

# The discretion they **already** have

The County already decides which complaints to act on and how hard to push. It has even written that it may weigh revenge. It has no rule for when it should, and no record of when it does.

EIGHT CALLS THE COUNTY ALREADY GETS TO MAKE

## 01 Enforce or not

Violations “may be prosecuted.” A county “is not liable” for “failing to enforce any law.”

State law <sup>1,2</sup>

## 02 Pick which complaints

Code Compliance has “sole authority to decide complaints or violations.”

The department, as quoted by the 2003–04 civil grand jury <sup>3</sup>

## 03 Set the order

The Director “**may consider**” such factors as chronic reporting parties, complaints that are generated as part of a neighbor against neighbor feud, and other actions where the complaint appears to be a vehicle to use the Code Compliance Division to retaliate or punish another party.”

Director’s memo to the Board, January 2025. Never adopted. <sup>4</sup>

## 04 Decide if it’s real

“All complaints must be verified before any action is taken on our part.”

County FAQ <sup>5</sup>

## 05 Stay out of private fights

“The County does not enforce easement disputes.”

County FAQ <sup>5</sup>

## 06 Set the fine

Fines are “at the sole discretion of the enforcement officer.”

County Code <sup>7</sup>

## 07 Skip a repeat complaint

The County can pass over a complaint, even a tenant’s, if the same person’s last one about the property in the past 180 days was “frivolous or unfounded.”

State housing law <sup>6</sup>

## 08 Turn a person away

“In severe cases ... may elect to no longer accept complaint s from a specific person.”

2022 draft County manual, never adopted <sup>8</sup>. Placer County’s Board took up the same power in 2022. <sup>9</sup>

ADOPTED COUNTY RULES THAT SAY HOW TO USE  
ANY OF THIS ON A REVENGE COMPLAINT

**None**

## No rule

“May consider” sits in a workshop memo. The Board took no action on it. It can move a case down the line. It can’t stop one.<sup>4</sup>

## No question

The complaint form is signed, not sworn. It never asks if you’re in a fight with the owner.<sup>10</sup>

## No record

Asked in writing why a case was opened, the County said it holds no record of that.<sup>11</sup>

### 2022 TO 2025: THE POWER GOT SMALLER

|                                   | 2022 draft                        | 2025 memo |
|-----------------------------------|-----------------------------------|-----------|
| Weigh feuds and revenge           | Yes                               | Yes       |
| Stop taking a person's complaints | <del>Yes, “in severe cases”</del> | GONE      |
| Staffing counts too               | No                                | Yes       |
| What it controls                  | The order                         | The order |

### WHAT IT CAN'T TOUCH

01

A tenant’s request to inspect their own home can’t be refused because of a dispute with the owner.<sup>6</sup>

02

Substandard housing the County confirms has to be acted on, no matter who reported it or why.<sup>12</sup>

Any fix has to keep both.

### THE OPENING

“The Department is currently undertaking a comprehensive update of the Code Compliance Policy and Procedure Manual.”

Staff to the Board, January 2026.<sup>13</sup> None of the goals they listed mention feuds or revenge.

### WHAT THE NEW MANUAL SHOULD SAY

01

The complaint form asks about disputes with the owner, and it’s signed under penalty of perjury.

02

A complaint that follows a threat or a refused demand gets a written review before the case moves.

03

Every case records why it was opened.

**Tell the supervisors what belongs in it.**

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### RECEIPTS

- [CODIFIED] Gov. Code § 25132(a). [california.public.law/codes/government\\_code\\_section\\_25132](https://california.public.law/codes/government_code_section_25132)
- [CODIFIED] Gov. Code § 818.2. [PUBLISHED] *Riggs v. City of Oxnard* (1984) 154 Cal.App.3d 526: courts decline to order a particular method of enforcement.
- [PUBLISHED] Nevada County Civil Grand Jury, “Code Compliance in Nevada County,” 2003-04. [nevada.courts.ca.gov/system/files/0304-cog-nevadacountycodecomp.pdf](https://nevada.courts.ca.gov/system/files/0304-cog-nevadacountycodecomp.pdf) [UNVERIFIED] Which County document the jury was quoting.
- [PUBLISHED] Board workshop memo, Jan. 23, 2025 (SR 25-0089), pp. 2-3. A workshop item; the Board took no action. [530utopian.help/assets/docs/nevadacounty-board-workshop-memo-2025-01-23.pdf](https://530utopian.help/assets/docs/nevadacounty-board-workshop-memo-2025-01-23.pdf)

- [PUBLISHED] Nevada County Code Compliance FAQ. [nevadacountyca.gov/m/faq?cat=73](https://nevadacountyca.gov/m/faq?cat=73)
- [CODIFIED] Health & Safety Code § 17970.5(c)(2), (g). [california.public.law/codes/health\\_and\\_safety\\_code\\_section\\_17970.5](https://california.public.law/codes/health_and_safety_code_section_17970.5)
- [CODIFIED] Nevada County Code § 12.05.220 (Ord. 2491, 2021, as amended).
- [PUBLISHED] *Code Compliance Policy & Procedure Guidelines*, 2022 draft. [nevadacountyca.gov/DocumentCenter/View/44366](https://nevadacountyca.gov/DocumentCenter/View/44366). [OBSERVED] Returned “page not found” Oct. 2, 2026; a copy is in the campaign’s files. The stray space in “complaint s” is the County’s.
- [PUBLISHED] Placer County Board of Supervisors, item 10A, Dec. 6, 2022. [placer.ca.gov/DocumentCenter/View/65552/10A](https://placer.ca.gov/DocumentCenter/View/65552/10A)

- [PUBLISHED] Nevada County complaint form, “Investigation Services Request.” [nevadacountyca.gov/DocumentCenter/View/15900](https://nevadacountyca.gov/DocumentCenter/View/15900)
- [OBSERVED] A County public-records response in the campaign’s files, described here by its shape only.
- [CODIFIED] Health & Safety Code §§ 17960, 17980.
- [PUBLISHED] Board agenda memo, “Code Compliance Division Update,” Jan. 29, 2026 (SR 25-2340), information only. [530utopian.help/assets/docs/nevadacounty-code-compliance-memo-2026-01-29.pdf](https://530utopian.help/assets/docs/nevadacounty-code-compliance-memo-2026-01-29.pdf)