



City of Imperial Beach
 City Manager's Office
 825 Imperial Beach Blvd
 Imperial Beach, CA 91932
 Tel. (619) 423-8303 / Fax. (619) 628-1395

Case No. _____

REQUEST FOR HARDSHIP WAIVER

If the recipient of an administrative citation issued by the City of Imperial Beach is financially unable to make an advanced deposit of the fine amount prior to an administrative hearing, the recipient party may request a hardship waiver. The request for a waiver must be filed within fifteen (15) days of the date the citation was issued. You must submit an appeal of Administrative Citation form along with this document.

Please attach to this waiver request form a copy of the Administrative Citation and supporting documentation for your waiver request. Deliver or send to the City Manager's Office, 825 Imperial Beach Blvd, Imperial Beach, CA 91932.

Name of Appellant: _____

Administrative Citation Number: _____

Date Citation Issued: _____

Citation Correction Date: _____

Mailing Address and Phone Number(s) of Appellant: _____

*** IMPORTANT INFORMATION:** If the request for a hardship waiver is denied, you must pay the fine within ten (10) days of the date of denial.

I received the administrative citation noted above and I hereby request a hardship waiver. I am financially unable to make the advance deposit for the following reasons:

My monthly gross income is \$ _____ and I have _____ dependents, including myself.

Please explain in detail:

REQUIRED INFORMATION: You must include supporting documentation of all household income for the appellant, such as the previous years tax records. The information you provide will assist the City Manager's Office in deciding whether to issue a waiver of the advance deposit for your hearing request. The waiver program is voluntary. If you choose to apply, you must provide the information requested. Failure to provide sufficient information will result in a determination of ineligibility for this waiver.

I declare under penalty of perjury that the foregoing statement and information provided by me is true and correct.

✓ *Signature:* _____

✓ *Date:* _____

For City Manager or their Designee Use Only

Deposit Waiver: Granted Denied

Signature: _____ Date: _____

Reason for Denial: _____

ADMINISTRATIVE CITATIONS

Imperial Beach Municipal Code Chapters 1.12 and 1.22 provides for the issuance of Administrative Citations for Municipal Code violations. There are four levels of citations that can be issued progressively for a violation. The civil fines, as indicated on the front of the citation, are \$100 for the first citation, \$200 for the second citation, \$500 for the third citation, and \$1000 for the fourth citation and subsequent citations. These civil fines are calculated per violation, per occurrence, and are cumulative. A warning, if issued, does not incur a fine and, therefore, is not appealable.

ORDER

You are ordered to:

1. Immediately cease committing the code violation(s) listed on the front of this citation, and
2. Not repeat the violations(s).

RIGHTS OF APPEAL

You have a right to appeal this administrative citation within thirty (30) calendar days from the date the administrative citation is issued. An appeal must be made in writing on an appeal form, accompanied by the full amount of the fine, and returned to the address listed below. You may file a request for a hardship waiver of the fine, but it must be filed within fifteen (15) calendar days of the date the citation is issued. The City Manager's office will decide the hardship waiver. Forms may be obtained from the Administrative Services Department at the address listed below. An appeal of the citation will result in an administrative hearing.

Failure of any person to properly file a written appeal within thirty (30) calendar days from the date the administrative citation is issued shall constitute a waiver of his or her right to an administrative hearing and adjudication of the administrative citation, or any portion thereof and the total amount of the fine.

HOW TO PAY FINE

The amount of the fine is indicated on the front of this Administrative Citation and is due within thirty (30) calendar days from the date the administrative citation is issued. You may pay by mail, online, or in person. Payment made by personal check, cashier's check or money order should be payable to the City of Imperial Beach, at the address below. **Please write the citation number on your check or money order.**

City of Imperial Beach
825 Imperial Beach Blvd
Imperial Beach, CA 91932
Attn: Admin. Services Dept. / Admin. Citations

If the fine is not paid within thirty (30) calendar days from the date the administrative citation is issued, you will receive a Delinquent Notice from the Code Compliance Division and there will be a twenty-five (25) percent penalty fee assessed in addition to the original fine. In addition, delinquent fines shall accrue interest at the rate of ten (10) percent per month, excluding penalties, from the due date. If you need further clarification about payment of the citation, please call the Code Compliance Division at (619) 213-1615.

Payment of any fine shall not excuse the failure to correct the violation nor shall it bar further enforcement by the City.

CONSEQUENCES OF FAILURE TO PAY FINE

The failure of any person to pay the fines imposed by an administrative citation within thirty (30) calendar days from the date the administrative citation is issued or the due date on a Delinquent Notice may result in the filing of a Code Enforcement lien against the real property upon which the violation occurred. Any lien imposed pursuant to this chapter shall attach upon the recordation of a Notice of Code Enforcement Lien in the Office of the County Recorder. A copy shall be turned over to the tax collector for the County of San Diego. Those amounts shall be collected at the same time and in the same manner as ordinary property taxes are collected, and shall be subject to the same penalties and procedures under foreclosure and sale as provided for with ordinary municipal taxes. In the alternative, after recording, the lien may be foreclosed by judicial or other sale in the manner and means provided by law. In lieu of or in addition to a Code Enforcement lien, the Delinquent account maybe turned over to a collection agency, the City may file a claim with the Small Claims Court or the Superior Court for recovery of the civil fine plus interest and late charges, or the City may pursue any other available legal remedy to collect such money. In the court action, the City may also recover its collection costs, including the cost of the Hearing Officer, and any court fees, according to proof.

CONSEQUENCES OF FAILURE TO CORRECT VIOLATIONS

There are numerous other enforcement options that may be used to encourage the correction of violations and to gain code compliance. These options include, but are not limited to: criminal prosecution, civil litigation, abatement, scheduling the item for a public hearing to assess additional civil penalties and administrative costs, and/or recording the violation with the County Recorder. These options can empower the City to collect fines, to demolish structures or make necessary repairs at the owner's expense, and to incarcerate violators. Any of these options or others may be used if the administrative citations process does not achieve compliance.

If you need further information about the violation and/or how to comply, please call the officer designated on the front of this citation.