
Sec. 13-7. Hearing Procedures.

7.1 A hearing before the Board of Supervisors regarding a Notice of Nuisance and Order to Abate may be requested by filing a written request for a hearing with the Lake County Community Development Department within twenty-one (21) days of service of the Notice of Nuisance and Order to Abate. When a hearing is requested as provided for in the Notice of Nuisance and Order to Abate, the Board shall proceed to hear the testimony of the Enforcement Official, his/her assistants or deputies, the testimony of the owner or his/her representatives, and the testimony of other competent persons concerning the conditions constituting such nuisance, the estimated cost of abatement, and other matters which the Board may deem pertinent. Any person affected may be present at such hearing, may be represented by counsel, may present testimony, and may cross-examine the Enforcement Official, and other witnesses. The hearing may be continued from time to time.

7.2 The filing of such request for hearing shall stay the effectiveness of the Notice of Nuisance and Order to Abate until such time as the case has been decided by the Board of Supervisors.

7.3 Upon receipt of a request for hearing filed in accordance with Section 13-7.1, the Enforcement Official shall schedule a hearing before the Board of Supervisors. Notice of the hearing shall be sent by first class mail postage prepaid to the property owner and any other persons filing the request for hearing. The notice shall state the date, time and place of the hearing (which in no event shall be sooner than ten (10) days from the date of mailing and posting such notice unless mutually agreed to by the property owner or responsible party and the Enforcement Official), the specific conditions or uses which constitute the public nuisance, and shall direct the owner(s) to appear and show cause why the specified condition or use should not be declared a public nuisance and abated.

7.4 Upon the conclusion of the hearing, the Board of Supervisors may terminate the abatement proceedings, or it may uphold the Notice of Nuisance and Order to Abate, prescribing the requirements of such abatement and prescribing the time for the completion of such abatement.

7.5 If a request for a hearing is not filed within the time specified in Section 13-7.1, above, the Enforcement Official may order the work to be performed on or after the 31st calendar day following the service of the Notice of Nuisance and Order to Abate. If a time extension has been granted in accordance with Section 13-6 of this Chapter, the Enforcement official shall not commence with abatement unless the property owner fails to complete the abatement within the time authorized.

(Ord. No. 2927, § 1, 7-13-2010; Ord. No. 2982, § 3, 12-4-2012)