

PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA, COUNTY OF LAKE

I am a resident of the County aforesaid; I am over the age of eighteen years and my business address is:

**255 North Forbes Street
Lakeport, CA 95453**

On 06/24/2022 I served the within (1) Notice of Violation and (2) Notice of Nuisance and Order to Abate

Case ENF22-00642 Principle owner(s): Kathleen Kapitan

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, certified (numbers below) return receipt requested, in the United States mail at Lakeport, California.

CERTIFIED #(s)	ADDRESSEE
82148969009997901643635731	Kathleen Kapitan

I declare under penalty of perjury, that the foregoing is true and correct.

Executed on 06/24/2022 at Lakeport, California.

SIGNATURE 

**Batch #: 9
Article #: 92148969009997901643635731
Date/Time: 6/24/2022 10:33:10AM
Code: ENF22-00642 MH**

**Internal File #:
Internal Code:**



COUNTY OF LAKE
CODE ENFORCEMENT
255 N. FORBES ST | LAKEPORT, CA 95453 | (707) 263-2309

NOTICE OF VIOLATION

PURSUANT TO LAKE COUNTY CODE, CHAPTER 13, SECTIONS 13-48 / 13-54 /13-55 ET SEQ.:

A. CASE NUMBER: ENF22-00642
SITE ADDRESS: 6647 CHEVIOT RD
PROPERTY OWNER: Kapitan, Kathleen
ASSESSOR PARCEL #: 034-352-02
MAILING ADDRESS: 6657 CHEVIOT RD Lucerne 95458
APPROXIMATE DATE/TIME SEEN: 06/20/22 1300 Hours

B. THE FOLLOWING CONDITION(S) CAUSING A VIOLATION OF THE LAKE COUNTY LAKE COUNTY CODE (LCC) CONSTITUTE A VIOLATION OF THE LAKE COUNTY CODE:

The base zoning of the property is “R1” Single Family Residential District and is held to the performance standards set forth in Article 41 of the Lake County Zoning Ordinance. Existing on the property is (1) a structure (mobile home) not properly maintained in a state of good repair causing dangerous conditions; (2) trash, rubbish, junk, and/or storage items; (3) the open and outdoor storage of items.

C. ORDER IS GIVEN TO COMMENCE ABATEMENT OF THE CODE VIOLATION(S) OF THE LAKE COUNTY CODE WITHIN THIRTY (30) DAYS OF THE DATE ON THIS NOTICE AND CORRECT THE CONDITIONS DESCRIBED ABOVE BY TAKING THE FOLLOWING ACTIONS. FAILURE TO DO SO MAY RESULT IN THE IMPOSITION OF AN ADMINSTRATIVE PENALTY/CITATION:

- Remove any and all unsafe structures.
- Remove any and all trash, rubbish, junk, and/or storage items.
- Bring the property into compliance with Article 41 of the Lake County Zoning Ordinance.

Each violation constitutes a separate and distinct offense. Each and every day an administrative violation exists shall constitute a separate and distinct offense subject to an administrative penalty/citation.

DATED: June 23, 2022

Michael Herringshaw, CODE ENFORCEMENT SUPERVISOR
COMMUNITY DEVELOPMENT DEPARTMENT
COUNTY OF LAKE, STATE OF CALIFORNIA

D. FAILURE TO CORRECT THE LISTED VIOLATIONS MAY CAUSE THE PROPERTY OWNER TO INCUR AN ADMINISTRATIVE PENALTY PURSUANT TO CHAPTER 13, ARTICLE VII, SECTION 13-48.3:

- a. UP TO ONE THOUSAND DOLLARS (\$1000.00) FOR EACH CALENDAR DAY FROM THE DATE OF THE TRANSMITTAL OF THE NOTICE OF VIOLATION THROUGH THE DATE OF ACTUAL ABATEMENT OF THE VIOLATIONS SPECIFIED IN SAID NOTICE. EACH VIOLATION CONSTITUTES A SEPARATE AND DISTINCT OFFENSE. EACH AND EVERY DAY AN ADMINISTRATIVE VIOLATION EXISTS SHALL CONSTITUTE A SEPARATE AND DISTINCT OFFENSE SUBJECT TO AN ADMINISTRATIVE PENALTY/CITATION:

PUBLIC NUISANCE / ZONING:

- FIRST VIOLATION - \$100.00
- SECOND VIOLATION OF THE SAME CODE SECTION WITHIN ONE YEAR OF THE FIRST VIOLATION - \$200.00
- THIRD VIOLATION OF THE SAME CODE SECTION WITHIN ONE YEAR OF THE FIRST VIOLATION - \$500.00

BUILDING SAFETY:

- FIRST VIOLATION - \$130.00
- SECOND VIOLATION OF THE SAME CODE SECTION WITHIN ONE YEAR OF THE FIRST VIOLATION - \$500.00
- THIRD VIOLATION OF THE SAME CODE SECTION WITHIN ONE YEAR OF THE FIRST VIOLATION - \$1,000.00

b. IN THE EVENT THE VIOLATIONS INCLUDE IS THE ILLEGAL USE OF A STRUCTURE AND THE THAT VIOLATION MAY BE CORRECTED BY OBTAINING THE APPROPRIATE PERMIT, UP TO A MAXIMUM OF FIVE (5) TIMES THE AMOUNT OF THE STANDARD FEE FOR THE PERMIT MAY BE CHARGED AS TO THAT VIOLATION ALONE.

c. PAYMENT OF THE ADMINISTRATIVE PENALTY SHALL NOT EXCUSE THE FAILURE TO CORRECT THE VIOLATION NOR SHALL IT BAR FURTHER ENFORCEMENT ACTION.

d. THE ADMINISTRATIVE PENALTY IMPOSED SHALL BE MADE PAYABLE TO THE COUNTY OF LAKE.

E. THE RESPONSIBLE PARTY MAY APPEAL THE IMPOSITION OF THE ADMINISTRATIVE PENALTY WITHIN FIFTEEN (15) DAYS OF THE DATE THE NOTICE OF IMPOSITION IS SERVED UNLESS THE VIOLATION IS DEEMED TO BE A HIGH SEVERITY VIOLATION, IN WHICH CASE THE TIME TO APPEAL SHALL BE THE TIME WITHIN WHICH SAID NOTICE ALLOWS FOR THE VIOLATION TO BE ABATED BY A RESPONSIBLE PERSON(S);

F. YOU ARE HEREBY NOTIFIED THAT IF YOU WISH TO SHOW ANY CAUSE WHY SUCH CONDITION SHOULD NOT BE ABATED OR THE IMPOSITION OF AN ADMINISTRATIVE PENALTY SHOULD NOT BE IMPOSED BY THE ENFORCEMENT OFFICIAL, YOU MUST REQUEST A PUBLIC HEARING BEFORE THE LAKE COUNTY BOARD OF SUPERVISORS BY COMPLETING AN APPEAL HEARING REQUEST FORM OR SUBMITTING A WRITTEN APPEAL IN WRITING. AND MUST BE FILED WITHIN 15 DAYS OF SERVICE OF THE NOTICE OF VIOLATION. THE APPEAL SHOULD STATE THE CODE SECTION THAT YOU ARE APPEALING AND THE PROVIDE A REASON FOR THE APPEAL. IF YOU FAIL TO REQUEST AN APPEAL HEARING, THE IMPOSITION OF THE ADMINISTRATIVE PENALTIES SHALL BE FINAL. THE APPEAL FORM MAY BE OBTAINED OR SUBMITTED TO THE COMMUNITY DEVELOPMENT DEPARTMENT, CODE ENFORCEMENT DIVISION 255 N. FORBES ST., THIRD FLOOR, LAKEPORT, CA 95451

G. ANY RESPONSIBLE PARTY UPON WHOM AN ADMINISTRATIVE PENALTY HAS BEEN IMPOSED MAY SEEK JUDICIAL REVIEW OF THE ORDER IMPOSING THE PENALTY PURSUANT TO GOVERNMENT CODE SECTION 53069.4

Lake County Community Development Department
Code Enforcement Division
255 N. Forbes Street, Lakeport
(707) 263-2309



COUNTY OF LAKE
CODE ENFORCEMENT
255 N. FORBES ST | LAKEPORT, CA 95453 | (707) 263-2309

NOTICE OF NUISANCE AND ORDER TO ABATE

PURSUANT TO LAKE COUNTY CODE, CHAPTER 13, Sections 13-6 ET. SEQ.

A. CASE NUMBER: ENF22-00642
SITE ADDRESS: 6647 CHEVIOT RD
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ASSESSOR PARCEL #: 034-352-02
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B. THE FOLLOWING CONDITION(S) CAUSING A VIOLATION OF THE LAKE COUNTY LAKE COUNTY CODE (LCC) CONSTITUTE A VIOLATION OF THE LAKE COUNTY CODE:

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C. ORDER IS GIVEN TO COMMENCE ABATEMENT OF THE CODE VIOLATION(S) OF THE LAKE COUNTY CODE WITHIN THIRTY (30) DAYS OF THE DATE ON THIS NOTICE AND CORRECT THE CONDITIONS DESCRIBED ABOVE BY TAKING THE FOLLOWING ACTIONS. FAILURE TO DO SO MAY RESULT IN THE IMPOSITION OF AN ADMINISTRATIVE PENALTY/CITATION:

Remove any and all unsafe structures.

Remove any and all trash, rubbish, junk, and/or storage items.

Bring the property into compliance with Article 41 of the Lake County Zoning Ordinance.

Michael Herringshaw, CODE ENFORCEMENT OFFICER
COMMUNITY DEVELOPMENT DEPARTMENT
COUNTY OF LAKE
STATE OF CALIFORNIA

DATED: June 23, 2022

See reverse side of this document for information that may affect your rights.

D. YOU ARE HEREBY NOTIFIED THAT IF YOU WISH TO SHOW ANY CAUSE WHY SUCH CONDITION SHOULD NOT BE ABATED OR AS TO WHY THE PROPERTY SHOULD NOT BE CONSIDERED A PUBLIC NUISANCE, YOU MUST REQUEST A PUBLIC HEARING BEFORE THE LAKE COUNTY BOARD OF SUPERVISORS BY COMPLETING AN APPEAL HEARING REQUEST FORM OR BY SUBMITTING A WRITTEN APPEAL IN WRITING. AND MUST BE FILED WITHIN TWENTY-ONE (21) DAYS OF SERVICE OF THE NOTICE OF VIOLATION. THE APPEAL SHOULD STATE THE CODE SECTION THAT YOU ARE APPEALING AND THE PROVIDE A REASON FOR THE APPEAL. IF YOU FAIL TO REQUEST A NUISANCE ABATEMENT HEARING, ALL RIGHTS TO APPEAL ANY ACTION OF THE COUNTY TO ABATE THE NUISANCE WILL BE WAIVED. THE APPEAL FORM MAY BE OBTAINED OR SUBMITTED TO THE COMMUNITY DEVELOPMENT DEPARTMENT, CODE ENFORCEMENT DIVISION 255 N. FORBES ST., THIRD FLOOR, LAKEPORT, CA 95451

E. WHERE THE ENFORCEMENT OFFICIAL HAS DETERMINED THAT THE CONDITION CAUSING THE NUISANCE IS IMMINENTLY DANGEROUS TO HUMAN LIFE OR LIMB, OR IS UNSAFE, OR IS DETRIMENTAL TO THE PUBLIC HEALTH OR SAFETY, HE MAY ORDER THAT THE BUILDING OR STRUCTURE AFFECTED BE VACATED, PENDING THE CORRECTION OR ABATEMENT OF THE CONDITIONS CAUSING THE NUISANCE.

F. PURSUANT TO CHAPTER 13 OF THE LAKE COUNTY CODE, IF YOU FAIL TO CORRECT THE NUISANCE CONDITIONS BY THE DATE SPECIFIED IN SECTION C OF THIS NOTICE AND ORDER OR ANY SUBSEQUENT TIME EXTENSION GRANTED BY THE ENFORCEMENT OFFICIAL, AND/OR FAIL TO SUCCESSFULLY SHOW CAUSE WHY SUCH CONDITION SHOULD NOT BE ABATED AS SPECIFIED IN SECTION D OF THIS NOTICE, THE ENFORCEMENT OFFICIAL MAY RECORD THIS NOTICE AND ORDER AND MAY ABATE THE PUBLIC NUISANCE. THE COSTS OF SAID ABATEMENT WILL BE RECOVERED BY ONE OR MORE OF THE FOLLOWING MEANS:

- 1) A CHARGE AGAINST THE PREMISES WITH THOSE COSTS MADE A SPECIAL ASSESSMENT AGAINST THE PREMISES. SAID SPECIAL ASSESSMENT MAY BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS IS PROVIDED FOR THE COLLECTION OF ORDINARY COUNTY TAXES, AND SHALL BE SUBJECT TO THE SAME PENALTIES, INTEREST AND TO THE SAME PROCEDURES OF FORECLOSURE AND SALE IN THE CASE OF DELINQUENCY AS IS PROVIDED FOR ORDINARY COUNTY TAXES.
- 2) PAID THROUGH A CODE ENFORCEMENT DEBT REDUCTION AGREEMENT THAT HAS BEEN NEGOTIATED WITH THE LAKE COUNTY TREASURER – TAX COLLECTOR.
- 3) REFERRED TO A DEBT COLLECTION AGENCY LICENSED BY THE STATE OF CALIFORNIA IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 26220(a).



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