Hoarders
- CPTED For Code Enforcement

Thank you to our membership for your continued support and attendance at this year's Seminar. CACEO wishes to extend our appreciation to our vendors and a very special acknowledgement to the Annual Seminar Committee, Board of Directors and instructors for another successful Seminar.



“The conferences keep getting better each year. Keep up the good work.”



“Overall, the seminars were much well rounded this year. A lot of good instructors with the knowledge/ability to pass on the information.”



October 6-9, 2015
 We look forward to seeing you at next year's Annual Seminar, October 6-9, 2015 at Disney's Paradise Pier Hotel in Anaheim!

NEW BOARD MEMBER CANDIDATE STATEMENTS



**Kirk Buckman,
City of Belmont**

With great honor I am accepting the nomination for the California Association of Code Enforcement Officers (CACEO),

Region 2 Representative. I am currently employed as the Code Enforcement Officer for the City of Belmont beginning in 2000 and the Past President of CACEO.

I am wanting to once again become a vital part of the CACEO Board of Directors to continue the goals as established by the CACEO Membership and CACEO Directors to enhance, promote and improve the Code Enforcement Profession.

In 2002, I became involved with CACEO, then CACE, as a Regional Representative. I have held multiple positions with CACEO including President, Secretary/Treasurer, Certification Chairman and Marketing Chairman which makes me very qualified to serve as your representative for the CACEO Board of Directors.

During my time as President, I continued the progress to promote and enhance the Code Enforcement Profession with State, County and Local agencies, educating them on the importance of what a well trained and funded Code Enforcement Program can achieve. I was able to strengthen the core of the CACEO organization to make the organization more efficient to properly serve the CACEO membership.

As Secretary/Treasurer, I developed and improved numerous programs and changes to reduce or maintain cost to both the CACEO Membership and CACEO as a whole.

My time and experience on the CACEO Board of Directors makes me an excellent choice to represent you on the CACEO Board. I understand the necessity to maintain open communications between the CACEO Membership and the CACEO Board of Directors. The CACEO Board is there to serve the membership and I will continue the lines of open communication.

Please contact me at kirk_buckman@yahoo.com if you have any questions or wish more information. Thank you for your consideration.



**Alvaro Nuñez, Coordinator
Community Preservation Division Planning & Building Agency
City of Santa Ana**

I would like to express my interest to become a member of the CACEO Board of Directors for Region 7. My interest in government began while completing my Bachelor of Arts Degree in Political Science at the University of California at Irvine. As many of you can attest, few government jobs interact with the community at such an intimate level and see the impact of legislation on its community like a code enforcement officer. In our capacity, we often represent all levels of government in our enforcement responsibilities. This is one the reasons why many of us have chosen code enforcement as our career; our willingness to serve.

Since starting as the intern with the City of Santa Ana Planning & Building Agency over twenty years ago, I have held code enforcement positions as a code enforcement technician; Community Preservation Inspector; Senior Community Preservation Inspector and for the last five years, as the manager for my city's code enforcement division. As a full-service city, our enforcement parameter encompasses all levels of code enforcement. In my capacity, I have extensive experience working with multi-jurisdictional agencies in all levels of government. This level of experience provides me with an insight & knowledge of our profession that can serve as an asset to the board.

Like many of you, in addition to taking many building code, zoning, and police related courses, I completed the Basic Level, Intermediate Level, & Advance Level Certificates as well the PC 832 Certificate. I place high value in the CACEO training by continuing to attend relevant seminars and hope to bring my experience to collaborate with my peers to maintaining this great trend and continue bringing up to date and relevant training. Notwithstanding our gains, I am firm believer that just like our profession's responsibilities have changed and expanded, so should our willingness to prepare and improve our profession's profile. To this end, as your board member, I commit to help our board of directors accomplish its organizational goals. I feel that my broad experience provides me with the comprehensive academic and practical knowledge that makes me uniquely qualified to represent you on the board. Thank you.



Rafael Perez, City of Alhambra

I am deeply honored and grateful to be a nominee for the Board of Directors for the California Association of Code Enforcement Officers (CACEO).

I have proudly served as a member of the code enforcement profession for almost 15 years and have loved the diversity and impact this position makes in maintaining the quality of life for the citizens we serve. I have worked for the Cities of La Mirada, La Puente, Glendora and now Alhambra, where I am a Code Enforcement Supervisor. In the cities I have served, I have found myself under the police department, planning department, community development, public safety department and city manager's office. I have over 300 hours of Peace Officer Standards and Training accreditations along with over 140 hours of CACEO certificated training.

With my diverse training and experience in local government, I bring unique attributes and awareness of the challenges facing the Code Enforcement profession. I will work hard to bring effective solutions that address our Code Enforcement Officer's needs and concerns statewide.

I thank you for your consideration and look forward to serving you.



**Peter J. Piccardo, C.C.E.O.
Code Enforcement Supervisor
Community Development Department
City of Folsom, California**

Hello fellow Code Officials! My name is Peter Piccardo. Just a few things about myself. I earned my Bachelors degree from Cal Poly State University, San Luis Obispo in spring of

'94 in City and Regional Planning. I began my career with the City of Folsom, Planning, Inspections and Permitting Department in the fall of '96 and have been with the City of Folsom Code Enforcement Division for 18+years and the supervisor of the division for the past 15 years. The Folsom Code Enforcement division is tasked with enforcing a variety of violations ranging from abandoned vehicles, junk, property maintenance, blight, weeds, signs, vacant and foreclosed properties, building/health and safety concerns and zoning violations just to name a few.

I have also served on the Board of Directors for the California Association of Code Enforcement Officers (C.A.C.E.O.) in different

capacities for 14 years. My most recent term, was serving as a Region 1 Northern Representative and part of the Membership and Marketing Committee.

I have served in the past as President, and chaired various committees. In August of '98, I received my Code Enforcement Certification from the California Code Enforcement Corporation, C.C. E.C.

I have taught classes at annual educational seminars, training workshops and at Los Rios Community College McClellan Safety Center, and Folsom Police Department. Topics include: zoning enforcement, investigative techniques, and code enforcement. My many years of serving on the Board of Directors and experiences in Code Enforcement have allowed me the opportunity to give back to the Code Enforcement profession and to participate in our ever changing statewide enforcement issues.

I look forward to many more years of working in this profession and working with other enforcement officials in making this profession the best it can be. Thank You. ✦

S W

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Attorneys at Law

Statewide Code Enforcement, No Cost Receiverships, Cost Recovery, Police Services

Orange County Location: 949.385.6431 Inland Empire Location: 909.833.5420

Responsible parties under the law (continued from page 1)

owner and carefully following the procedures of the ordinance without taking any unauthorized shortcuts is important because properly executed enforcement and abatement actions following a good ordinance should overcome Constitutional challenges.

PROPERTY OWNERS PLUS OCCUPANTS

Tools #3 and #5, (and potentially #1) below all list property owners as liable for corrections, but also places the duty on occupants to maintain their interior of their units in a safe and sanitary condition. We have all encountered building occupants who have caused or contributed to substandard building or housing conditions. Our lawmakers have wisely recognized that property owners cannot control tenant behavior, and they cannot freely enter and inspect a tenant’s dwelling at will. Since these tools identify occupants as responsible for specific areas, it is implied that they may be cited for violations of their defined areas of responsibility. However, a property owner may still be held responsible here, while remaining able to enforce his or her contract rights against a tenant for any breach of a lease.

PROPERTY OWNERS PLUS ANY PERSON

The Building Standards (#6 below) allows enforcement against any person violating the code, which is helpful to hold contractors or others responsible for working contrary to building code requirements. The only limitation is that the owner (or agent, or other person in control of structure) must be notified when unsafe structures and equipment is at issue.

Outside of the Building Standards, if your agency has adopted an Administrative Remedies Ordinance (#1 below) it may provide you the most flexibility in selecting the responsible party, since it may allow you to name any person or entity as responsible. In essence, this may allow you to reach the person who may be the best candidate to correct the violation, whoever that person may be. This flexibility in selecting the party is allowed because the penalties are usually relatively small fines, with no chance of imprisonment or the taking of property.

LIMITATIONS AND EXCEPTIONS.

We often encounter owners who claim that they have contracted with another person to take care of the condition that we are citing, such as their tenant or contractor, and assert that we should go after them. While a property owner is free to enter into such contracts, they are not relieved of their ultimate responsibilities for “non-delegable” duties related to safety conditions of their property. This means that while another party may abate the violation, the owner remains liable if the violation is not properly or timely abated, or if somebody is injured as a result of the condition. Even where they have such contracts in place, they may have recourse against the party they contracted with, and the owner may recoup their costs of correction.

Note that residential landlords are prohibited from assigning certain responsibilities to their tenants. Under California Civil Code §1942.1, any agreement by a tenant of a dwelling waiving or modifying his rights under §1941 or §1942 shall be void as contrary to public policy with respect to any condition which renders the premises untenable. Therefore, unless excused due to tenant cause conditions, property owners should always be named and held accountable with respect to substandard housing conditions, as indicated in the table below.

An exception to the above may be found in commercial leases. Since commercial tenants are not residential tenants, the limitation in the above paragraph does not apply. Here, “freedom of contract” principles can control, and unlike residential leases, commercial leases may properly include maintenance duties. Under Tool #6 below, the CBC allows you to hold “any person” responsible for a violation and to correct violations of the CBC (except for unsafe structures and equipment, the owner must still receive notice). This flexibility is useful considering the fact that a commercial property may have been developed by a giant retail developer under a 40-year (or longer) lease who actively maintains the property anyway, while the underlying property owner may only be a passive investment trust with no person ready, willing, and able to step up to make corrections on somebody else’s building, even though it is located on their land.

Also note there is no restriction on providing copies of your notice to affected parties, who may even be “cc’d” on the distribution list. They may be in a position to influence the responsible party, or even make corrections themselves and seek recoupment. Naming non-necessary parties on notices does not penalize them, but it may benefit the enforcement agency and the public at large if they are able to help with compliance efforts.

As in all such matters, you should follow your agency’s policy and the advice of your legal counsel.

SUMMARY TABLE OF TOOLS	
TOOL	APPLIES TO:
Administrative Remedies under CGC §53069.4	Whoever is specified in your local ordinance.
Specific Abatement by Agency under CGC §38773.5	Any procedure must include notice, by certified mail, to the property owner (CGC §38773.5(c)).
Uniform Housing Code	Property owners remain liable, even though specific obligations are also imposed on occupants (§201.3)
Uniform Code for the Abatement of Dangerous Buildings	The “record owner of the building” (§401.2) but must serve copy to all banks, lenders, and others with financial or legal interest in property (§401.3).
International Property Maintenance Cod	Owners shall maintain structures and property exterior; occupants of a dwelling must keep their unit in a clean sanitary and safe condition (§301.2), and notice shall be issued to the person responsible for the violation (§107.1)
California Building Standards Code (CA Building Code, CA Residential Code, related technical codes under CCR Title 24)	<p>“Any Person” (CBC §114.1)</p> <p>“The person responsible” (CBC §114.2)</p> <p>“Any person who violates, fails to comply, or works contrary to construction docs or directives of the BO” (CBC §114.4)</p> <p>Except: For unsafe structures and equipment, Notice shall be served on the owner, agent, or person in control of structure (CBC §116.3)</p>

HEALING THROUGH ENFORCEMENT

By Frances Roberts, Code Enforcement Supervisor, City of Carson

Often times our job takes us on some adventurous inspections where we encounter numerous excuses for noncompliance. But then there are times when not only the property itself is re-habitable but the owner is given a new lease on life. This is what happened on a case with Officer Vanessa Lopez in Carson, California.

She encountered a resident who had fallen into a form of depression after losing two significant loved ones back to back and began accumulating numerous items to fill the void of each loss. The resident became comfortable sleeping outside on the porch and in a vehicle parked in the driveway. The resident lived outside the home for several years until Officer Lopez diligently assisted the resident with bringing the property into compliance.

Officer Lopez pulled no stops (task force, court case, receivership) to get this property into compliance without knowing that she was also helping the resident to heal. The resident only trusted and confided in Officer Lopez and

refused assistance from other agencies. When the resident realized the property met the criteria for receivership, a positive change took place. The resident heeded the court's advice and hired a trusted friend to assist with the cleanup. As Officer Lopez's supervisor, I personally conducted several follow up inspections for Officer Lopez and noticed the refreshing change (laughter, sense of humor, thought provoking conversations) in the resident as well as the house, each room was open and being used as intended.

Kudos to Officer Lopez for not only educating the resident about bringing the property into compliance but for giving a new sense of ownership and dignity back to the resident! Her devotion to this property and the property owner made the adjacent neighbors feel at ease. In the beginning these same neighbors didn't want to complain about the property and were not sure on how to help because this was a good neighbor who was one of the original home owners on the block.

Officer Lopez thank you for a job well done!

Do you know someone who's gone above and beyond? Email Melissa Dixon mdixon@caceo.us to have them featured in our next issue of CACEO News. ✦



Answers to Coach's Corner can be found on page 10.

COACH'S CORNER WITH SANDRA JOHNSON:

1. In *Bonde v. Bishop* (1952) 112 CA2d 1, the encroachment on and interference with the neighbor's property led to the court's decision to order the defendant to abate the nuisance, by requiring the removal of overhanging limbs.
 - a. True
 - b. False
2. A nuisance can either be "public" or "private". Generally, any nuisance that is not a public nuisance is a private nuisance. So, a landlord's violation of a state's housing codes would be both a public nuisance as well as a private nuisance to the tenants.
 - a. True
 - b. False
3. A home business is
 - a. has a continuity of service
 - b. more than merely incidental to the residential use of the premises
 - c. something engaged in with the object of gain, benefit, or advantage
 - d. all of the above
4. An inspection warrant shall be supported by
 - a. a promise to act in good faith
 - b. photos of the property
 - c. an affidavit
5. A percipient witness is
 - a. a person who testifies about a conversation that was overheard
 - b. a person who testifies to a particular event
 - c. a person who refuses to testify
 - d. a person who testifies under oath



Reprinted with permission from the November 28 issue of *The Del Norte TriPLICATE*

The ENFORCER

By Emily Jo Cureton, *The TriPLICATE*

Del Norte County Code Enforcement Officer Dave Mason is the California Code Enforcement Officer of the Year. *Del Norte TriPLICATE* / Emily Jo Cureton. The kind of November sunshine that brings poets to tears burst through the trees at one of Del Norte's most notorious illegal dump sites Wednesday morning, lighting up dew-kissed spruce tips, blackberry tangles and a dazzling array of trash.

How to clean up this especially epic mess around Union Street, a county right-of-way with a decades-long history of crime and pollution, has largely fallen to one man, whose Herculean efforts recently earned him top honors from the California Association of Code Enforcement Officers.

Meet Dave Mason, Code Enforcement Officer of the Year. He's worked since 2005 to clean up Del Norte.

"It's just another day in the woods for me," he said Wednesday, eyeing freshly dumped trash piles, the likes of which pale in comparison to the 250 junked cars and 160 tons of rubbish removed from this area since he set to work.

"Code enforcement is like mowing a lawn. You do a really good job and a few weeks later, you have to do it again. But if you don't do it at all, you'll be hip-deep before you know it. There's no point in having rules without enforcement," he said.

Mason is the sole employee of Del Norte County's Code Enforcement Department. He's handled 3,099 cases in the past 10 years, mostly to do with illegal dumping, substandard housing and abandoned vehicles, though if anyone has seen it all, it's probably him.

Walking Union Street, he paused by a car battery corroding in the forest duff.

"Dumping this thing in the woods will get you three years in the state penitentiary. It's free to dispose of it at the transfer station. There's people in Oregon who will even pay you for it," he sighed.

The scene here is familiar, but there are no typical days in his line of work, Mason said.

"One day I'm doing this. The next day I'm helping a family living in a slum apartment. The next day I'm towing a car. The day after that I'm up in the woods cleaning up a marijuana grow," he said.

continued on next page



Question 1. Answer: (a) True
Question 2. Answer: (a) True
Question 3. Answer: (d) all of the above

Question 4. Answer: (c) an affidavit
Question 5. Answer: (b) a person who testifies to a particular event

The Enforcer (continued from previous page)

While he often investigates dangerous places, Mason doesn't pack a gun, just a small amount of pepper spray and a lot of tact.

"In 23, going on 24 years, I've only unholstered [the pepper spray] twice for people," he said. "You learn how to be respectful, kind and work with people, or you don't last long. You also have to be firm, because evil people will mistake kindness for weakness."

The list of public agencies Mason collaborates with is long, everyone from park rangers and game wardens to child protective services and probation officers. He brings law enforcement along when "I know I'm going into a situation," he said.

"Dave Mason has come to our aid so many times, we can't count how many times," Sheriff Dean Wilson said at a recent Del Norte County Board of Supervisors meeting.

In 2010 Mason received a Special Commendation from the Sheriff's Office for eliminating drug houses and an Outstanding Community Service Award from the District Attorney's Office in 2012. This year's award is the first on a state level.

"One of our own was given the statewide recognition, which is fairly impressive. He was selected for this honor based on his contributions to code enforcement in serving the public. It's well documented that the number of cases Mr. Mason serves is well over the state average," Community Development Department Director Heidi Kunstal said at the supervisors meeting. She oversees Code Enforcement.

Mason's average caseload is nearly twice the state average, topping 300 per year. He closes an average of 273 cases each year, still 100 more than many officers in his position even deal with.

"It's extremely rewarding when you have success," Mason said, explaining the success usually goes one of two ways: "When I can convince someone to do the right thing and clean up their own mess ... or then when someone digs in their heels and says, 'You can't make me,' then we make them."

Mason's average caseload is nearly twice the state average, topping 300 per year. He closes an average of 273 cases each year, still 100 more than many officers in his position even deal with.



Mason has levied \$127,000 in fees during his tenure, spending it all on cleanups, he said. His department's annual budget for professional services to do the actual cleaning is around \$14,500, half what it was in 2005. Since then he's seen 12 trash dumping cases prosecuted, as well as seven felony convictions for improper disposal of hazardous waste.

Raised in Orange County, he worked for the City of Santa Ana for 13 years, beginning as a plumbing inspector. After a fateful transfer, he met his wife Deanna in the code enforcement office there. Mason is a member of the Del Norte Sheriff's Office Dive Team, which serves Humboldt County, too. He volunteers as a Boy Scout assistant district commissioner, working with scoutmasters to develop programs.

He was nominated for Officer of the Year by numerous officials both in Del Norte and beyond. His reach is considerably increased by the fact that he runs the Yahoo! Code Enforcement Discussion Group and participates in state-level certification and training programs.

His training and background have prepared him for a lot of unexpected circumstances, though a recent encounter with a wild boar near Klamath wasn't one of them.

"You can't reason with a wild boar," he laughed. "I reason with people. Most people are reasonable."

Reach Emily Jo Cureton at ecureton@triplicate.com. ✦

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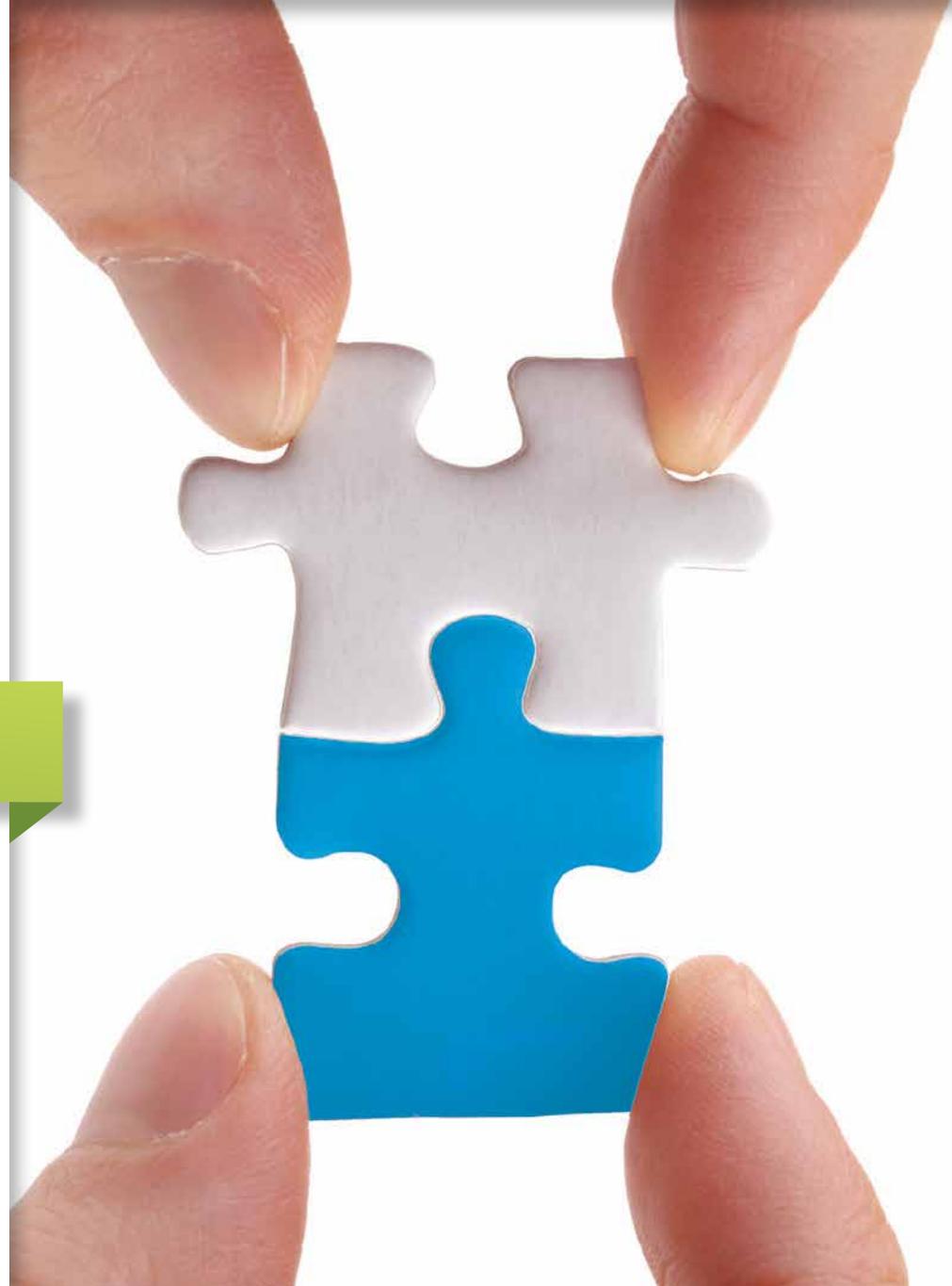
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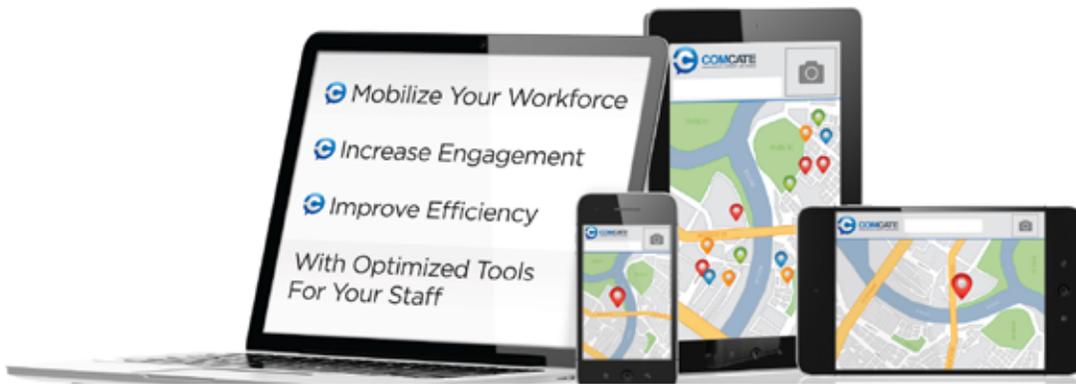
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Kristy Kelley, CAA-AAGIE Membership Services Coordinator, makes a presentation on code enforcement.

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