



# Calaveras County

## Building Department

(209) 754-6390  
(209) 754-6396 fax

## Code Compliance

(209) 754-6326  
(209) 754-6328 fax

Website: [www.co.calaveras.ca.us](http://www.co.calaveras.ca.us)

## NOTICE OF VIOLATION, ORDER TO ABATE, ADMINISTRATIVE CITATION AND FINE

Date: 06/12/19 Case Number: 2346 Date and Time Violations Observed: 06/11/19 @ 10:00 am

You are in violation of the following provisions of the County Code:

- X CCC 8.06.060 – Public Nuisance
- X CCC 17.04.180 – Camping
- X CCC 17.04.210 – Junk, Debris & Junk Cars
- X CCC 17.04.170 – Dead Storage of Travel Trailers and RV's
- X Notes: Please see attached notice.

You must cease and abate the above violation(s) of County Code and submit proof of having done so within 20 days from the date of this notice, citation, and order.

If you fail to cease and abate the violation(s) within 20 days of the date of this notice, a fine of \$100 per day, per violation will accrue beginning on the 21st day and will continue to accrue on a daily basis until the County has received proof of abatement. The violation **shall also be subject to abatement** by the County pursuant to County Code Chapter 8.06. If the County physically abates the violation(s), you are responsible for all costs associated with the abatement, which may be recovered via a lien on the property. **SEE REVERSE SIDE for payment instructions, appeal rights, and other important information.**

APN #(s): 040-010-027

Site Address: No Situs Address (Gold Strike Rd. San Andreas)

Person Cited: (X) Owner ( ) Tenant ( ) Other Responsible Party

Name: Karen M Piper

Mailing Address: 2101 Gold Strike Rd.  
San Andreas, CA 95249

R. Davis \_\_\_\_\_ 6/12/19  
Issuing Officer \_\_\_\_\_ Date

Signature of Person Cited \_\_\_\_\_ Phone Number \_\_\_\_\_  
Valid with or without signature. Your signature acknowledges receipt and is not an admission of guilt.

- I, Reba Davis, on 6/12/19,
- X Posted at site address
- X Deposited in U.S. Mail, addressed to Cert# 7018 1830 0000 8066 2363
- X Deposited in U.S. Mail, addressed to same as above regular mail

County of Calaveras Code Chapter 8.06 provides for the issuance of administrative citations for Code violations and for the assessment of fines.

Each day any violation exists is a separate offense, starting with the first day of documentation by the County, and will carry an independent fine. If you fail to correct the violation(s) noted on the front side of this notice and citation within the time specified, fines may be imposed as follows: \$100.00 per violation for the first day, and \$100.00 per violation per day for each calendar day thereafter that the violation exists on the premises (§8.06.430), or for violations of Chapter 17.95, \$1000.00 per day while the violation exists on the premises (§17.95.060(J)). The County may also seek from the Board of Supervisors an abatement order and a lien to recover costs of abatement. **If the County is forced to incur abatement costs, it may result in the placement of a lien on your property for payment prior to the next property tax billing cycle.**

#### **Consequences of Failure to Correct Violation(s):**

There are numerous enforcement options that can be used to encourage the correction of violations. These options include, but are not limited to, civil penalties, abatement by Calaveras County with costs assessed as a lien on property taxes, criminal prosecution, civil litigation, recording the violation with the County Recorder, and forfeiture of certain State tax benefits for substandard residential rental property. These options can empower the County to collect fines, demolish structures, make necessary repairs at the owner's expense, and incarcerate violators. Any of these options or others may be used if the administrative citation(s) do not achieve compliance.

#### **Right of Appeal:**

You have the right to appeal the imposition of an administrative citation and fine within fifteen (15) days from the date the citation is issued. Your appeal must be made in writing and received by the Calaveras County Code Compliance Unit by or before 4:00 p.m. on the 15<sup>th</sup> day. You may hand deliver or mail the written appeal to Administrative Hearing Board, c/o Calaveras County Code Compliance Unit, 891 Mountain Ranch Rd., San Andreas, CA, 95249. A proper timely appeal will result in an administrative hearing and an opportunity to appear before the administrative hearing board. (§8.06.600)

Failure of any person to properly file a written appeal within fifteen (15) days shall constitute a waiver of his or her right to an administrative hearing, including adjudication of the administrative citation or any part of it and the total amount of the fine. **Unless a written appeal request is timely received, the violation(s) shall be deemed admitted, the fine and obligation for abatement costs shall be deemed accepted, and upon ratification by the Board of Supervisors, this shall be deemed an abatement order authorizing the County to physically abate the violation.**

If the violations are upheld by the administrative hearing board you will be responsible for the costs of appeal and all other administrative costs incurred by the County of Calaveras, its Agents, and Contractors. Any finding or recommendation by the administrative hearing board will be considered a formal recommendation to the Board of Supervisors. A copy of the statement of decision, findings and recommendations by the administrative hearing board will be submitted to the Board of Supervisors, and the matter will then be agendaized for ratification or modification.

#### **How to Pay Fines and Administrative Costs:**

The amount of the fine is indicated on the front of this notice of violation, order to abate, and administrative citation. **Payment may be made in person or by mail to Calaveras County, Code Compliance Unit, 891 Mountain Ranch Rd., San Andreas, CA. 95249.** Payment should be made by cash, personal check, cashier's check or money order. Be sure to write the citation number on your check or money order, **made payable to Calaveras County**, and enclose a copy of the citation. **Do not mail cash.**

#### **Consequences of Failure to Pay:**

The County has the authority to collect all fines accrued, administrative costs associated with compliance, and actual costs of abatement. The failure to pay these fines and costs may result in the matter being referred to the County Counsel to initiate a civil or small claims court action. Alternatively, the County may pursue any other legal remedy to collect the administrative fines and abatement costs, including but not limited to a lien. Lien assessments are due and payable in the next property tax cycle and must be paid at the time property taxes are paid.

**If you need further clarification, please call the Code Compliance Unit at (209) 754-6326.**

# ATTACHMENT TO NOV/CITATION/ORDER

**LOCATION OF PROPERTY: No Situs Address (Gold Strike Rd. San Andreas)**

**APN: 040-010-027**

**Case# 2346**

## **PUBLIC NUISANCE**

Alleged code violations exist under Calaveras County Code 8.06.060. It shall be unlawful for any owner, occupant, tenant, operator, or other person to cause or maintain a public nuisance on any premises. A public nuisance is defined as:

1. Any condition caused, maintained, or permitted to exist which constitutes a threat to the public health, safety, or welfare or which is injurious to the senses or which significantly obstructs, injures, or interferes with the reasonable or free use of property in a neighborhood, community, or to any considerable number of persons. A public nuisance also has the same meaning as set forth under the California Civil Code;
2. Any violation of the provisions of the Calaveras County Code as set forth in Titles 13, 15, and 17;
3. Any violation of the Uniform Building Code, Uniform Fire Code, Uniform Housing Code, Uniform Plumbing Code, Uniform Mechanical Code, National Electrical Code, Uniform Code for the Abatement of Dangerous Buildings, Uniform Administrative Code, or any other applicable law;
4. Any accumulation of junk, debris, or junk cars, as defined in Title 17, on any parcel of land within sight of any other parcel of land or public or private roads, and which is not enclosed within four walls and a roof; or
5. Any violation of the provisions of this chapter.

## **CAMPING ON PROPERTY**

Alleged code violations exist under Calaveras County Code 8.06.060 through a violation of Calaveras County Code 17.04.180 – Illegal Camping: Camping outside of designated camping areas either in a recreation vehicle or other shelter or means is allowed for a continuous period of up to fourteen days or a cumulative period not to exceed thirty days in one calendar year. This section applies to campers, tents, travel trailers, vehicles, mobile homes or any other living unit(s).

Specifically, camping has occurred for more than (14) consecutive days and /or more than thirty (30) days in a calendar year.

Options to Abate:

1. Obtain a building permit which will permit you to camp on the property during construction of a permanent residence (this only applies to a new dwelling permit, maximum on year) or
2. Cease from camping on property over the limits provided by Calaveras County Code Section and place RV's into dead storage.

## **JUNK, DEBRIS & JUNK CARS**

Alleged code violations exist under Calaveras County Code 8.06.060 through a violation of Calaveras County Code 17.04.210 – Junk, Junk, Debris or Junk Cars: No property owner, tenant, occupant or other use of public or private property in the County shall permit or cause to accumulate junk, debris, or junk cars, as defined in Section 17.06.1030, on any parcel of land zoned Residential Agriculture (RA), Rural Residential (RR) or Single Family Residential (R1), Two Family Residential (R2) and

Multiple Family Residential (R3) unless that junk, debris, or junk cars are completely enclosed within a structure with solid walls and a roof.

“Junk” means, and is not limited to, trash, refuse, paper, glass, cans, bottles, rags, ashes, trimming from lawns, yards, trees, shrubbery, including plants and leaves, and other solid waste or salvageable materials other than garbage; inoperable appliances, parts, tools; inoperable and unregistered vehicles, vehicle parts, vehicle hulks; discarded furniture; dirt, rocks, and materials from the demolition, alteration or construction of buildings or structures, unless such dirt, rocks, or other materials from demolition, alteration or construction are being used for purposes of fill material.

Specifically, there are numerous vehicles stored outside of a structure on the parcel that are not currently registered and or road operable. The extreme accumulation of materials, inoperable appliances, parts, tools and numerous other items that fit the definition of junk are being stored outside of a structure around the property and the adjoining parcel.

Options to Abate:

1. Junk vehicles and/or junk and debris must either be placed in a structure with solid walls and a roof, or
2. remove from the property, or
3. In the case of junk vehicles, the vehicles must be made road operable, licensed, and registered with the Department of Motor Vehicles.

#### **DEAD STORAGE OF TRAVEL TRAILERS & RV'S**

Alleged code violations exist under Calaveras County Code 8.06.060, through a violation of Calaveras County Code 17.04.170 – Dead Storage of Mobile Homes and Recreation Vehicles: A travel trailer or other recreation vehicle may be kept in dead storage on private property in any zoning district, provided that the unit is currently registered with the Department of Motor Vehicles.

Specifically, the conditions found to be in violation are the unlicensed travel trailers(s) or other recreational vehicle(s) on the property.

Options to Abate:

1. Contact the Department of Motor Vehicles to obtain current registration of any travel trailer or other recreation vehicle on the property, or
2. Store unit(s) inside of a structure that has 4 solid walls and a roof, or
3. Remove the unit(s) from the property.

**Notes: A Courtesy Notice was issued on 2/19/19 and a Notice of Violation issued on 5/23/19. After multiple site visits and deadlines missed there has not been significant clean up progress made. Code Compliance contacted the property owner on 6/11/19 and attempted to set up a site visit but the property owner never responded with a date and time to meet.**

**This property and the adjoining parcel with the same owner have accumulated an extreme amount of various appliances, metals, mattresses, auto parts, tools, vehicles, recreational vehicles and boats among other types of junk, debris and rubbish.**

**Officer: R. Davis**

**Date: 06/12/2019**