



ADMINISTRATIVE APPEALS BOARD STAFF REPORT

DATE: NOVEMBER 13, 2017

SUBJECT: APPEAL OF THE ADMINISTRATIVE CITATION A7521 AND APPEAL OF ADMINISTRATIVE DECISION OF A TWO-YEAR SUSPENSION OF THE VACATION RENTAL REGISTRATION CERTIFICATE FOR THE PROPERTY LOCATED 1825 S. AQUANETTA, PALM SPRINGS CALIFORNIA (Lisa Alter, Steven Alter)

BY: Vacation Rental Compliance Department

SUMMARY

Mrs. Lisa Alter & Mr. Steven Alter individuals on title have requested an appeal of (1) Administrative Citation A7251, and (2) Suspension of the Vacation Rental Registration Certificate for two (2) years for the property located at 1825 S Aquanetta, Palm Springs.

RECOMMENDATION:

- 1) Open the Appeal Hearing and accept public testimony.
- 2) a. Adopt Resolution No. _____, A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **UPHOLDING** THE ADMINISTRATIVE CITATION A7251 FOR THE PROPERTY LOCATED 1825 S. AQUANETTA DR, PALM SPRINGS
or
b. Adopt Resolution No. _____, A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **OVERTURNING** THE ADMINISTRATIVE CITATION A7251 FOR THE PROPERTY LOCATED 1825 S. AQUANETTA DR, PALM SPRINGS
- 3) a. Adopt Resolution No. _____, A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **UPHOLDING** THE ADMINISTRATIVE DECISION OF A TWO-YEAR SUSPENSION OF THE SHORT TERM VACATION RENTAL REGISTRATION CERTIFICATE FOR THE PROPERTY LOCATED 1825 S. AQUANETTA, PALM SPRINGS
or
b. Adopt Resolution No. _____, A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **OVERTURNING** THE ADMINISTRATIVE DECISION OF A TWO-YEAR SUSPENSION OF THE SHORT TERM VACATION RENTAL REGISTRATION CERTIFICATE FOR THE PROPERTY LOCATED 1825 S. AQUANETTA, PALM SPRINGS

ITEM NO. 1c

STAFF ANALYSIS:

The property located at 1825 S Aquanetta Dr, Palm Springs was issued a third (3) Administrative Citation A7251 on 5/24/2017 for Trash containers stored in public view on a non- trash pickup day. Prior Administrative Citations A1115 issued on 10/26/2016 and A1116 on 11/1/2016 were issued for the same violation. On the third Administrative Citation in a 12-month period, the City Manager issued a suspension of the Vacation Rental Registration Certificate per Palm Springs Municipal Code 5.25.090(b).

The following Palm Springs Municipal Code sections are applicable to this matter.

The Palm Springs Municipal Code, Vacation Rentals §5.25.070 - Operational Requirements and Standard Conditions

- (k) Trash and refuse shall not be left stored within public view, except in proper containers for the purpose of collection by the collectors and between the hours of five a.m. and eight p.m. on scheduled trash collection days. The Owner of the Vacation Rental unit shall use reasonably prudent business practices to ensure compliance with all the provisions of Chapter 6.04 of the Municipal Code (Waste Disposal and Diversion), and shall provide "walk-in service" or as may otherwise be approved by the Enforcement Official.*

Palm Springs Municipal Code §5.25.090 (b) - Violations

- (b) Upon the third violation in any twelve-month period, the City Manager shall suspend the Vacation Registration Certificate for two (2) years.*

VACATION RENTAL ADMINISTRATIVE REGULATIONS - Effective 8/2017

Subject: Violation Count for Purposes of Suspending a Vacation Rental Certificate

Procedure:

A. Section 5.25.090(b) specifies, "Upon the third violation in any twelve (12) month period, the City Manager shall suspend the Vacation Rental Certificate for two (2) years." Following is a clarification how violations are counted.

- 1. Administrative citations for violations of Chapter 5.25 issued to the Vacation Rental guest, Owner, or Owner's agent prior to April 16, 2017 will count towards the calculation of the three (3) violations in any twelve (12) month period for suspending the Vacation Rental Certificate for such property in accordance with Section 5.25.090(b).*
- 2. There will be no suspension unless at least one (1) violation occurs under new Ordinance No. 1918.*
- 3. Appeals of the third administrative citation and the suspension of the Vacation Rental Registration Certificate will be heard by the Administrative Appeals Board according to PSMC Chapter 2.50.*

Effective Date

This Administrative Regulation shall be effective immediately (8/2017).

1. Administrative Citation A7251

On 5/24/2017 at 10:18 am the Vacation Rental Hotline received a complaint for a registered Vacation Rental property located at 1825 S. Aquanetta, Palm Springs. The complaint states: *"the neighbor keeps putting their trash out on the street when the trash does not come until Friday."* The Vacation Rental Hotline dispatched a Code Compliance Officer to the location. Code Compliance Officer arrived at the location at 11:20am and witnessed the violation, documented the violation and issue an Administrative Citation A7251 for violation of PSMC 5.25.070(k). (Page 31-34)

2. Suspension of Short Term Vacation Rental Registration Certificate for 1825 S. Aquanetta Dr. Palm Springs

Based on the following three Administrative Citations issued in a twelve-month period a suspension of the Vacation Rental Registration Certificate was issued by the Vacation Rental Compliance Department on September 25, 2017.

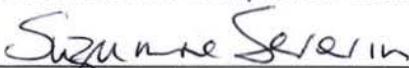
10/26/16 Administrative Citation A1115-Trash in public view issued by Vacation Rental Dept.
11/16/16 Administrative Citation A1116-Trash in public view issued by Vacation Rental Dept.
05/24/17 Administrative Citation A7251-Trash in public view issued by Vacation Rental Dept.

All three citations were issued on a Wednesday. Refuse pick up day for 1825 S. Aquanetta is on Friday. All three administrative citations have been paid as of 10/10/2017.

Please note Palm Springs Municipal Code Chapter Vacation Rentals §5.25.070 (k) is consistent with Palm Springs Municipal Code Chapter Health and Sanitation, §6.04.100 with respect to trash regulations.



Boris Stark
Vacation Rental Compliance Official



Suzanne Severin
Vacation Rental Compliance Official

Attachments:

1. Resolution no. _____ Upholding the Decision – Citation A7251 (Page 5)
2. Resolution no. _____ Overturning the Decision – Citation A7251 (Page 7)
3. Resolution no. _____ Upholding the Decision – Suspension of Short Term Vacation Rental Registration Certificate for 1825 S Aquanetta Dr, Palm Springs (Page 9)
4. Resolution no. _____ Overturning the Decision – Suspension of Short Term Vacation Rental Registration Certificate for 1825 S Aquanetta Dr, Palm Springs (Page 11)
5. Administrative Appeal Board Notice (Page 13)
6. Administrative Suspension Appeal Letter (Page 14)
7. Administrative Citation A1115 & Evidence of violation (Page 19)
8. Administrative Citation A1116 & Evidence of violation (Page 27)
9. Administrative Citation A7251 & Evidence of violation (Page 31)
10. Administrative Regulations - Violation Count for Purposes of Suspending a Vacation Rental Certificate (Page 37)
11. PSMC 6.04.110 – Placing of waste and recyclables in street (Page 38)

RESOLUTION NO. ____

A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, UPHOLDING THE ADMINISTRATIVE CITATION A7521 ISSUED TO LISA ALTER AND STEVE ALTER FOR THE PROPERTY LOCATED 1825 S. AQUANETTA, PALM SPRINGS CALIFORNIA

WHEREAS, Lisa Alter and Steven Alter individuals on title were issued an Administrative Citation for a Violation of Operational Requirements and Standard Conditions for the property located at 1825 S Aquanetta, Palm Springs, pursuant to Palm Springs Municipal Code Chapter 5.25; and

WHEREAS, the City investigated in detail and found the property of 1825 S. Acquanetta, to be in violation, and

WHEREAS, Administrative Citation No. A7521 for violation of Operational Requirements and Standard Conditions, was issued on May 24, 2017, to Lisa Alter and Steven Alter for the property located at 1825 S Aquanetta, Palm Springs; and

WHEREAS, Lisa Alter and Steven Alter for the property located at 1825 S Aquanetta, Palm Springs, filed an administrative appeal of the Administrative Citation No. A7451 violation of Operational Requirements and Standard Conditions in the amount of \$1,000.00 for the property located at 1825 S Aquanetta, Palm Springs with the City Clerk and paid the appeal fee; and

WHEREAS, the Administrative Appeals Board opened and conducted a duly noticed Administrative Appeal Hearing on November 13, 2017; and

WHEREAS, the Administrative Appeals Board has carefully reviewed and considered all the evidence presented in connection with said appeal on November 13, 2017.

THE ADMINISTRATIVE APPEALS BOARD HEREBY FINDS, after due consideration given to the relevancy, weight and credibility of testimony and evidence, and based upon a preponderance of the evidence in accordance with the Board's procedures, as follows:

SECTION 1. That the foregoing Recitals are true and correct and are incorporated herein by this reference.

SECTION 2. The appellant did not present adequate evidence to overturn the Administrative Citation of \$1,000.00 for violation of Operational Requirements and Standard Conditions for property located at 1825 S Aquanetta, Palm Springs.

SECTION 3. The Administrative Appeals Board upholds the administrative fine of \$1,000.00 to Lisa Alter and Steven Alter for violation of Operational Requirements and Standard Conditions.

SECTION 4. The Administrative Appeals Board directs the City Clerk to deliver a copy of this Resolution to each party and to file a disposition report with the Palm Springs City Council.

PASSED, APPROVED, AND ADOPTED BY THE PALM SPRINGS ADMINISTRATIVE APPEALS BOARD THIS 13th DAY OF NOVEMBER 2017.

JAMES REED
Chair

ATTEST:

KATHLEEN D. HART, MMC
Interim City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, KATHLEEN D. HART, Interim City Clerk of the City of Palm Springs, do hereby certify that Resolution No. ____ is a full, true and correct copy, and was duly adopted at a meeting of the Administrative Appeals Board of the City of Palm Springs on the 13th day of November 2017, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

KATHLEEN D. HART, MMC
Interim City Clerk

RESOLUTION NO. ____

A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, OVERTURNING THE ADMINISTRATIVE CITATION A7521 ISSUED TO LISA ALTER AND STEVE ALTER FOR THE PROPERTY LOCATED 1825 S. AQUANETTA, PALM SPRINGS CALIFORNIA

WHEREAS, Lisa Alter and Steven Alter individuals on title were issued an Administrative Citation for a Violation of Operational Requirements and Standard Conditions for the property located at 1825 S Aquanetta, Palm Springs, pursuant to Palm Springs Municipal Code Chapter 5.25; and

WHEREAS, the City investigated in detail and found the property of 1825 S. Aquanetta, to be in violation, and

WHEREAS, Administrative Citation No. A7521 for violation of Operational Requirements and Standard Conditions, was issued on May 24, 2017, to Lisa Alter and Steven Alter for the property located at 1825 S Aquanetta, Palm Springs; and

WHEREAS, Lisa Alter and Steven Alter for the property located at 1825 S Aquanetta, Palm Springs, filed an administrative appeal of the Administrative Citation No. A7451 violation of Operational Requirements and Standard Conditions in the amount of \$1,000.00 for the property located at 1825 S Aquanetta, Palm Springs with the City Clerk and paid the appeal fee; and

WHEREAS, the Administrative Appeals Board opened and conducted a duly noticed Administrative Appeal Hearing on November 13, 2017; and

WHEREAS, the Administrative Appeals Board has carefully reviewed and considered all the evidence presented in connection with said appeal on November 13, 2017.

THE ADMINISTRATIVE APPEALS BOARD HEREBY FINDS, after due consideration given to the relevancy, weight and credibility of testimony and evidence, and based upon a preponderance of the evidence in accordance with the Board's procedures, as follows:

SECTION 1. That the foregoing Recitals are true and correct and are incorporated herein by this reference.

SECTION 2. The appellants presented adequate evidence to overturn the Administrative Citation of \$1,000.00 for violation of Operational Requirements and Standard Conditions for property located at 1825 S Aquanetta, Palm Springs.

SECTION 3. The Administrative Appeals Board overturns the administrative fine of \$1,000.00 to Lisa Alter and Steven Alter for violation of Operational Requirements and Standard Conditions.

SECTION 4. The Administrative Appeals Board directs the City Clerk to deliver a copy of this Resolution to each party and to file a disposition report with the Palm Springs City Council.

PASSED, APPROVED, AND ADOPTED BY THE PALM SPRINGS ADMINISTRATIVE APPEALS BOARD THIS 13th DAY OF NOVEMBER 2017.

JAMES REED
Chair

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NOES:
ABSENT:
ABSTAIN:
RECUSE:

KATHLEEN D. HART, MMC
Interim City Clerk

RESOLUTION NO. ____

A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, UPHOLDING THE TWO-YEAR SUSPENSION OF THE VACATION RENTALREGISTRATION CERTIFICATE ISSUED TO LISA ALTER AND STEVE ALTER FOR THE PROPERTY LOCATED 1825 S. AQUANETTA, PALM SPRINGS, CALIFORNIA

WHEREAS, Lisa Alter and Steven Alter were issued a Suspension of Short Term Vacation Rental Certificate for the property located at 1824 S. Aquanetta, Palm Springs pursuant to Palm Springs Municipal Code Chapter 5.25; and

WHEREAS, the City investigated in detail and found the property of 1825 S. Acquanetta, to be in violation, and

WHEREAS, Suspension of Short Term Vacation Rental Certificate, was issued on September 25, 2017 with an effective suspension date of October 16, 2017, to Lisa Alter and Steven Alter for the property located at 1825 S Aquanetta, Palm Springs; and

WHEREAS, Lisa Alter and Steven Alter for the property located at 1825 S Aquanetta, Palm Springs, filed an administrative appeal of the Suspension of Short Term Vacation Rental Certificate for the property located at 1825 S Aquanetta, Palm Springs with the City Clerk and paid the appeal fee; and

WHEREAS, the Administrative Appeals Board opened and conducted a duly noticed Administrative Appeal Hearing on November 13, 2017; and

WHEREAS, the Administrative Appeals Board has carefully reviewed and considered all the evidence presented in connection with said appeal on November 13, 2017.

THE ADMINISTRATIVE APPEALS BOARD HEREBY FINDS, after due consideration given to the relevancy, weight and credibility of testimony and evidence, and based upon a preponderance of the evidence in accordance with the Board's procedures, as follows:

SECTION 1. That the foregoing Recitals are true and correct and are incorporated herein by this reference.

SECTION 2. The appellant Lisa Alter and Steven Alter did not present adequate evidence to overturn Suspension of Short Term Vacation Rental Certificate for property located at 1825 S Aquanetta, Palm Springs.

SECTION 3. The Administrative Appeals Board upholds the Suspension of Short Term Vacation Rental Certificate to Lisa Alter and Steven Alter for the property located at 1825 S Aquanetta, Palm Springs.

SECTION 4. The Administrative Appeals Board directs the City Clerk to deliver a copy of this Resolution to each party and to file a disposition report with the Palm Springs City Council.

PASSED, APPROVED, AND ADOPTED BY THE PALM SPRINGS ADMINISTRATIVE APPEALS BOARD THIS 13th DAY OF NOVEMBER 2017.

JAMES REED
Chair

ATTEST:

KATHLEEN D. HART, MMC
Interim City Clerk

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COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

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RECUSE:

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Interim City Clerk

RESOLUTION NO. ____

A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, OVERTURNING THE TWO-YEAR SUSPENSION OF THE VACATION RENTAL REGISTRATION CERTIFICATE ISSUED TO LISA ALTER AND STEVE ALTER FOR THE PROPERTY LOCATED 1825 S. AQUANETTA, PALM SPRINGS CALIFORNIA

WHEREAS, Lisa Alter and Steven Alter individuals on title were issued a Suspension of Vacation Rental Registration Certificate for the property located at 1825 S. Aquanetta, Palm Springs pursuant to Palm Springs Municipal Code Chapter 5.25; and

WHEREAS, the City investigated in detail and found the property of 1825 S. Aquanetta, to be in violation, and

WHEREAS, Suspension of Short Term Vacation Rental Certificate, was issued on September 25, 2017 with an effective suspension date of October 16, 2017, to Lisa Alter and Steven Alter for the property located at 1825 S Aquanetta, Palm Springs; and

WHEREAS, Lisa Alter and Steven Alter for the property located at 1825 S. Aquanetta, Palm Springs, filed an administrative appeal of the Suspension of Short Term Vacation Rental Certificate for the property located at 1825 S Aquanetta, Palm Springs with the City Clerk and paid the appeal fee; and

WHEREAS, the Administrative Appeals Board opened and conducted a duly noticed Administrative Appeal Hearing on November 13, 2017; and

WHEREAS, the Administrative Appeals Board has carefully reviewed and considered all the evidence presented in connection with said appeal on November 13, 2017.

THE ADMINISTRATIVE APPEALS BOARD HEREBY FINDS, after due consideration given to the relevancy, weight and credibility of testimony and evidence, and based upon a preponderance of the evidence in accordance with the Board's procedures, as follows:

SECTION 1. That the foregoing Recitals are true and correct and are incorporated herein by this reference.

SECTION 2. The appellant Lisa Alter and Steven Alter presented adequate evidence to overturn Suspension of Short Term Vacation Rental Certificate for property located at 1825 S Aquanetta, Palm Springs.

SECTION 3. The Administrative Appeals Board overturns the Suspension of Short Term Vacation Rental Certificate to Lisa Alter and Steven Alter for the property located at 1825 S Aquanetta, Palm Springs.

SECTION 4. The Administrative Appeals Board directs the City Clerk to deliver a copy of this Resolution to each party and to file a disposition report with the Palm Springs City Council.

PASSED, APPROVED, AND ADOPTED BY THE PALM SPRINGS ADMINISTRATIVE APPEALS BOARD THIS 13th DAY OF NOVEMBER 2017.

JAMES REED
Chair

ATTEST:

KATHLEEN D. HART, MMC
Interim City Clerk

CERTIFICATION

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COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

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AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

KATHLEEN D. HART, MMC
Interim City Clerk

**NOTICE OF ADMINISTRATIVE HEARING
CITY OF PALM SPRINGS, CALIFORNIA**



**BEFORE THE
ADMINISTRATIVE APPEALS BOARD**

TO: Steven Alter
c/o Diane Blasdel
PO Box 1747
Palm Springs, CA 92263

DATE: November 1, 2017

diane@bgdesertlaw.com

NOTICE IS HEREBY GIVEN, pursuant to Palm Springs Municipal Code §2.50.080(d), of the Appeal Hearing before the Administrative Appeals Board, on the decision of the Department of Vacation Rental Compliance, *Violation of the Palm Springs Municipal Code 5.25*, with respect to vacation rental operations located at 1825 S. Aguanetta.

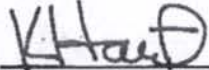
Hearing Date: Monday, November 13, 2017
Hearing Time: 8:30 a.m.
Location: Palm Springs City Hall Council Chamber
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

AFFIDAVIT OF MAILING

State of California)
County of Riverside) ss.
City of Palm Springs)

I, KATHLEEN D. HART, Interim City Clerk, of the City of Palm Springs, California, do hereby certify that the Notice of Hearing before the Administrative Appeals Board was mailed to the parties at the address above, on Thursday, November 2, 2017, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California.

I declare under penalty of perjury that the foregoing is true and correct.



Kathleen D. Hart, MMC
Interim City Clerk

As a courtesy, this Hearing Notice was emailed to the Owner mentioned above.

Hearing Deadline 11-14-17
#12



City of Palm Springs
Department of Vacation Rental Compliance
3200 E. Tahquitz Canyon Way
P. O. BOX 2743, Palm Springs, CA 92263

RECEIVED
CITY OF PALM SPRINGS
2017 OCT -2 PM 5:07
OFFICE OF THE CITY CLERK

WRITTEN NOTICE OF APPEAL FORM
For VACATION RENTAL CERTIFICATE SUSPENSION, REVOCATION or DENIAL

If you have received a Suspension, Revocation or Denial Notice of a Vacation Rental Registration Certificate from the City of Palm Springs Vacation Rental Compliance Department, please use this form to request an appeal. You must include payment of the appeal fee with this form.

Appellant Name: Steven Alter c/o Diane Blasdel

Mailing Address: P.O. Box 1747

City, State, Zip: Palm Springs CA 92263

Contact Telephone: 760.320.0111 Fax: 760.320.0211

Email: diane@bgdesertlaw.com

I request an appeal of the Administrative Citation:

Citation Number: A7251

Date of Citation: 5/24/17

& Suspension Letter 9/25/17

Vacation Rental Property Address, if applicable: 1825 S. Aguanetta

PLEASE COMPLETE THE FOLLOWING: (You may use as many additional sheets as necessary. Please be detailed; you may also present facts and evidence at the time of the appeal).

- 1) State the specific action being appealed. 3rd Citation A7251 and Suspension of Permit
- 2) Specify the grounds for the appeal. See Attached Exhibit "A"
- 3) Specify the relief you are seeking. Retraction of A7251 + Retraction of Suspension of Permit

This completed form must be sent to:

City of Palm Springs
Office of the City Clerk
3200 E. Tahquitz Canyon Way, P. O. Box 2743, Palm Springs, CA 92263

Exhibit "A" to Appeal of Vacation Rental Permit Suspension

Citation Number (Believed to be related to) A7251 - Scheduled for Appeal Hearing 10/3/217
Suspension Letter dated September 25, 2017

Date of Citation: If Citation A7251, dated of Citation was 5/24/17

Mr. Alter appeals the above-referenced citation and/or suspension letter on the following grounds:

1. The Administrative regulations implemented by City Manager David Ready exceed his authority in that they make the effective date of the Ordinance, retroactive, which was not authorized by the City Council nor included within the express text of the Ordinance.
2. Retroactively utilizing citations issued prior to April 16, 2017, to revoke or suspend a vacation rental permit denies the permit holder substantive and procedural due process.
3. Automatic suspension of the vacation rental permit, prior to hearing the appeal on the third citation, assumes the validity of the third citation, and thus denies the permit holder substantive and procedural due process. Permit holder is forced to cancel all bookings from the date of suspension, despite the fact that the third citation may be invalidated in the future at the appeals' hearing. Permit holder then must await a hearing date that can be months out, all the while, losing income.
4. The City's actions constitute selective enforcement of its Municipal Code pertaining to trash containers. The City does not treat property owners with vacation rental permits the same as property owners who do not have vacation rental permits when it comes to violations of the Municipal Code, including, but not limited to, trash container requirements, noise ordinances, etc.
5. The provisions of the Municipal Code 2.50.080(b) are vague and ambiguous and perhaps inconsistent with the terms and conditions of an appeal which are included within the suspension letter dated September 25, 2017.
6. The hearing is not conducted by an impartial hearing officer.
7. The City's "representatives" are biased and have a conflict of interest in that they cross their prosecutorial functions/duties with advisory functions/duties.
8. The hearings occur procedurally in such a manner as to exclude the public, and actually promote ex parte communications by and between the hearing officer and the City's "prosecutorial" staff members.



City of Palm Springs

3200 E. Tahquitz Canyon Way • Palm Springs, California 92262
Tel: (760) 322-8377 / 323-8257 • Fax: (760) 322-8317 • Web: www.palmspringsca.gov
Department of Vacation Rental Compliance

May 25, 2017

Lisa Alter
11196 Corte Cangrejo
San Diego, CA 92130

Subject: CITATION NOTICE – VACATION RENTAL

Reference: Vacation Rental Property 1825 S. Aquanetta Dr., Palm Springs, CA 92262

Dear Vacation Rental Owner:

This is to notify you that the attached Administrative Citation has been issued for a violation at your Vacation Rental property.

Be advised that our office has the following citations recorded for your Vacation Rental property:

DATE OF VIOLATION	CITATION NUMBER	VIOLATION	PSMC
05/24/2017	A7251	O.R. - Trash cans in public view	5.25.070(i)
11/01/2016	A1116	O.R. - Trash cans in public view	5.25.070(i)
10/26/2016	A1115	O.R. - Trash cans in public view	5.25.070(i)
09/03/2016	A1067	Outdoor Music (Tenant)	5.25.070(e)

Pursuant to Palm Springs Municipal Code §5.25.090(b), "Upon the third violation in any twelve month period, the City Manager shall suspend the Vacation Rental Certificate for two (2) years".

If you have any questions, please do not hesitate to contact me directly at 760-322-8377.

Sincerely,

Rita Huber-Germscheid
Account Clerk II
Vacation Rental Compliance Department

Cc: Amanda McWilliams, Sr. Accounting Technician
Suzanne Severin, Vacation Compliance Official
Boris Stark, Vacation Rental Compliance Official



City of Palm Springs

3200 E. Tahquitz Canyon Way • Palm Springs, California 92262

web: www.palmspringsca.gov

Department of Vacation Rental Compliance

September 25, 2017

Lisa Alter
11196 Corte Cangrejo
San Diego, CA 92130

Re: Suspension of Short Term Vacation Rental Registration Certificate for 1825 S. Aquanetta Drive, Palm Springs

Upon review of the recent activity at your short term rental property at 1825 S. Aquanetta Drive in Palm Springs, the City is suspending your Vacation Rental Registration Certificate for a period of two (2) years. Effective immediately, you must cease advertising your property as a short term rental. In order to minimize the negative impact to near term guests visiting our City who may be currently booked at your property, the suspension period will begin on October 16, 2017 and end on October 16, 2019.

During the suspension period, your property may not be rented for short term stays (28 days or less) but you may rent your property as a long term rental.

This suspension is being made in accordance with the City of Palm Springs Municipal Code (PSMC) Section 5.25.090(b) as follows:

"Upon the third violation in any twelve month period, the City Manager shall suspend the Vacation Registration Certificate for two (2) years."

During the last twelve (12) months, the following citations have been issued to the property (copies are attached):

10/26/16	Administrative Citation A1115-Trash in public view issued by Vacation Rental Dept.
11/16/16	Administrative Citation A1116-Trash in public view issued by Vacation Rental Dept.
05/24/17	Administrative Citation A7251-Trash in public view issued by Vacation Rental Dept.

During your suspension, Transient Occupancy Tax returns and annual renewal fees will still be due unless you choose to complete and submit the enclosed Owner's Request to Close TOT Permit and Vacation Rental Certificate form.

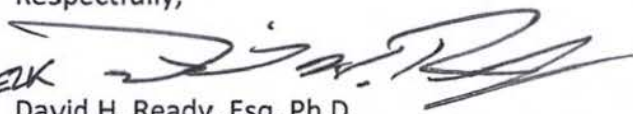
You have the right to appeal this suspension pursuant to PSMC Section 5.25.090(f), and pursuant to Administrative Regulation dated 8/2017 (copy attached), your appeal will be heard by the Administrative Appeals Board in accordance with PSMC Chapter 2.50. Any appeal of the third Administrative Citation A7251 will be addressed at this Administrative Appeals Board hearing pursuant to the Administrative Regulation. Please also see the attached Written Notice of Appeal Form and Filing Process information; or feel free to contact the Vacation Rental Compliance Department at 760-322-8370/8372 with questions.

Should you choose to appeal this suspension, your suspension does go into effect on October 16, 2017 in accordance with this letter, and it remains in effect pending the outcome of the Administrative Appeals Board hearing. Advertising or operating as a vacation rental prior to the determination of the Administrative Appeals Board is a violation of PSMC Section 5.25.090(c).



To exercise your option to appeal, your completed Written Notice of Appeal Form with the non-refundable appeal fee of \$764.00 must be received by the City Clerk's office no later than October 10, 2017 and should be addressed to:

City of Palm Springs
c/o Kathleen D. Hart, Interim City Clerk
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92263

Respectfully,

Handwritten signature of David H. Ready in black ink.

David H. Ready, Esq. Ph.D.
City Manager

cc: Edward Z. Kotkin, City Attorney
Boris Stark/Suzanne Severin, VR Compliance Officials
 
Turnkey Rentals, Lisa Riding



CITY OF PALM SPRINGS
Vacation Rental Enforcement
Administrative Citation

A 1115

DATE: 10/26/16 DAY OF WEEK: WEDNESDAY TIME: 7:30 AM/PM

LOCATION OF VIOLATION: 1825 S. AQUANETTA DR PALM SPRINGS CA 92264

Business Owner Property Owner
 Tenant Other

NAME (First, Middle, Last): STEVEN ALTER DL or ID

ADDRESS: PO BOX 3740 CITY: RANCHO SANTA FE STATE: CA ZIP: 92067

You are being issued an Administrative Citation for the following Code provision(s).

- | Count | PSMC | Description |
|-------|--------------|------------------------------------|
| 1. | 5-25.070 (i) | VACATION RENTAL OPERATIONS |
| 2. | | REQUIREMENTS & STANDARD CONDITIONS |
| 3. | | TRASH CANS IN PUBLIC VIEW |

COMPLIANCE ORDER

You are ordered to correct or otherwise remedy this/these violation by **IMMEDIATELY**

You are further ordered to pay an Administrative Fine as prescribed in the schedule below for each count listed above. Payment must be paid in full by the compliance date to avoid additional penalties. The total CITATION PENALTY due is \$ **150.00**

ADMINISTRATIVE FINE SCHEDULE

First Citation in a 12-Month Period: \$250.00 per count. Failure to correct the violation and pay the Administrative Fine within 10 days will result in an additional \$250.00 penalty.

Second Citation in a 12-Month Period: \$500.00 per count. **SECOND ATTEMPT TO OBTAIN COMPLIANCE:** Failure to correct the violation and pay ALL Administrative Fines within 10-days will result in an additional \$500.00 penalty.

Citation in a _____ Month Period: \$500.00 per count. **FINAL ATTEMPT TO OBTAIN COMPLIANCE - FAILURE TO COMPLY MAY RESULT IN PUBLIC NUISANCE PROCEEDINGS AND OTHER ENFORCEMENT ACTIONS - ALL COSTS ASSOCIATED WITH PUBLIC NUISANCE PROCEEDINGS MAY BE LIENED AGAINST THE SUBJECT PROPERTY IF NOT PAID BY THE RESPONSIBLE PARTY.**

APRANO ANIMATED BUILDING DEPT
 Name and Dept. of Issuing Enforcement Officer

10/26/16
 Date of Issuance

Signature

Type of Service
 Personal
 Mail

SEE REVERSE SIDE FOR PAYMENT AND OTHER INFORMATION
 WHITE: Property Owner/Resident • YELLOW: Processing • PINK: File

CITY OF PALM SPRINGS ADMINISTRATIVE CITATION

IMPORTANT INFORMATION PLEASE READ CAREFULLY

You have been issued an Administrative Citation for the violation(s) as indicated on the reverse. **ADDITIONAL VIOLATIONS MAY RESULT IN THE ORIGINAL PROSECUTION AND/OR ADDITIONAL ADMINISTRATIVE FINES.**

Failure to Appear or Pay the Penalty for Violation(s)
 Palm Springs Municipal Code 9-10-1001 (a) for the issuance of an Administrative Citation for a violation of the City Code. Fines are cumulative and citations may be issued each day the violation exists. Each and every day a violation exists constitutes a separate and distinct offense and shall be subject to citation.

Failure to pay the penalty or correct the citation within fifteen (15) calendar days may result in additional administrative fines and the reposition of a special tag against your property. A lien, satisfaction may be made to the State of California Franchise Tax Board.

Information regarding the specific Citation and Compliance
 For further information regarding the compliance order or the specific citation please contact the Enforcement Officer designated on the reverse. You may also contact the Enforcement Officer to request an extension of the compliance date.

How to pay the Fine
 The amount of fine is indicated on the front of the Administrative Citation. By the compliance date, the fine must be paid in the form of a cashier's check, personal check, or money order payable to the City of Palm Springs. Payment of the fine does not excuse or discharge any responsibility and legal consequences for continuation or repeated occurrences of the violation(s). Write the citation number on the check or money order and mail to:

City of Palm Springs Administrative Citation Program
 P.O. Box 7275
 Newport Beach, CA 92658-7275

Payment can be made in cash or by credit/debit card on-line at www.CitationProcessingCenter.com or by calling 1-800-669-8158.

To Appeal the Citation
 A responsible Party receiving an administrative citation may appeal such citation within fifteen (15) calendar days from the date the citation is deemed served. A standard Appeal Form is available from the City Clerk's Department or on the City's website at www.palm Springs.gov

An appeal must be filed in writing and must specify the appellant's full name, mailing address, citation number, and must specify the basis for the appeal in detail.

The full CITATION PENALTY AMOUNT shall be submitted at the time you file your appeal. Failure to pay the total amount of the fine shall render the appeal incomplete. Mail your appeal and appropriate fine and fee to:

City of Palm Springs Administrative Citation Program
 P.O. Box 7275
 Newport Beach, CA 92658-7275

Additional Enforcement Officer Notes:

PENALTY





Yes, please

From: Arturo Argumedo
Sent: Tuesday, October 25, 2016 4:23 PM
To: Amanda McWilliams
Subject: RE: 1825 South Aquanetta

Amanda,

Trash cans are out. How did you want to proceed? Do you want me to send them a citation?

Thanks

Arturo Argumedo
Code Compliance Officer
City of Palm Springs
(760)322-8364 Ext 8745

How am I doing? Please contact my supervisor at jim.zicaro@palmspringsca.gov

From: Arturo Argumedo
Sent: Tuesday, October 25, 2016 3:36 PM
To: Arwel Bermudo; Amanda McWilliams
Subject: RE: 1825 South Aquanetta

Amanda,

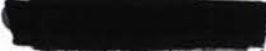
Let me confirm that the trash cans are in fact out. I will let you know shortly.

Thanks

Arturo Argumedo
Code Compliance Officer
City of Palm Springs
(760)322-8364 Ext 8745

How am I doing? Please contact my supervisor at jim.zicaro@palmspringsca.gov

From: Arwel Bermudo
Sent: Tuesday, October 25, 2016 3:32 PM
To: Amanda McWilliams
Cc: Arturo Argumedo
Subject: 1825 South Aquanetta

 states this home is a vacation rental property. He states the gardener on a weekly basis leaves the trash outside.

Several neighbors have advised the owner but it has not changed.

Thanks,

Arwel Bermudo

Code Enforcement Secretary
Department of Building and Safety



Like no place else.™

3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
760.322.8364 Ext. 8724
arwel.bermudo@palmspringsca.gov



City Of Palm Springs
 Code Compliance
 3200 East Tahquitz Canyon Way Palm Springs CA 92262
 PO Box 2743 Palm Springs CA 92263
 Tel 760.322.8244 Fax760.322.8360 TDD 760.864.9527
 www.palmsprings-ca.gov

ACTIVITIES REPORT

Case Number: CE161165

Case Owner: ArturoA

Case Opened Date: Oct 26 2016

Case Closed Date: Oct 26 2016

Property Address: 1825 S Aquanetta Dr
 Palm Springs, CA 92264

APN: 511-043-003

Responsible Party: Steven Alter
 PO Box 3740
 Rancho Santa Fe, CA 92067

Phone:

Case Description: Vacation Rental Violation
 TRASH CANS ARE OUT IN PUBLIC VIEW.

Actions Steps:

Name	Seq	Type	Status	CmplDate	DueDate	Id	Comments
INITIAL	1	Inspection	Completed	10/26/2016	10/26/2016	ArturoA	TRASH CANS ARE STORED IN PUBLIC VIEW AT THIS VACATION RENTAL.
NOTICE	2	Letter	Sent	10/26/2016	10/26/2016	ArturoA	

RECHECK	3	Inspection	Completed	10/26/2016	10/28/2016	ArturoA	SENT OUT CITATION# A1115 TO PROPERTY OWNER.
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Select Language | ▼



[Search Citation](#) > Found Citation Number

Citation Information		Date	Time
Citation	A1116	11/16/16	03:06 PM
Amount Owning this Citation	\$0.00		
Issuing Agency	Palm Springs Code Enforcement		
Status	02/27/17: Paid In Full		
Number	2 of 2		

Found Citations:

A1116 ▼ Submit

Vehicle Information

Violation Information		
Code	Description	Amount
5.25.070(i)	TRASH AND REFUSE STORED IN PUBLIC VIEW	\$0.00
Total:		\$0.00

[Home](#)

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CITY OF PALM SPRINGS
Vacation Rental Enforcement
Administrative Citation

A 1116

DATE: 11/16/16 DAY OF WEEK: WEDNESDAY TIME: 3:02 AM/PM: PM

LOCATION OF VIOLATION: 1825 S. AQUANETTA DR. PALM SPRINGS CA 92264

Business Owner Property Owner
 Tenant Other

NAME (First, Middle, Last): STEVEN AJER DL or ID

ADDRESS: PO BOX 3740 CITY: RANCHO SANTA FE STATE: CA ZIP: 92067

You are being issued an Administrative Citation for the following Code provision(s).

- Count PSMC Description
- 6.25.07(d) VACATION RENTAL OPERATIONAL REQUIREMENTS F STANDARD CONVENTIONS
 - TRASH CANS IN PUBLIC VIEW

COMPLIANCE ORDER

You are ordered to correct or otherwise remedy this/these violation by **IMMEDIATELY**

You are further ordered to pay an Administrative Fine as prescribed in the schedule below for each count listed above. Payment must be paid in full by the compliance date to avoid additional penalties. The total CITATION PENALTY due is \$ **500.00**

ADMINISTRATIVE FINE SCHEDULE

First Citation in a 12-Month Period \$250.00 per count
 Failure to correct the violation and pay the Administrative Fine within 10-days will result in an additional \$250.00 penalty.

Second Citation in a 12-Month Period \$500.00 per count
 SECOND ATTEMPT TO OBTAIN COMPLIANCE - Failure to correct the violation and pay ALL Administrative Fines within 10-days will result in an additional \$500.00 penalty.

Citation in a _____ Month Period \$500.00 per count
 FINAL ATTEMPT TO OBTAIN COMPLIANCE - FAILURE TO COMPLY MAY RESULT IN PUBLIC NUISANCE PROCEEDINGS AND OTHER ENFORCEMENT ACTIONS - ALL COSTS ASSOCIATED WITH PUBLIC NUISANCE PROCEEDINGS MAY BE LIENED AGAINST THE SUBJECT PROPERTY IF NOT PAID BY THE RESPONSIBLE PARTY.

ARTURO ANAMEDO / BUILDING DEPT
 Name and Dept. of Issuing Enforcement Officer

11/16/16
 Date of Issuance

Signature:

Type of Service
 Personal
 Mail

SEE REVERSE SIDE FOR PAYMENT AND OTHER INFORMATION
 WHITE: Property Owner/Resident • YELLOW: Processing • PINK: File

CITY OF PALM SPRINGS
ADMINISTRATIVE CITATION

IMPORTANT INFORMATION PLEASE READ CAREFULLY

You have been issued an Administrative Citation for a violation of the Code as indicated on the reverse. ADDITIONAL VIOLATIONS MAY RESULT IN OTHER CRIMINAL PROSECUTION AND/OR ADDITIONAL ADMINISTRATIVE FINES.

Failure to Answer or Pay Fine (10 Business Days)
 Palm Springs Municipal Code provides for the issuance of administrative citations for Municipal Code violations. Non-payment of fines and citations may be deemed each day the violation exists. Failure to pay your fines and costs constitutes a separate and distinct offense and can be subject to PENALTY.

Failure to pay the penalty or contest the citation within fifteen (15) calendar days may result in additional administrative fines and the revocation of a special lien against your property. In addition, notification may be made to the State of California Franchise Tax Board.

Information regarding the specific Citation and Compliance
 For further information regarding the compliance order, or the specific citation please contact the Enforcement Officer designated on the reverse. You may also contact the Enforcement Officer to request an extension of the compliance date.

How to pay the Fine
 The amount of fine is indicated on the front of the Administrative Citation. By the compliance date, the fine must be paid in the form of a cash/check, personal check, or money order payable to the City of Palm Springs. Payment of the fine does not excuse or discharge any responsibility and legal consequences for continuation or repeated occurrences of the violation(s). Write the citation number on the check or money order and mail to:

City of Palm Springs Administrative Citation Program
 P.O. Box 7275
 Newport Beach, CA 92658-7275

Payment can be made in cash or by credit/debit card on-line at www.CitationProcessingCenter.com or by calling 1-800-660-6758.

To Appeal this Citation
 A responsible Party receiving an administrative citation may appeal such citation within fifteen (15) calendar days from the date the citation is deemed served. A standard Appeal Form is available from the City Clerk's Department on the City's website at www.palm Springs.gov

An appeal must be filed in writing and must specify the appellant's full name, mailing address, citation number, and must specify the basis for the appeal in detail.

The full CITATION PENALTY AMOUNT shall be submitted at the time you file your appeal. Failure to pay the total amount of the fine shall render the appeal incomplete. Mail your appeal and appropriate fine and fee to:

City of Palm Springs Administrative Citation Program
 P.O. Box 7275
 Newport Beach, CA 92658-7275

Additional Enforcement Officer Notes:



City Of Palm Springs
Code Compliance
3200 East Tahquitz Canyon Way Palm Springs CA 92262
PO Box 2743 Palm Springs CA 92263
Tel 760.322.8244 Fax760.322.8360 TDD 760.864.9527
www.palmsprings-ca.gov

ACTIVITIES REPORT

Case Number: CE161244

Case Owner: ArturoA

Case Opened Date: Nov 16 2016

Case Closed Date: Nov 16 2016

Property Address: 1825 S Aquanetta Dr
Palm Springs, CA 92264

APN: 511-043-003

Responsible Party: Steven Alter
PO Box 3740
Rancho Santa Fe, CA 92067

Phone:

Case Description: Vacation Rental Violation
TRASH CANS ARE OUT IN PUBLIC VIEW.

Actions Steps:

Name	Seq	Type	Status	CmplDate	DueDate	Id	Comments
INITIAL	1	Inspection	Completed	11/16/2016	11/16/2016	ArturoA	RECEIVED COMPLAINT ABOUT TRASH CANS IN PUBLIC VIEW AT THIS VACATION RENTAL.

CITATION	2	Letter	Sent	11/16/2016	11/16/2016	ArturoA	
RECHECK	3	Inspection	Completed	11/16/2016	11/16/2016	ArturoA	MAILED SECOND CITATION TO PROPERTY OWNER #A1116.

From: [Arturo Argumedo](#)
To: [Amanda McWilliams](#)
Subject: RE: 1825 South Aquanetta
Date: Wednesday, November 16, 2016 3:37:47 PM
Attachments: [111616 - 1825 S. Aquanetta.docx](#)
[image001.png](#)
[1825 S. Aquanetta Dr - 111616.pdf](#)

Hi Amanda,

Here is a copy of the second citation, A1116.

Arturo Argumedo
Code Compliance Officer
City of Palm Springs
(760)322-8364 Ext 8745

How am I doing? Please contact my supervisor at jim.zicaro@palmspringsca.gov

From: Amanda McWilliams
Sent: Wednesday, November 16, 2016 2:42 PM
To: Arturo Argumedo
Subject: RE: 1825 South Aquanetta

Send a citation....is it the second cite? If so \$500.00.....

From: Arturo Argumedo
Sent: Wednesday, November 16, 2016 2:39 PM
To: Amanda McWilliams
Subject: RE: 1825 South Aquanetta

Hi Amanda,

So, we got another complaint about this property leaving its trash cans out. I just came back from checking on it and they are out. How did you want to proceed?

Thanks,

Arturo Argumedo
Code Compliance Officer
City of Palm Springs
(760)322-8364 Ext 8745

How am I doing? Please contact my supervisor at jim.zicaro@palmspringsca.gov

From: Amanda McWilliams
Sent: Tuesday, October 25, 2016 4:38 PM
To: Arturo Argumedo
Subject: RE: 1825 South Aquanetta



CITY OF PALM SPRINGS
Vacation Rental Enforcement
Administrative Citation

A 7251

DATE 5-24-17 DAY OF WEEK Wednesday TIME 11:20 AM PM

LOCATION OF VIOLATION
1825 S Argonetta Dr, Palm Springs CA 92264

Agent Property Owner
 Tenant Other

NAME (First, Middle, Last): Turnkey Rentals DL or ID

ADDRESS PO. Box 1945 CITY Palm Springs STATE CA ZIP 92264
333 E Amado Rd

You are being issued an Administrative Citation for the following Code provision(s).

Count	PSMC	Description
1.	<u>5.25.070 (c)</u>	<u>Operational requirements + Standard Certificate.</u>
2.		
3.		<u>Trough can cut in public way</u>

COMPLIANCE ORDER

You are ordered to correct or otherwise remedy this/these violations by Immediately.

You are further ordered to pay an Administrative Fine as prescribed in the schedule below for each count listed above. Payment must be paid in full by the compliance date to avoid additional penalties. The total CITATION PENALTY due is \$ 1,000.

ADMINISTRATIVE FINE SCHEDULE

- First Citation in a 12-Month Period **\$500.00 per count**
Failure to correct the violation and pay the Administrative Fine within 10-days will result in an additional \$500.00 penalty.
- Second Citation in a 12-Month Period **\$1,000.00 per count**
SECOND ATTEMPT TO OBTAIN COMPLIANCE. Failure to correct the violation and pay ALL Administrative Fines within 10-days will result in an additional \$1,000.00 penalty.
- Third Citation in a 12 Month Period **\$1,000.00 per count**
FINAL ATTEMPT TO OBTAIN COMPLIANCE - FAILURE TO COMPLY MAY RESULT IN A PUBLIC NUISANCE PROCEEDINGS AND OTHER ENFORCEMENT ACTIONS - ALL COSTS ASSOCIATED WITH PUBLIC NUISANCE PROCEEDINGS MAY BE LIENED AGAINST THE SUBJECT PROPERTY IF NOT PAID BY THE RESPONSIBLE PARTY.

Vacation Rental Dept.
Name and Dept. of Issuing Enforcement Officer

5-25-17
Date of Issuance

[Signature]
Signature

Type of Service
 Personal
 Mail

SEE REVERSE SIDE FOR PAYMENT AND OTHER INFORMATION

WHITE: Property Owner/Resident • YELLOW: Processing • PINK: File

Boris Stark

From: David Recio
Sent: Tuesday, April 25, 2017 3:29 PM
To: Boris Stark; Suzanne Severin; Amanda McWilliams
Subject: 1825 Aquanetta Dr, Palm Springs CA 92264
Attachments: 04-25-2017 010.JPG; 04-25-2017 012.JPG

I responded to trash cans being out in public view on a non-pick up day complaint at 1825 Aquanetta Dr, which is a vacation rental property. I have taken the following action: I drove by the property around 2:30 pm and saw trash cans were out in public view on a non-pick up day. The complainant stated to the VR hotline that the landscapers place the trash cans out every Tuesday and pick up is on Friday's for that neighborhood. He stated that he is sick and tired of them being out on non-pick up days. I have attached some photos. Please notify the appropriate management company.

Thank you,

David Recio
Code Compliance Officer
City of Palm Springs
760-322-8364 ext. 8728

How am I doing? Please contact my supervisor at jim.zicaro@palmspringsca.gov





Amanda McWilliams

From: dispatcher@secure.centralcomm.com
Sent: Thursday, May 25, 2017 5:30 PM
To: [REDACTED]
Subject: 1825 S Aquanetta

(1) IN (*FILED*): 2017-05-24 10:18AM NJM
OUT (*FILED*): 2017-05-24 12:15PM EDO EDO


134
Date: 2017-05-24 Time: 10:18:42
CID: (760) 323-8200
Caller Name: [REDACTED]
Tel#: [REDACTED]
Caller Address:

[REDACTED]
Violation Address:
Street #:(D) 1825
Street Name:(D) S Aquanetta
SUSPENDED ACCOUNT? No

O/C: Code Enforcement
Description of Complaint:
The neighbor keeps putting there
trash out on the street when the
trash does not come until Friday
05/26.

(SAY) "Would you like a call back
once the issue is resolved?" Yes
(SAY) "Can the City Compliance
Officer enter your property if
needed to investigate the matter No
and record a violation?
(SAY) "Is there a gate code to
enter the property?" N/A
Did you call the caller back once
the issue was resolved? If so,
what time? /

What time did O/C give Resolution: 11:20
Resolution given by O/C:

I went by and the trash can was
outside, so I will send a 
violation to the prop manager.

Message Resolution: Message Created
If WCB, Why? N/A

***** ACTIVITIES *****

- 1) 05-24 10:22AM NJM Dial Code Enforcement [OCM-1] [REDACTED]
- 2) 05-24 10:23AM NJM n/a mailbox full
- 3) 05-24 10:24AM NJM EDIT
- 4) 05-24 10:24AM NJM ACTN SET DELAY=003
- 5) 05-24 10:31AM DCLA GET DELAY ACTN
- 6) 05-24 10:31AM DCLA Dial Code Enforcement [OCM-1] [REDACTED]
- 7) 05-24 10:32AM DCLA n/a mailbox full
- 8) 05-24 10:32AM DCLA EDIT

- 9) 05-24 10:32AM DCLA ACTN SET DELAY=003
- 10) 05-24 10:39AM DCLA GET DELAY ACTN
- 11) 05-24 10:39AM DCLA Dial Code Enforcement [OCM-1] [REDACTED]
- 12) 05-24 10:40AM DCLA n/a mailbox full
- 13) 05-24 10:40AM DCLA EDIT
- 14) 05-24 10:40AM DCLA ACTN SET DELAY=003
- 15) 05-24 10:46AM DCLA GET DELAY ACTN
- 16) 05-24 10:47AM DCLA Dial Code Enforcement [OCM-2] [REDACTED] Nadine
- 17) 05-24 10:52AM DCLA Dial 897602194078
- 18) 05-24 10:52AM DCLA Rlyd to David
- 19) 05-24 10:52AM DCLA tested his line manually it rang.
- 20) 05-24 10:52AM DCLA EDIT
- 21) 05-24 10:52AM DCLA ACTN SET DELAY=060
- 22) 05-24 11:20AM TFN OFC CHECK-IN the trash can is outside
- 23) 05-24 11:21AM TFN i will send a violation to the property manager
- 24) 05-24 11:23AM TFN EDIT
- 25) 05-24 11:26AM TFN EDIT
- 26) 05-24 11:30AM TFN EDIT
- 27) 05-24 11:44AM TFN EDIT
- 28) 05-24 11:49AM TFN EDIT
- 29) 05-24 11:49AM TFN EDIT
- 30) 05-24 11:49AM TFN ACTN SET DELAY=000
- 31) 05-24 11:50AM TFN per CLA, o/c will be calling clr w resolution
- 32) 05-24 11:50AM TFN ACTN SET DELAY=000
- 33) 05-24 12:15PM EDO EDIT
- 34) 05-24 12:15PM EDO ACTN SET DELAY=000
- 35) 05-24 12:15PM EDO EDIT
- 36) 05-25 07:00AM *EM EMAIL OK: Recap Email,
[REDACTED]
- 37) 05-25 05:30PM CHZ OFC CHECK-IN Boris
- 38) 05-25 05:30PM CHZ can you email this to me per Boris
- 39) 05-25 05:30PM CHZ Email

***** END OF MESSAGES *****



City of Palm Springs

VACATION RENTAL ADMINISTRATIVE REGULATIONS

Subject: Violation Count for Purposes of Suspending a Vacation Rental Certificate

I. Purpose

To clarify and facilitate compliance with, and enforcement of Ordinance Number 1918, Palm Springs Municipal Code (PSMC) 5.25.090(b) for the purpose of carrying out enforcement procedures with respect to violations, and suspension of the Vacation Rental Certificate for two (2) years.

II. Application

Palm Springs Municipal Code Section 5.25.070(t) authorizes the City Manager to establish administrative regulations for the purpose of implementing, interpreting, clarifying, carrying out, furthering and enforcing the requirements of the provisions of Chapter 5.25 Vacation Rentals. As such the City Manager further interprets the application of administrative penalties of a Vacation Rental. This regulation is issued as an interim matter, and will be repealed when no longer necessary. The issue addressed pursuant to this regulation will be the subject of an amendment to Chapter 5.25 this calendar year.

III. Procedure

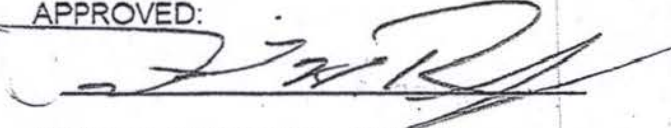
- A. Section 5.25.090(b) specifies "Upon the third violation in any twelve (12) month period, the City Manager shall suspend the Vacation Rental Certificate for two (2) years." Following is a clarification how violations are counted.
1. Administrative citations for violations of Chapter 5.25 issued to the Vacation Rental guest, Owner, or Owner's agent prior to April 16, 2017 will count towards the calculation of the three (3) violations in any twelve (12) month period for the purpose of suspending the Vacation Rental Certificate for such property in accordance with Section 5.25.090(b).
 2. There will be no suspension unless at least one (1) violation occurs under new Ordinance No. 1918.
 3. Appeals of the third administrative citation and the suspension of the Vacation Rental Registration Certificate will be heard by the Administrative Appeals Board according to PSMC Chapter 2.50.


III. Effective Date

This Administrative Regulation shall be effective immediately (8/2017).

APPROVED:

AS TO FORM:


DAVID H. READY, Esq. Ph.D.
City Manager


EDWARD Z. KOTKIN
City Attorney

Palm Springs Municipal Code

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[Title 6 HEALTH AND SANITATION](#)

[Chapter 6.04 WASTE DISPOSAL AND DIVERSION](#)

6.04.110 Placing of waste and recyclables in streets.

No person shall place or deposit any waste or recyclable materials in or upon any public place, street, alley, sidewalk or footpath in the city except in proper containers for the purpose of collection by the collectors and between the hours of five a.m. and eight p.m. on the days when the city or its authorized agent collects from particular premises adjacent thereto. (Ord. 1429 § 13, 1992; Ord. 936 § 1, 1972; Ord. 914 § 1B, 1971; prior code § 5731)

View the [mobile version](#).