



CALAVERAS COUNTY BOARD OF SUPERVISORS AGENDA SUBMITTAL

Short Name/Subject Uphold Administrative Citation for Paul and Jean Eastridge Code Case #2064	Board Meeting Date May 22, 2018	Agenda Number 14
Dept: Building Div: Code Compliance Contact: Ed Short Phone: 209/754-6390	Supervisory District Number	Regular Agenda
Published Notice Required? No Public Hearing Required? No		Estimated Time: 5 Minutes
Type of Document? Action Item PowerPoint Presentation Included? No Budget Transfer Included (Must be signed by Auditor)? No Complete Agreement Required? No Position Allocation Change? No		

RECOMMENDATION:

Uphold Administrative Citation for Paul & Jean Eastridge for Code Case #2064 and the property identified as APN 020-022-011 located at 4601 South Railroad Flat Road, Mountain Ranch, CA 95246 authorizing abatement and a lien for administrative and abatement costs.

DISCUSSION/SUMMARY:

Paul and Jean Eastridge were issued a Notice of Violation, Order to Abate and Administrative Citation on February 5, 2018, for conditions constituting multiple violations of Calaveras County Code 8.06.550:

- Calaveras County Code 8.06.550 - Public Nuisance
- Calaveras County Code 17.06.1030 - Junk
- Calaveras County Code 17.04.210 – Junk, Junk, Debris or Junk Cars
- Calaveras County Code 17.22.020 – Permitted use in RR

In response to a citizen complaint, the Calaveras County Code Compliance Unit conducted a site visit on January 23, 2018 at APN: 020-022-011, 4601 South Railroad Flat Rd. Mountain Ranch CA, 95246. The property is owned by Paul and Jean Eastridge. It was found that a Public Nuisance did exist and there were violations of the above sections of County code. (See Exhibit A)

On February 5, 2018, the property owners Paul and Jean Eastridge were sent a Notice of Violation, Order to Abate and Administrative Citation, requesting that the violations be corrected by February 26, 2018.

On February 12, 2018, the Code Compliance Unit received a certified mail receipt signed by Paul Eastridge. (See Exhibit B)

On February 28, 2018, having had no verbal or written contact from the property owners, the notice was posted on the property as well. (See Exhibit C)

On April 18, 2018, Code Compliance conducted a site inspection and found that the violations first observed on January 23, 2018 still exist on the property and have not been corrected. (See Exhibit D)

Government Code 25845 (b) states “the owner of the parcel upon which the nuisance is found shall be liable for all costs of abatement incurred by the county, including but not limited to administrative costs, and any and all costs incurred in the physical abatement of the nuisance.” Abatement in this case will include the removal of junk, debris, garbage and unlicensed inoperable vehicles, and correct any remaining Code violations which constitute a public nuisance.

Administrative Citation #2028 has not been appealed; therefore there are no Administrative Hearing Board findings or transcript. Code Compliance submits the citation directly to the Board of Supervisors to be upheld, and to authorize abatement of all existing violations and placement of a lien on the property for the recovery of administrative costs and costs of abatement once known.

FINANCING:

Costs relating to enforcement actions are initially funded through the Code Compliance budget. Once a citation is issued and it becomes necessary for abatement and cost recovery, the citation is sent to the Board of Supervisors for authorization to abate all violations on the property and to impose a lien for costs of abatement. All administrative abatement costs are reimbursed from the designated Nuisance Abatement fund and in turn become a lien on the property and are applied to the property tax roll.

RECOMMENDATION:

Staff recommends that the Board of Supervisors authorize Code Compliance to abate all existing Code violations on the property and to place a lien on the property tax rolls for recovery of administrative costs and actual costs of abatement, once known.

ALTERNATIVES:

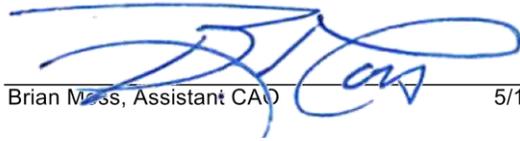
The Board of Supervisors could decline to uphold the citation, authorize abatement, and placement of a lien, but staff does not recommend this option given that the conditions on the property constitute a public nuisance and are in need of correction.

APPROVED BY:

Uphold Administrative Citation for Paul and Jean Eastridge Code Case #2064
May 22, 2018


Ed Short, Building Official

4/27/2018


Brian Moss, Assistant CAO

5/11/2018


Sarah DeKay

5/11/2018


Diane Beverud, Deputy Clerk of the Board of Supervisors

5/14/2018