

# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Councilmember Ortiz  
Councilmember Campos  
Councilmember Tordillos

**SUBJECT: SEE BELOW**

**DATE:** August 22<sup>nd</sup>, 2025

Approved



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**SUBJECT: Amendment of the San José Municipal Code to Increase the Maximum Administrative Penalties**

## **RECOMMENDATION**

1. Direct the City Manager to:
  - a. Increase the per day maximum administrative penalty amount from \$2,500 to \$15,000 for each ongoing violation; and
  - b. Increase the maximum administrative penalty from \$100,000 to \$500,000 within a 365-day period, exclusive of administrative costs, interest and restitution for compliance re-inspections, for any related series of violations

## **BACKGROUND**

Blighted properties across San José, particularly in Districts 3, 5, and 7, are creating significant challenges for the City. Absentee property owners who fail to maintain their properties impose ongoing costs on the community. These neglected sites often become hotspots for:

- Overgrown vegetation, fires, and unsafe conditions
- Increased unhoused encampments, trespassing, and related concerns
- Elevated levels of crime and illicit activity
- Persistent graffiti and property damage

These conditions not only degrade neighborhood quality of life but also require disproportionate City resources to monitor, remediate, and enforce compliance.

The City of San José has an obligation to ensure safe, clean, and livable environments for its residents. A critical component of this responsibility is holding property owners accountable for maintaining their parcels in compliance with health, safety, and community standards. To achieve this, the City intends to target the highest penalties toward the worst offenders, particularly absentee property owners who make no effort to bring their properties into compliance, so that fines serve as a meaningful deterrent rather than a minor cost of doing business.

Current fine structures are insufficient to deter chronic neglect, particularly among absentee property owners with substantial financial capacity who treat fines as a minor cost of doing business.

*The signers of this memorandum have not had, and will not have, any private conversation with any other member of the City Council, or that member's staff, concerning any action discussed in the memorandum, and that each signer's staff members have not had, and have been instructed not to have, any such conversation with any other member of the City Council or that member's staff.*