






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 
By: Michael Penhall, Code Enforcement Officer 

SUBJECT: Notice of Assessment & Lien Hearing for *Eva M. Tucker*
April 4, 2017 @ 9:30 AM
Supervisory District 3

Date: March 10, 2017

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

I. PROPERTY OUTLINE:

Property Owner: Eva M. Tucker
Location: 2863 Carson Street, Nice CA
APN: 031-072-32
Zoning: "R-1", Single-Family Residential District
Case #: 14-0147

II. ABATEMENT SUMMARY

On **May 18, 2016**, a Notice of Nuisance and Order to Abate was prepared and posted at **2863 Carson Street, Nice CA**, within the **Clearlake Villas Subdivision**, and mailed, certified to the property owner of record due to a dilapidated and unsecured structure, open and outdoor storage of junk, trash and debris. Several complaints had been filed by area residents. The Abatement Notice provided **Ms. Tucker** with 30 days to abate the property.

On **January 4, 2017** staff from Code Enforcement solicited and obtained bids for abatement of the dilapidated and unsecured structure, open and outdoor storage of junk, trash and debris on the property. On **January 12, 2017** a local contractor was awarded the

contract and started work soon after. On *February 22, 2017* a follow up site visit was conducted confirming the contractor had completed the work.

III. RECOMMENDATION:

Staff recommends the Board of Supervisors confirm the assessment of **\$3,529.86** and direct staff to Record a Notice of Lien against the property. The cost of abatement services was **\$3,200.00**. The administrative costs on this case amounted to **\$329.86**.

Sample Motion:

I move that the assessment of **\$3,529.86** for nuisance abatement on property located at **2863 Carson Street Nice, CA**, also known as Assessors Parcel Number **031-072-32**, and owned by **Eva M. Tucker** 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 **\$3,529.86** pursuant to Lake County Ordinance Code Chapter 13, Section 13-43.

NOTICE OF NUISANCE AND ORDER TO ABATE

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

A **CASE NUMBER:** 14-0147
 OWNER(S) NAME: Eva M Tucker
 SITE ADDRESS: 2863 Carson St, Nice
 MAILING ADDRESS: 3075 Lakeshore Bl #24, Lakeport, CA 95453

ASSESSORS PARCEL NUMBER: 031-072-32

B **CONDITION CAUSING NUISANCE:** The above referenced property was inspected by the Building and Safety Inspector and determined to have a “unsecured” substandard structure/garage in violation the State of California Health and Safety Code section 17920.3. This property also has a collapsed metal utility shed, open and outdoor storage of scrap metal & wood, household items and other miscellaneous debris and high weeds and overgrown brush, resulting in violations of the Lake County Code. Specifically, your property is in violation of the following Sections of the Lake County Zoning Ordinance: 21-2.4(a) and 2.6(a); 21-10; 21-41.12 and 21-68.4(a)8; Chapter 5-14 Lake County Building Regulations; Section 105.1 of the California Building Code and the International Property Maintenance Code Section 302.4. These conditions constitute a public nuisance in accordance with Chapter 13, Section 3.1(e) and Chapter 13, Section 10 of the Lake County Code.

C **ORDER IS GIVEN TO COMMENCE ABATEMENT OF SAID NUISANCE WITHIN 30 DAYS (May 18, 2016) AND CORRECT THE NUISANCE CONDITIONS DESCRIBED ABOVE BY TAKING THE FOLLOWING ACTIONS:**

- 1) Obtain a building permit within thirty (30) days of the date of this letter to either repair, rehabilitate, remove or demolish the above referenced building(s) in compliance with the California Health and Safety Code section 17920.3 and the 2013 California Residential Code section 105.1.
- 2) Remove ALL open and outdoor storage of scrap metal & wood, collapsed metal utility shed, household items, and other miscellaneous trash & debris from the property in a


lawful manner. Disposal receipts are required as proof of compliance.

- 3) Remove the weeds and overgrown brush by weed eating, trimming & pruning as to eliminate the fire danger.

D 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 SUBMITTED ON OR BEFORE June 8, 2016. 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 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).



Michael Penhall, Code Enforcement Officer
COMMUNITY DEVELOPMENT DEPARTMENT
STATE OF CALIFORNIA
COUNTY OF LAKE

DATED: May 18, 2016

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 **Eva M. Tucker**. The property is located at **2863 Carson Street Nice CA**, being Assessor's Parcel Number **031-072-32**. The property is further described in Document Number **00186790** filed in the County Recorder of said Lake County on **April 11, 2000**.

Notice is hereby given that abatement included the demolition of sub-standard garage, removal of open and outdoor storage of junk, trash and debris from this property.

FEES:	Administrative	\$329.86
	Abatement contract	\$3,200.00

TOTAL ASSESSMENT	<hr/> \$3,529.86
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The Enforcement Official will submit the account to the Board of Supervisors for confirmation on **April 4, 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

3/12/17

Date:

Cert. Mail #

Batch #: 9
Article #: 92147969009997901613618002
Date/Time: 3/13/2017 2:26:43PM
Code: 14-0147 APN 031-072-32
Code2: Lakeport JD

Internal File #:
Internal Code:

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 **\$3,529.86** against the real property situated in the County of Lake, California, commonly known as Assessor's Parcel Number **031-072-320-000** located at **2863 Carson Street, Nice, California** and more particularly described in Document **#00186790** 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 **4th day of April, 2017 at 9:30 AM** wherein the Board of Supervisors issued an order confirming the assessment of **\$3,529.86** (Case #14-0147).

The last known property owner, **Eva M. Tucker**, has been given notice of this lien as required by law.

WHEREFORE, the County of Lake claims a lien of **\$3,529.86** 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: _____

Fossa's Backhoe Service

Lic#899400
9439 Wildcat Rd
Kelseyville, CA 95451
(707) 279-4423

Invoice

Date	Invoice #
2/20/2017	2138

Bill To
County of Lake 2862 Carson St. Nice, CA 95481

P.O. No.	Terms	Project

Item	Description	Est Amt	Prior Amt	Prior %	Qty	Rate	Curr %	Total %	Amount
02.10 De...	Remove debris,demo old garage, and weeds.	3,200.00			1	3,200.00	100.00%	100.00%	3,200.00
CE cost 14-0147 MP									

Tax ID# 14-2008401. Please remit to above address. Credit cards accepted.						Total \$3,200.00			
						Payments/Credits \$0.00			
						Balance Due \$3,200.00			

COPY

COUNTY OF LAKE
COMMUNITY DEVELOPMENT DEPARTMENT

2863 Carson Street, Nice CA. Abatement Case #14-0147
APN #031-072-32

TASK SHEET

INIT	DATE	TASK	TIME	RATE	EXT	SUBTOTAL CUMULATIVE
mp	05/18/2016	Initial Investigation/Post NONOTA	1.00	\$36.25	\$36.25	\$36.25
kf	12/21/2016	follow up Investigation	1.00	\$41.11	\$41.11	\$77.36
jd	12/21/2016	prepare/send 10 day letter	0.50	\$30.23	\$15.22	\$92.58
jd	01/04/2017	Prepare/Request Bids	0.50	\$30.23	\$15.22	\$107.80
jd	01/12/2017	Prepare contract	1.00	\$30.23	\$30.23	\$138.03
mp	02/07/2017	Prepare, obtain Warrant	1.50	\$36.25	\$54.38	\$192.41
mp	02/15/2017	post warrant 24 hr notice	1.00	\$36.25	\$36.25	\$228.66
mp	02/22/2017	abatement, Site Visit	1.00	\$36.25	\$36.25	\$264.91
jd		Clerical Support	0.50	\$30.23	\$15.22	\$280.13
mp	03/09/2017	Prepare Staff Report & attachments	1.00	\$36.25	\$36.25	\$316.38
		Certified Mail	2.00	\$6.74	\$13.48	\$13.48
		Sub Total Administrative Amount				\$329.86
		Contractor Invoice				\$3,200.00
		TOTAL				\$3,529.86