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HEALTH AND SAFETY CODE - HSC

DIVISION 20. MISCELLANEOUS HEALTH AND SAFETY PROVISIONS [24000 - 27007] (*Division 20 enacted by Stats. 1939, Ch. 60.*)

CHAPTER 20. Certified Code Enforcement Officers [26205 - 26217] (*Chapter 20 added by Stats. 2016, Ch. 246, Sec. 2.*)

26205. This chapter shall be known, and may be cited, as the Code Enforcement Officer Standards Act.

(*Added by Stats. 2016, Ch. 246, Sec. 2. (AB 2228) Effective January 1, 2017.*)

26206. For purposes of this chapter, the following terms have the following meanings:

- (a) "Board" means the duly elected Board of Directors of the California Association of Code Enforcement Officers.
- (b) "CACEO" means the California Association of Code Enforcement Officers, a public benefit corporation domiciled in California.
- (c) "Certified Code Enforcement Officer" or "CCEO" means a person registered or certified as described in this chapter.
- (d) "Code enforcement officer" has the same meaning as defined in Section 829.5 of the Penal Code.

(*Added by Stats. 2016, Ch. 246, Sec. 2. (AB 2228) Effective January 1, 2017.*)

26207. (a) The board shall develop and maintain standards for the various classes of CCEOs that it designates. The standards for education, training, and certification shall be adopted by administrative rule of the board, and they shall be no less than as described in this chapter. CCEOs shall not have the power of arrest except as authorized by the city, county, or city and county charter, code, or regulation in which they operate. CCEOs shall not have access to summary criminal history information pursuant to this section, but persons regularly employed by a city, county, or city and county designated pursuant to this subdivision may be furnished state summary criminal history information upon a showing of compelling need pursuant to subdivision (c) of Section 11105 of the Penal Code if the criteria specified in that section is otherwise met. A person may not be designated or certified as a CCEO under this section if that person is disqualified pursuant to the criteria set forth in Section 1029 of the Government Code.

(b) The board shall review all applications from cities, counties, cities and counties, and accredited educational institutions who seek to develop and provide education designed to qualify their students, participants, or employees as CCEOs. All applications that are submitted on approved forms that, subject to the board's review and approval, demonstrate the equivalency of the standards adopted under the rules of the board shall qualify as Certified Code Enforcement Officer Education Program Providers (program providers). All program providers are subject to ongoing program review and evaluation under the board's administrative rules. A program provider shall renew its program provider application and obtain approval under the board's administrative rules no later than 36 months from the date of the last approval or else it shall lapse and be subject to renewal under the board's administrative rules. All students, participants, or employees who successfully pass the minimum education and certification requirements of the program providers approved curriculum shall, subject to the same fees as other registered CCEOs under the board's administrative rules, be granted status as CCEOs in an equivalent manner as applicants who attained certification or registration status through the CACEO educational and certification programs and academies.

(c) The development and perpetual advancement of code enforcement officer professional standards and actively providing related educational offerings that lead to increased professional competence and ethical behavior shall be the highest priority for the board in its licensing, certification, and disciplinary functions. Whenever the advancement of code enforcement officer professional standards and the provision of related educational offerings is inconsistent with other interests sought to be promoted, the former shall be paramount.

(*Added by Stats. 2016, Ch. 246, Sec. 2. (AB 2228) Effective January 1, 2017.*)

26208. The board's administrative rules shall designate minimum training, qualifications, and experience requirements for applicants to qualify for the CCEO designation, including, but not limited to, training and competency requirements in the areas of land use and zoning laws, health and safety codes, substandard housing abatement, environmental regulations, sign standards,

public nuisance laws, applicable constitutional law, investigation and enforcement techniques, application of remedies, officer safety, and community engagement. The board may, by administrative rule, designate additional classes of certifications to help meet its mission.

(Added by Stats. 2016, Ch. 246, Sec. 2. (AB 2228) Effective January 1, 2017.)

26209. The board shall conspicuously and continually publish its list of CCEOs on the CACEO Internet Web site, containing the registrant's full name, summary status as to individual disciplinary concerns, active or inactive status, date of active CCEO expiration, and business address, unless the business address is a residence, which shall be treated as confidential.

(Added by Stats. 2016, Ch. 246, Sec. 2. (AB 2228) Effective January 1, 2017.)

26210. A CCEO shall hold a valid certificate designating the person as a CCEO issued by the CACEO, shall at all times remain a member in good standing of the CACEO, and shall be subject to ongoing continuing education and registration requirements as designated by the board's administrative rules.

(Added by Stats. 2016, Ch. 246, Sec. 2. (AB 2228) Effective January 1, 2017.)

26211. Failure to maintain the continuing education requirements shall cause the certification status to lapse, subject to redemption as specified by the board's administrative rules. Once a certification lapses, the certification status shall automatically convert to inactive CCEO status unless it is redeemed. The rights, privileges, and procedures or limitations on redemption of inactive CCEOs shall be specified in the board's administrative rules.

(Added by Stats. 2016, Ch. 246, Sec. 2. (AB 2228) Effective January 1, 2017.)

26212. The board shall annually set fees in amounts that are reasonably related and necessary to cover the cost of administering this chapter. The fees shall be set by the board and published on the CACEO Internet Web site and maintained at the CACEO's headquarters.

(Added by Stats. 2016, Ch. 246, Sec. 2. (AB 2228) Effective January 1, 2017.)

26213. The board shall maintain a register of each application for a certificate of registration under this chapter. The register shall include all of the following:

- (a) The name, residence, date of birth, and driver's license number (including state or country of origin) of the applicant.
- (b) The name and address of the employer or business of the applicant.
- (c) The date of the application.
- (d) The education and experience qualifications of the applicant.
- (e) The action taken by the board regarding the application and the date of the action.
- (f) The serial number of any certificate of registration issued to an applicant.
- (g) Any other information required by board rule.

(Added by Stats. 2016, Ch. 246, Sec. 2. (AB 2228) Effective January 1, 2017.)

26214. A person may not hold himself or herself out to be a Certified Code Enforcement Officer in this state or use the title "Certified Code Enforcement Officer" in this state unless the person holds a certificate of registration pursuant to this chapter.

(Added by Stats. 2016, Ch. 246, Sec. 2. (AB 2228) Effective January 1, 2017.)

26215. The board shall, by administrative rule, create a process to timely consider and review all applicants who hold certification from any other agency, and allow them to seek review and potential approval of the qualifications to potentially be recognized as a CCEO in this state. A denial of full recognition as a CCEO shall be accompanied by written justification and a list of required steps that may be required for the individual applicant to complete the registration and certification process. Recognition fees shall be set as described in Section 26212.

(Added by Stats. 2016, Ch. 246, Sec. 2. (AB 2228) Effective January 1, 2017.)

26216. (a) The board shall adopt administrative rules to process information, investigate allegations or suspicions of applicants or licensees providing false information, failing to disclose material information on the registration application, or not providing any information that may, either before or during the certification process, disqualify the applicant or certificant under subdivision (a) of Section 26207. The board shall adopt procedures and guidelines to impose any discipline, revocation of certification, or sanction, for cause, against any applicant, registrant, or certificant.

(b) The administrative rules shall provide the applicant or registrant with adequate and fair notice and hearing opportunities prior to the board taking any adverse action against the applicant or certificant.

(c) Any factual finding after a hearing that the board concludes is cause for revocation, suspension, or other disciplinary or administrative action against a registration or certification shall result in an order after hearing that meets the fair notification requirements of this section.

(d) All orders after hearing shall be deemed final under the board's authority and procedures and may be appealed as provided for in Sections 1094.5 and 1094.6 of the Code of Civil Procedure.

(Added by Stats. 2016, Ch. 246, Sec. 2. (AB 2228) Effective January 1, 2017.)

26217. This chapter shall not be construed to duplicate, overlap, or otherwise conflict with the certification and continuing education requirements for construction inspectors, plans examiners, and building officials established pursuant to Chapter 7 (commencing with Section 18949.25) of Part 2.5 of Division 13.

(Added by Stats. 2016, Ch. 246, Sec. 2. (AB 2228) Effective January 1, 2017.)