



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, Lucerne, CA, 95458  
 PROPERTY OWNER: Kapitan Kathleen, C/O Craig Kapitan  
 ASSESSOR PARCEL #:034-352-02  
 MAILING ADDRESS: 6657 Cheviot Rd, Lucerne, CA, 95458

B. CONDITION CAUSING NUISANCE AND/OR VIOLATION OF THE LAKE COUNTY ZONING ORDINANCE AND/OR LAKE COUNTY CODE:

Located and/or existing on the property (1) is a structure that has incurred fire damage and is considered to be a "Vacant Structure" pursuant to LCC Chapter 5, Article VII, Section 5-31. Vacant Structure means any building, dwelling, manufactured home, or other structures: (1) that is lacking habitual presence of persons who have a legal right to be on the premises; and (2) whose doors, windows or other openings are broken or missing, so as to allow uncontrolled access to the interior or exposure to the elements. In addition, the property is in a condition dangerous to human life, unsafe, or detrimental to the public health or safety. The property is in violation of the Lake County Code and/or constitutes a public nuisance.

It is unlawful for an owner to maintain property or to permit property to be maintained in such a manner that any one or more of the conditions described in the following subsections are found to exist:

- (a) Any vacant structure that is not secured by boarding in compliance with Section 5-35;
- (b) Any vacant structure whose interior contains any waste, rubbish, or debris;
- (c) Any vacant structure whose premises contain any waste, rubbish, debris, or excessive vegetation;
- (d) Any vacant structure whose doors, windows or other openings are secured by boarding in compliance with Section 5-35 or by any other method permitted by Section 5-35, at any time at which there is no current and valid boarding permit as required by Section 5-37.

**Public Nuisance Violation(s):**

LCC Chapter 13, Article I, Section 13-3.1, Subsection (e) (3)  
 LCC Chapter 13, Article I, Section 13-3.1, Subsection (e) (4)  
 LCC Chapter 13, Article I, Section 13-3.1, Subsection (e) (5)  
 LCC Chapter 13, Article I, Section 13-3.1, Subsection (e) (8)

**California Building Code Violation(s):**

CBC Chapter 1, Section 116, Subsection [A] 116.1 – Unsafe Structures and Equipment

**Building Violation(s):**

LCC Chapter 5, Article VII, Section 5-33 and Section 5-34.

SEE REVERSE SIDE

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

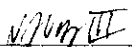
- 1) Attain compliance with the "Standards for Securing a Building" as set forth in LCC Chapter 5, Section 5-35 (a) through (i), including but not limited to: (a) Remove all waste, rubbish or debris from the interior of the structure; (b) Remove all waste, rubbish, debris or excessive vegetation from the premises surrounding the vacant structure.
- 2) Owner to obtain a boarding permit within thirty (30) days of the date of the notice to comply, and board or otherwise secure the vacant structure in compliance with Section within ten (10) days of receiving the boarding permit. The order may require the owner to erect a fence in accordance with Section 5-35.1(j).
- 3) If the vacant structure is not boarded or otherwise secured within the time specified, the county may seek compliance with any remedy allowed by this Code and any other remedy allowed by law, including the securing, repair, rehabilitation, demolition, or removal of the vacant structure;
- 4) The owner has the right to submit in writing any information relating to a determination of the existence of a violation. If the County Building Official determines that an effort is being made to correct the violation, he or she may grant an additional period of time for correction of the violation.
- 5) Remove any and all abandoned, dismantled, wrecked, or inoperable motor vehicles, motorcycles, recreational vehicles, trailers, campers, boats or parts thereof.

**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. 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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Norman Valdez, Code Enforcement Officer  
COMMUNITY DEVELOPMENT DEPARTMENT  
COUNTY OF LAKE, STATE OF CALIFORNIA  
Lake County Community Development Department  
Code Enforcement Division  
255 N. Forbes Street, Lakeport  
(707) 263-2309

DATED: June 8, 2023



**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:

**Community Development Department  
Code Enforcement Division  
3<sup>rd</sup> Floor, 255 N. Forbes St.  
Lakeport, CA 95451**

Case # ENF23-00771

Responsible Party: **KAPITAN KATHLEEN  
C/O CRAIG KAPITAN  
6657 CHEVIOT  
LUCERNE CA 95458**

On June 9th, 2023, I served the within:

- Notice of Violation
- Notice of Nuisance and Order to Abate
- Administrative Citation
- Inspect-Right-of-Entry Permit
- Inspect and Abatement Right-of-Entry Permit
- Other:

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

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

Executed on June 9th 2023 at Community Development Department 255 N. Forbes St., 3<sup>rd</sup> Floor, Lakeport, California.

SIGNATURE \_\_\_\_\_

**Regina Weese**

Batch #: 9  
Article #: 92148969009997901647968965  
Date/Time: 6/8/2023 9:00:00AM  
Code: ENF23-00771  
Code2: 034-352-020-000

Internal File #:  
Internal Code: