



COUNTY OF LAKE

COMMUNITY DEVELOPMENT DEPARTMENT
Courthouse - 255 N. Forbes Street
Lakeport, California 95453
Telephone 707/263-2221 FAX 707/263-2225

STAFF REPORT

TO: Board of Supervisors

FROM: Robert Massarelli, Community Development Director
Kathy Freeman, Code Enforcement Program Supervisor *Kf*

Prepared By: Michael Penhall, Code Enforcement Officer *MP*

SUBJECT: Notice of Assessment & Lien Hearing for *Peter Le*;
October 17, 2017 @ 9:30 AM
Supervisory District 4

Date: September 20, 2017

- ATTACHMENTS:**
1. Notice of Nuisance and Order to Abate
 2. Notice of Assessment
 3. Proposed Notice of Lien
 4. Contractor's Invoice(s)
 5. Task Sheet

I. PROPERTY OUTLINE:

Property Owner: Peter Le
Location: 3427 Scotts Creek Road, Lakeport CA
APN: 005-029-36
Zoning: "RL", Rural Lands District
Case #: 17-0024

II. ABATEMENT SUMMARY

On *April 3, 2017*, one of two Notices of Nuisance and Order to Abate were prepared and posted at *3427 Scotts Creek Road, Lakeport CA*, and mailed, certified, to the property owner of record due to the possible occupation of a travel trailer on a vacant parcel. The travel trailer was remnant from a previous unlawful marijuana grow site. Complaints were also filed by area residents. The Abatement Notice provided Mr. Le with 30 days to abate the property.

On *September 1, 2017* after obtaining an Inspection and Abatement warrant, Code Enforcement staff entered the property and abated the travel trailer that was on the

property. After entering the property, it was observed that there were additional items associated with an unlawful marijuana grow site that were not visible from the street. During the abatement of the travel trailer, a local contractor was contacted, who later removed the additional items. On *September 6, 2017*, a follow up site visit was conducted by Code Enforcement personnel confirming the contractor had completed the work.

III. RECOMMENDATION:

Staff recommends the Board of Supervisors confirm the assessment of **\$4,476.65** and direct staff to Record a Notice of Lien against the property. The cost of abatement services was **\$3,850.00**. The administrative costs on this case amounted to **\$626.65**.

Sample Motion:

I move that the assessment of **\$4,476.65** for nuisance abatement on property located at **3427 Scotts Creek Road, Lakeport, CA**, also known as Assessors Parcel Number **005-029-36**, and owned by **Peter Le**, be confirmed and the Enforcement Official be directed to prepare and have recorded in the office of the Lake County Recorder, a Notice of Lien in the amount of **\$4,476.65** pursuant to Lake County Ordinance Code Chapter 13, Section 13-43.

NOTICE OF NUISANCE & ORDER TO ABATE

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

A. CASE NUMBER: ^{TBD} 17-0024 ASSESSORS PARCEL NUMBER: 005-029-34
OWNER(S) NAME: LE. PEREZ
SITE ADDRESS: 3427 SLOTT'S CREEK RD LAKEPORT CA
MAILING ADDRESS: 3427 SLOTT'S CREEK RD LAKEPORT CA 95453

B. CONDITION(S) CAUSING NUISANCE:

- Open and outdoor storage of junk, and/or household garbage in violation of Sections 21-2.6, 21-3.8(a) and 21-41.12 of the Lake County Zoning Ordinance.
- Failure to properly dispose of trash in accordance with Chapter 13, Section 13-11 of the Lake County Code.
- Failure to remove or maintain weeds in accordance with Chapter 13, Section 13-10 of the Lake County Code.
- Open and outdoor storage of inoperable vehicles in violation of Sections 21-2.6, 21-3.8(a) and 21-41.12 of the Lake County Zoning Ordinance.
- Storage of boat or recreational vehicle in road right of way in violation of 21-68.4(a)6 of the Lake County Zoning Ordinance. ON JACOB'S PROPERTY
- Substandard dwelling in violation of Section 17920.3 of the California Health and Safety Code.
- Unpermitted construction of _____ in violation of Section 105.1 of the 2013 California Building Code.

On 4/3 2017 your property was found by Enforcement Officials to contain the above specified violation(s) of the Lake County Code and/or California Building Code. This constitutes a public nuisance in accordance with Chapter 13, Section 3.1(e) of the Lake County Code (Uniform Abatement of Public Nuisances Code).

C. ORDER IS GIVEN TO COMPLETE ABATEMENT OF SAID NUISANCE WITHIN 30 DAYS (5/3/17) AND CORRECT THE NUISANCE CONDITIONS DESCRIBED ABOVE. PLEASE IMMEDIATELY CONTACT THE LAKE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT AT 707-263-2309 FOR FURTHER INFORMATION AND TO DISCUSS ANY POTENTIAL PERMIT OPTIONS TO ADDRESS THESE NUISANCE CONDITIONS.

M. Penhall #10125
COMMUNITY DEVELOPMENT DEPARTMENT
STATE OF CALIFORNIA, COUNTY OF LAKE

DATED: 4/3/17

SEE REVERSE SIDE

- D. PURSUANT TO CHAPTER 13 OF THE LAKE COUNTY CODE, SECTION 13-7, YOU ARE HEREBY NOTIFIED THAT IF YOU WISH TO SHOW ANY CAUSE WHY SUCH CONDITION SHOULD NOT BE ABATED AS A PUBLIC NUISANCE BY THE ENFORCEMENT OFFICIAL, YOU MUST REQUEST A PUBLIC HEARING BEFORE THE LAKE COUNTY BOARD OF SUPERVISORS BY COMPLETING A NUISANCE ABATEMENT HEARING REQUEST FORM. SAID FORM IS AVAILABLE AT THE COMMUNITY DEVELOPMENT DEPARTMENT (LOCATED AT 255 N. FORBES STREET, LAKEPORT) AND MUST BE FILED WITHIN 21 DAYS OF SERVICE OF THE NOTICE OF NUISANCE AND ORDER TO ABATE. 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.
- E. 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).



NOTICE OF NUISANCE & ORDER TO ABATE

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

A. CASE NUMBER: 17-0024 ASSESSORS PARCEL NUMBER: 005-029-36
OWNER(S) NAME: LE, PETER
SITE ADDRESS: 3427 SCOTTS CREEK RD, LAKEPORT CA
MAILING ADDRESS: 3427 SCOTTS CREEK RD, LAKEPORT CA 95453

B. CONDITION(S) CAUSING NUISANCE:

- Open and outdoor storage of junk, and/or household garbage in violation of Sections 21-2.6, 21-3.8(a) and 21-41.12 of the Lake County Zoning Ordinance.
- Failure to properly dispose of trash in accordance with Chapter 13, Section 13-11 of the Lake County Code.
- Failure to remove or maintain weeds in accordance with Chapter 13, Section 13-10 of the Lake County Code.
- Open and outdoor storage of inoperable vehicles in violation of Sections 21-2.6, 21-3.8(a) and 21-41.12 of the Lake County Zoning Ordinance.
- Storage of boat or recreational vehicle in road right-of-way in violation of 21-68.4(a)6 of the Lake County Zoning Ordinance.
- Substandard dwelling in violation of Section 17920.3 of the California Health and Safety Code. TRAVEL TRAILER on JACANT PROPERTY
- Unpermitted construction of _____ in violation of Section 105.1 of the 2013 California Building Code.

On 6/23 2017 your property was found by Enforcement Officials to contain the above specified violation(s) of the Lake County Code and/or California Building Code. This constitutes a public nuisance in accordance with Chapter 13, Section 3.1(e) of the Lake County Code (Uniform Abatement of Public Nuisances Code).

C. ORDER IS GIVEN TO COMPLETE ABATEMENT OF SAID NUISANCE WITHIN 30 DAYS (7/23/17) AND CORRECT THE NUISANCE CONDITIONS DESCRIBED ABOVE. PLEASE IMMEDIATELY CONTACT THE LAKE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT AT 707-263-2309 FOR FURTHER INFORMATION AND TO DISCUSS ANY POTENTIAL PERMIT OPTIONS TO ADDRESS THESE NUISANCE CONDITIONS.

M. Parkhill #10125
COMMUNITY DEVELOPMENT DEPARTMENT
STATE OF CALIFORNIA, COUNTY OF LAKE

DATED: 6/23/17

SEE REVERSE SIDE

- D. PURSUANT TO CHAPTER 13 OF THE LAKE COUNTY CODE, SECTION 13-7, YOU ARE HEREBY NOTIFIED THAT IF YOU WISH TO SHOW ANY CAUSE WHY SUCH CONDITION SHOULD NOT BE ABATED AS A PUBLIC NUISANCE BY THE ENFORCEMENT OFFICIAL, YOU MUST REQUEST A PUBLIC HEARING BEFORE THE LAKE COUNTY BOARD OF SUPERVISORS BY COMPLETING A NUISANCE ABATEMENT HEARING REQUEST FORM. SAID FORM IS AVAILABLE AT THE COMMUNITY DEVELOPMENT DEPARTMENT (LOCATED AT 255 N. FORBES STREET, LAKEPORT) AND MUST BE FILED WITHIN 21 DAYS OF SERVICE OF THE NOTICE OF NUISANCE AND ORDER TO ABATE. 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.
- E. 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).



NOTICE OF ASSESSMENT

Notice is hereby given that the Lake County Board of Supervisors will hear and consider objections and protests to a proposed assessment to be levied to recover the cost of abating a nuisance on property owned by **Peter Le**. The property is located at **3427 Scotts Creek Road, Lakeport CA**, being Assessor's Parcel Number **005-029-36**. The property is further described in Document Number **2016007097** filed in the County Recorder of said Lake County on **June 9, 2016**.

Notice is hereby given that abatement included the removal of a travel trailer and marijuana grow items from this property.

FEES:	Administrative	\$626.65
	Abatement contract	\$3,850.00

TOTAL ASSESSMENT	\$4,476.65
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The Enforcement Official will submit the account to the Board of Supervisors for confirmation on **October 17, 2017 at 9:30 AM**, in the Board of Supervisors Chambers, Lake County 255 North Forbes Street, Lakeport, at which time and place the Board of Supervisors will hear and consider objections and protests to said account and proposed assessment.



Robert Massarelli,
Community Development Director
Community Development Department
County of Lake

9/27/17

Date:

Cert. Mail # _____

AFTER RECORDING
Please Return To:
Lake County Community
Development Department
255 North Forbes Street
Lakeport, Ca. 95453

No fee Document- per Government code 27383

NOTICE AND CLAIM OF LIEN FOR
COSTS OF NUISANCE ABATEMENT

NOTICE IS HEREBY GIVEN that the County of Lake claims a lien for nuisance abatement costs pursuant to County Ordinance Code Chapter 13 of **\$4,476.65** against the real property situated in the County of Lake, California, commonly known as Assessor's Parcel Number **005-029-36-000** located at **3427 Scotts Creek Road, Lakeport, California** and more particularly described in Document # **2016007097** of the County Recorder.

NOTICE IS HEREBY FURTHER GIVEN that a hearing pursuant to Lake County Ordinance Code, Chapter 13, Section 13-42 was held by the Lake County Board of Supervisors on the **17th day of October, 2017 at 9:30 AM** wherein the Board of Supervisors issued an order confirming the assessment of **\$4,476.65** (Case # 17-0024).

The last known property owner, **Peter Le**, has been given notice of this lien as required by law.

WHEREFORE, the County of Lake claims a lien of **\$4,476.65** on the afore described property plus interest and other costs which may hereafter become due.

Dated:

I declare under penalty of perjury that the contents of this instrument are true and correct.

Michael Penhall
Code Enforcement Officer
Community Development Department
STATE OF CALIFORNIA
COUNTY OF LAKE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

On _____ before me, _____ personally appeared Michael Penhall who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____

ATTN: KATNY FREE

Lakeport

Jones Towing

Lucerne

P.O. Box 726, Lakeport

923 Parallel Drive, Lakeport, California 95453

"Upon request, you are entitled to receive a copy of the Towing Fees and Access Notice."

Telephone 1-707-263-6960

Fax 1-707-263-1668

CA#289385

DATE: 9-1-17

Invoice # A0903

Bill To: Lake County Code Enforcement (abatement)
Customer Address City State Zip Phone

Insurance Co. Policy # Phone #

Legal Owner Phone #

Year 2008? Make Cobra Model Salon Truck Color white/blue License none Odometer N/A Unit#

VIN#

Type of service requested: Tow (28 1/2 ft @ \$100.00/ft)

Location of vehicle: 3427 Scotts Creek Rd, Lakeport

Destination of tow: Storage

Driver: Flatbed	Wheel Lift	Wrecker <u>AKB</u>	Minimum Service Charge = \$ <u>2,850.00</u>			
Start <u>7:30AM</u> Arrival	Depart	End <u>10:30AM</u> Total <u>3.0</u>	@ \$ <u>340.00</u> per Hour = \$			
Start	Arrival	Depart	End	Total	@ \$	per Hour = \$
Storage: Start	End	# of Days	@ \$ <u>120.00</u>	per Day = \$		
Storage: Start	End	# of Days	@ \$	per Day = \$		
Date and Time of Release	Gate Opening Fee = \$	Lien Fee = \$	= \$	= \$		

CE CS# 17-0024
(Signature)

Reference #: _____ TOTAL \$ 2,850.00

C/C#

Expires: Security # Address: ZIP: Auth. #

YOU MUST READ BOTH SIDES OF THIS AGREEMENT BEFORE SIGNING. Your signature below indicates that you agree to all terms and conditions of this agreement. Customer is hereby notified that said property/vehicle is not insured or protected against loss occasioned by theft, fire or vandalism while the property/vehicle remains with Jones Towing.

CUSTOMER SIGNATURE X LCCE

Received by: J. Freeman 9/5/17 OK to pay

Pioneer Constructors Inc dba Pioneer Builders
PO BOX 177
LAKEPORT, CA 95453-0177 US
pioneer.builders@sbcglobal.net

Invoice



BILL TO
COUNTY OF LAKE

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
5504	09/06/2017	\$1,000.00	09/06/2017	Due on receipt	

Please detach top portion and return with your payment.

JOB
SCOTTS CREEK

ACTIVITY	QTY	RATE	AMOUNT
Services CLEANUP		1,000.00	1,000.00
		BALANCE DUE	\$1,000.00

NUISANCE ABATEMENT
CE CS# 17-0024

COUNTY OF LAKE
COMMUNITY DEVELOPMENT DEPARTMENT
CODE ENFORCEMENT DIVISION
3427 Scotts Creek Road, Lakeport CA. Abatement Case #17-0024
APN #005-029-36

TASK SHEET

INIT	DATE	TASK	TIME	RATE	EXT	SUBTOTAL CUMULATIVE
Mp	04/03/2017	Initial Investigation/Prepare, Post NONOTA	1.00	\$36.25	\$36.25	\$36.25
Mp/Kf	05/03/2017	follow up Investigation	1.00	\$36.25	\$36.25	\$72.50
Jd	05/09/2017	prepare/send 10 day letter	0.50	\$30.45	\$15.23	\$87.73
Mp	05/25/2017	prepare/post ROE	1.00	\$36.25	\$36.25	\$123.98
Mp	06/23/2017	prepare/post new NON- per Judge	1.00	\$36.25	\$36.25	\$160.23
Mp	08/11/2017	follow up Investigation	1.00	\$36.25	\$36.25	\$196.48
Mp		Prepare/obtain Warrant	3.00	\$36.25	\$108.75	\$305.23
Mp		Prepare/Post Warrant 24 HR Notice	1.00	\$36.25	\$36.25	\$341.48
Mp	09/01/2017	Serve Warrant, Abatement; Remove T/Trlr	2.00	\$36.25	\$72.50	\$413.98
Mp		extend warrant, add'l clean up, award contractor	2.00	\$36.25	\$72.50	486.48
		Clerical Support	1.00	\$30.45	\$30.45	\$516.93
Mp	09/20/2017	Prepare Staff Report & attachments	2.00	\$36.25	\$72.50	\$589.43
		Certified Mail	3.00	\$6.74	\$20.22	\$609.65
		Recordation fee(s)-Lien; 2 pages		\$17.00	\$17.00	\$626.65
		Sub Total Administrative Amount				\$626.65
		Contractor Invoice(s)				\$3,850.00
		TOTAL				\$4,476.65