

County of Siskiyou

Community Development Department

Staff Report

Meeting Date: August 11, 2026
To: Siskiyou County Board of Supervisors
From: Hailey Lang, Community Development Director
Subject: Staff Report on Code Enforcement Authority

PURPOSE

This item outlines Siskiyou County Code Enforcement's authority under County and state law. No Board action is requested.

BACKGROUND

The Community Development Department (CDD) administers and enforces the County's planning and building regulations under authority granted by the County Code and state law. (Siskiyou County Code, §§ 1-5.04 and 2-36.01–2-36.04.)

County Code Title 1, Chapter 5 (Citation Procedure) authorizes criminal, civil, administrative, and nuisance-abatement remedies.

County Code Title 9 (Building Regulations) establishes building and safety requirements and authorizes inspections and enforcement.

County Code Title 10 (Planning and Zoning) establishes land-use requirements and authorizes enforcement of zoning regulations and permit conditions.

ENFORCEMENT PRIORITIES

The County may prioritize cases based on health and safety risks, the extent and public impact of the violation, its persistence, and available staff. It is not required to pursue every reported violation. Staff seeks voluntary compliance when practical and uses stronger remedies when risk or continued noncompliance warrants. (County Code, § 1-5.01.)

STATE LAW AUTHORITY

State law authorizes the County to:

- **Local Ordinances.** Make and enforce local ordinances that do not conflict with state law. (Cal. Const., art. XI, § 7.)
- **Enforcement Remedies.** Pursue criminal, civil, and administrative remedies for County Code violations. Administrative fines require notice, an opportunity to correct when applicable, and appeal rights. (Gov. Code, §§ 25132 and 53069.4.)
- **Nuisance Abatement.** Abate public nuisances and recover eligible costs after providing the required notice and hearing. Immediate threats to public health or safety may be summarily abated when authorized. (Gov. Code, § 25845.)

- **Inspections and Citations.** Obtain inspection warrants. Designated employees may issue citations as authorized by ordinance. (Code Civ. Proc., § 1822.50 et seq.; Penal Code, § 836.5.)
- **Substandard Housing.** Require the repair, vacation, or demolition of qualifying substandard residential buildings. (Health & Saf. Code, § 17980 et seq.)

COUNTY CODE AUTHORITY

The County Code provides:

- **Authorized Personnel.** The CDD Director, Planning and Building staff, Code Enforcement Officers, and other designated employees may enforce provisions within their assigned duties. (County Code, § 1-5.04.)
- **Investigation and Inspection.** Staff may investigate suspected violations, but property entry requires consent or other lawful authority, such as an inspection warrant. (County Code, § 1-5.02.)
- **Notice and Correction.** Before issuing a first citation, staff generally must identify the violation and allow at least seven days for correction unless an exception applies. (County Code, §§ 1-5.07(b) and 1-5.09(b).)
- **Administrative Citations.** An Enforcement Officer may order correction and assess administrative fines and eligible costs. The recipient may seek administrative and judicial review. (County Code, § 1-5.09.)
- **Criminal Citations.** Staff may issue a notice to appear, but non-peace officers may not take anyone into custody or carry firearms while performing enforcement duties. (County Code, §§ 1-5.05, 1-5.07, and 1-5.18.)
- **Civil Enforcement.** County Counsel or the District Attorney may seek injunctions, civil penalties, abatement, and costs. (County Code, § 1-5.08.)
- **Nuisance Abatement.** After notice and a hearing, the County may order a public nuisance abated. Immediate threats may be addressed without a prior hearing. (County Code, §§ 1-5.10–1-5.11.)
- **Cost Recovery.** The County may recover qualifying costs. A special assessment or lien requires notice, a hearing, and Board action. (County Code, §§ 1-5.06 and 1-5.12–1-5.13.)
- **Permit and Property Actions.** The County may record an unresolved violation, withhold certain permits or entitlements while an enforcement matter or related debt is pending, and seek permit or variance revocation through the required process. (County Code, §§ 1-5.14–1-5.16, 10-6.1203, and 10-6.1402.)

ENFORCEMENT SCENARIOS

1. Abandoned Vehicles

County Code Title 3, Chapter 8 applies to abandoned, wrecked, dismantled, or inoperative vehicles on public or private property in unincorporated Siskiyou County. Unless an exception applies, the vehicle must remain for more than 72 hours. Location determines the County's response. (County Code, §§ 3-8.01–3-8.06.)

- **Vehicle Abandoned Without Consent on Private Property.** The property owner may arrange private removal or report the vehicle to the County. The County is not required to remove every reported vehicle. If the County proceeds with abatement, it must notify the

property owner and, if known, the vehicle owner and provide hearing rights. If the hearing body finds that the vehicle was placed on the property without the owner's consent and the owner did not later accept its presence, the County may not charge removal costs to the property or its owner. The County may seek those costs from the vehicle's last registered owner. (County Code, §§ 1-5.01, 3-8.12–3-8.19, and 3-8.27.)

- **County-Owned Property.** The County may abate and remove abandoned, wrecked, dismantled, or inoperative vehicles from County-owned property. The Planning Director administers the abatement process. For an abandoned vehicle, the County may seek removal and disposal costs from the last registered owner. (County Code, §§ 3-8.01, 3-8.04–3-8.05, 3-8.09, and 3-8.27.)
- **County Road Right-of-Way.** A County road right-of-way may be owned by the County or held as a road easement over private property. A vehicle that obstructs traffic or creates a hazard may be subject to immediate removal. An abandoned, wrecked, dismantled, or inoperative vehicle left within the right-of-way for more than 72 hours may also be removed through the County's abatement process. Public Works confirms the right-of-way, and Code Enforcement coordinates abatement. For an abandoned vehicle, the County may seek removal and disposal costs from the last registered owner. (County Code, §§ 3-8.01, 3-8.04–3-8.05, 3-8.09, and 3-8.27.)
- **State Highway.** The California Highway Patrol and Caltrans have primary responsibility for vehicles on the state highway system. The County refers the matter and coordinates when needed. (Veh. Code, §§ 22651, 22654, and 22669.)

2. Recurring RV Parking on a County-Road Shoulder

Roadside Parking. A County road right-of-way may allow temporary stopping or lawful shoulder parking. Whether parking is allowed depends on roadway conditions and any applicable restrictions. The County Code does not define "camping" or state when resting or sleeping in a vehicle becomes camping.

- **Abandoned Vehicle.** An operable RV that leaves the location every few days generally does not qualify as abandoned. Repeated visits do not, without additional evidence, establish camping. (County Code, §§ 3-8.03–3-8.05.)
- **Camping Ordinance.** County Code section 3-17.01 prohibits unauthorized camping on private property, including in an RV. It does not define "camping," establish a minimum duration, or specifically address County road rights-of-way. This makes it difficult to distinguish a recurring campsite from lawful parking or temporary rest.
- **Evidence of Camping.** Evidence of camping may include repeated overnight occupancy combined with cooking, outdoor living, utility connections, waste disposal, or statements showing that the location is being used as a campsite. Parking or sleeping in a vehicle, without more, may be insufficient. A contested violation must be established by a preponderance of the evidence. (County Code, §§ 1-5.11(g)(2) and 3-17.01.)
- **Enforcement Authority.** Code Enforcement may act when evidence establishes unauthorized camping or another County Code violation. Road obstructions, hazards, and parking violations are referred to Public Works or the Sheriff's Office. If the evidence shows only lawful parking or temporary rest, Code Enforcement cannot order relocation solely because the underlying property owner objects. (County Code, § 3-17.01.)
- **Enforcement Limitations.** Compelling relocation without a clear legal basis creates unnecessary liability. The County should act only when staff documents a violation, hazard, or other lawful basis. If no violation is established, staff may request voluntary relocation but

should make clear that the request is voluntary. Staff should consult County Counsel before issuing a citation or ordering removal when the County's authority is uncertain.

3. Nuisance Abatement on Abandoned Properties

Public Nuisance. Accumulated garbage, refuse, appliances, construction debris, or other solid waste may constitute a public nuisance when illegally disposed of or threatening health or safety. (County Code, § 1-5.10(b)(1)–(2), (5).)

- **No Responsible Party.** When the record owner is deceased and no estate representative, heir, or lawful occupant can be identified, no person is available to receive notice, grant access, or complete the cleanup. The owner's death and the property's apparent abandonment do not authorize the County to enter.
- **Legal Process and Expense.** Resolving ownership may require title and probate research, searches for heirs, legal review of notice requirements, and court proceedings to obtain an abatement warrant or other authority. These steps require substantial staff time and legal expense before cleanup can begin.
- **Problem Properties in Carrick.** Despite more than two years of investigation, the County has not been able to start cleaning up the properties because ownership remains unresolved and the County does not have consent or other legal authority to enter.
- **Cleanup Costs.** If the County completes the cleanup, it must initially pay the costs. Recovery through a special assessment or lien requires additional notice, hearings, and Board action, and recovery may be delayed or unavailable. (County Code, §§ 1-5.02, 1-5.09(d), 1-5.10(f)–(g), (j)–(k), and 1-5.13.)