



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 13-50 / 13-54 /13-55 ET SEQ. ; SECTIONS 13-48 / 13-54 /13-55 ET SEQ.:

A. CASE NUMBER: CMP23-00126
SITE ADDRESS: 12990 Spruce Grove Road
PROPERTY OWNER: IGNACIO & IDOLINA ALVAREZ
ASSESSOR PARCEL #: 012-067-40
MAILING ADDRESS: 760 Sebastopol Road Santa Rosa, CA 95407
APPROXIMATE DATE /TIME SEEN: August 2, 2023 @

B. CONDITION CAUSING VIOLATION OF THE LAKE COUNTY LAKE COUNTY CODE:

The Failure to Obtain Required County Permits for Cannabis Cultivation Operations. For any cannabis cultivation operations for which a County permit is required but not obtained, there shall be a per-cannabis-plant penalty imposed until such time as the Responsible Person(s) self-abates or abatement action is completed by the County.

Located and/or existing on the property are structure(s) more commonly known as hoop houses or green houses erected/constructed without first obtaining the property permits from LCC Planning Division and LCC Building Safety Division. This constitutes a violation of the Lake County Code.

Building Violation(s):
LCC Chapter 5, Article I, Section 5-4A, 2022 California Building Code Section [A] 105.1 - Permits

- Public Nuisance Violation(s):
- LCC Chapter 13, Article I, Section 13-3.1 (e) - Any condition declared by any statute of the State of California or code of the County of Lake to be a nuisance
 - LCC Chapter 13, Article I, Section 13-3.1 (e) (5) - Any use of land, buildings, or premises established, operated, or maintained contrary to the provisions of this Chapter or Chapters 5, 9, 17, 21, 23, 29, or 30 of this Code..
 - LCC Chapter 13, Article I, Section 13-3.1 (e) (7) - The existence of garbage, rubbish, refuse, or waste matter, and weeds upon the premises contrary to the provisions of Chapters 9 and 21 of the Lake County Code and/or which creates a fire hazard
 - LCC Chapter 13, Article I, Section 13-3.1 (e) (10) - The existence of hazardous substances and waste unlawfully released, discharged, or deposited upon any premises or onto any County property. filtering.
 - LCC Chapter 13, Article I, Section 13-3.1 (e) (16) - Any failure to obtain and/or maintain any permit related to cannabis operations which is required, issued, and/or approved by the County of Lake.

C. ORDER IS GIVEN TO COMMENCE ABATEMENT OF THE CODE VIOLATION(S) OF THE LAKE COUNTY CODE WITHIN **TEN (10) 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:

Remove ALL unpermitted structures (Hoophouse(s))

Remove all cannabis plants from the property. Failure to remove all cannabis cultivation may result in the imposition of an administrative penalty as stated in the Lake County Code (see back side of this document for information.)

LRB 10/23
LINDA ROSAS-BIL, CODE ENFORCEMENT OFFICER
COMMUNITY DEVELOPMENT DEPARTMENT
COUNTY OF LAKE, STATE OF CALIFORNIA

DATED: Aug. 2, 2023

D. FAILURE TO CORRECT THE LISTED VIOLATIONS MAY CAUSE THE PROPERTY OWNER TO INCUR AN ADMINISTRATIVE PENALTY PURSUANT TO CHAPTER 13, ARTICLE VII., SECTION 13-50 Et SEQ:

FOR ANY CANNABIS CULTIVATION OPERATIONS FOR WHICH A COUNTY PERMIT IS REQUIRED BUT NOT OBTAINED, THERE SHALL BE A PER-CANNABIS-PLANT PENALTY IMPOSED. UNTIL SUCH TIME AS THE RESPONSIBLE PERSON(S) SELF-ABATES OR ABATEMENT ACTION IS COMPLETED BY THE COUNTY. SAID PENALTY CONSTITUTES A DEBT AGAINST THE COUNTY FROM THE DATE OF THE NOTICE OF VIOLATION AND IS DUE AND PAYABLE IMMEDIATELY UPON THE DATE OF THE NOTICE OF VIOLATION AND CONTINUES UNTIL THE VIOLATION IS CORRECTED. THE FOLLOWING PER-PLANT PENALTIES SHALL APPLY:

I. 1-10 PLANTS - A PER PLANT PER DAY PENALTY OF UP TO \$100.00 PER PLANT.

II. 11-25 PLANTS - A PER PLANT PER DAY PENALTY OF UP TO \$200.00 PER PLANT.

III. 25-50 PLANTS - A PER PLANT PER DAY PENALTY OF UP TO \$300.00 PER PLANT.

IV. 51 OR MORE PLANTS - A PER PLANT PER DAY PENALTY OF UP TO \$500.00 PER PLANT.

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:

b. 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

SEC. 13-51. ADDITIONAL PENALTIES AND REMEDIES.

ANY PERSON OWING FINES AND/OR PENALTIES PURSUANT TO THIS SECTION SHALL BE LIABLE IN AN ACTION BROUGHT IN THE NAME OF THE COUNTY FOR RECOVERY OF SUCH FINES AND/OR PENALTIES. THESE RECOVERY COSTS MAY INCLUDE REASONABLE ATTORNEY FEES INCURRED IN THE ACTION IF THE COUNTY PREVAILS, AS THE COUNTY RESERVES THE RIGHT TO SEEK TO RECOVER REASONABLE ATTORNEY FEES, ON A CASE BY CASE BASIS, PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 25845, SUBDIVISION C. IN THOSE CASES IN WHICH THE COUNTY SEEKS TO RECOVER REASONABLE ATTORNEY FEES, THE OTHER PARTY MAY LIKEWISE DO SO. ALL SUCH COSTS RECOVERED BY THE COUNTY PURSUANT TO THIS CHAPTER SHALL BE PLACED IN THE CODE ENFORCEMENT FUND DESCRIBED IN SECTION 13-48.2 OF THE LAKE COUNTY CODE. ADDITIONALLY, THE DISTRICT ATTORNEY, OR THE COUNTY COUNSEL WITH AGREEMENT OF THE DISTRICT ATTORNEY, MAY BRING A CIVIL ACTION PURSUANT TO CALIFORNIA BUSINESS AND PROFESSIONS CODE SECTION 17206 TO ENFORCE THIS SECTION.

SEC. 13-52. INTEREST

ANY ADMINISTRATIVE FINE AND/OR PENALTY SHALL ACCRUE INTEREST AT THE SAME ANNUAL RATE AS ANY CIVIL JUDGMENT. INTEREST SHALL ACCRUE ON THE FOLLOWING DAY AFTER THE PENALTY BECOMES A FINAL DECISION OR ORDER.

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 BY 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

NOTICE OF NUISANCE AND ORDER TO ABATE

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

A. CASE NUMBER: CMP23-00126
SITE ADDRESS: 12990 Spruce Grove Road
PROPERTY OWNER: IGNACIO & IDOLINA ALVAREZ
ASSESSOR PARCEL #: 012-067-40
MAILING ADDRESS: 760 SEBASTOPOL ROAD. Santa Rosa, CA 95407

B. CONDITION CAUSING VIOLATION OF THE LAKE COUNTY CODE:

Unpermitted structures commonly known as hoopouses
Unpermitted Cannabis Cultivation

C. ORDER IS GIVEN TO COMMENCE ABATEMENT OF SAID CODE VIOLATION(S) WITHIN THIRTY (30) DAYS OF THE DATE ON THIS NOTICE AND CORRECT THE CONDITIONS DESCRIBED ABOVE BY TAKING THE FOLLOWING ACTIONS:

Removal of ALL unpermitted Structures (Hoopouses)
Proper disposal of an rubbish associated with Unpermitted Cannabis Cultivation

LRB 10/23

LINDA ROSAS-BILL, CODE ENFORCEMENT OFFICER
COMMUNITY DEVELOPMENT DEPARTMENT
COUNTY OF LAKE
STATE OF CALIFORNIA

DATED: Aug. 2, 2023

- 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 ENFORCMENT OFFICAL 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 ABATMENT 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).**



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