

CHAPTER 1.20

RIGHT OF ENTRY FOR INSPECTION

SECTION:

1.20.010: Right of Entry for Inspection

1.20.020: Warrants for Entry

1.20.010: Right of Entry for Inspection: Whenever necessary to make an inspection to enforce any provision of this code, or whenever there is reasonable cause to believe that there exists a violation of this code in any building or upon any premises within the jurisdiction of the City, any authorized official of the City may, upon presentation of proper credentials, enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon him by this code; provided that, except in emergency situations, he shall first give the owner and/or occupant, if they can be located after reasonable effort, seventy-two hours' written notice of the authorized official's intention to inspect. In the event the owner and/or occupant refuses entry, the official is empowered to seek assistance from any court of competent jurisdiction in obtaining such entry. (Ord. 1531 Sec. 1, 1970)

1.20.020: Warrants for Entry:

(1) Whenever it is necessary to enter upon private property or the public property of another governmental agency to carry out the lawful directions of any ordinance, rule or statute or to carry out the lawful order, ruling or holding of any governmental office or agency, the City or any governmental agency may apply for a warrant authorizing the entry upon such property to carry out the same, if permission to enter has been refused by the owner, or if the owner cannot be found or reasonably ascertained.

(2) The application for a warrant shall be supported by an affidavit or the testimony of the officer intending to enter upon the property stating his office, purpose and authority to so enter, the owner's refusal to permit such entry or the owner's unavailability, the work, action or other activity to be conducted upon the property and by whom and approximately time that the activity will be conducted.

(3) If the Court finds just cause for the issuance of the warrant, it shall subscribe the same with a return date of not more than ten days following completion of the action or activity to be conducted upon the property.

(4) Nothing in this section is intended to limit, restrict or otherwise affect the right of officers or agents of any governmental entity to enter upon private or public property for any lawful purpose. (Ord. 3371 Sec. 1, 1992)