



Legislation Text

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File #: 24-165, Version: 1

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**Memorandum**

**Date:** February 27, 2024

**To:** The Honorable Lake County Board of Supervisors

**From:** Mireya G. Turner, Community Development Director  
Marcus Beltramo, Code Enforcement Manager

**Subject:** Report of Summary Abatement Action Taken at 6439 Fifteenth Avenue, Lucerne (APN#034-212-10); Property Owner: Rhonda Morrill

**Executive Summary:** Pursuant to Lake County Code Chapter 5, Article IX, Section 42.2, the Community Development Director shall provide a report to the Board of Supervisors at the next scheduled meeting explaining the emergency conditions that necessitated the summary abatement.

On February 2, 2024, the Lake County Code Enforcement made a finding that an immediate threat or danger exists to the health, safety, or welfare of the occupants of a particular property or to members of the public, in concurrence with District 3 Supervisor Crandell and County Counsel Guintivano, for the property located at 6439 Fifteenth Avenue, Lucerne, CA (hereinafter, subject property). Code Enforcement contracted with 360 Junk Removal & Hauling to perform the summary abatement to remove only those issues that presented an immediate health and safety issue. The summary abatement occurred from February 2, 2024, to February 6, 2024. 16,840 lbs of materials deemed to be an immediate health and safety hazard were removed from the property during the summary abatement.

Background / Investigation:

On January 31, 2024, a UPS driver alerted Code Enforcement Officer Chris Colen to the subject property. Upon arrival, Code Officer Colen observed extensive amounts of trash strewn across the property, including used chuck pads or absorbent pads. The property owner, Rhonda Morrill was observed living in a car outside of the principal dwelling.

Code Officer Colen conducted further research and discovered lack of water service dating back nine (9) years. Further, in 2020 a fire occurred on the property involving an unpermitted cargo container causing some fire damage to the structure.

Based on the extent of the health and safety issue(s) observed existing on the exterior of the property and Code Officer Colen's training and experience, there were concerns additional health and safety issues may be occurring in the interior of the structure. The property owner would not provide consent or permission to inspect the interior of the structure. Code Officer Colen proceeded to obtain

an inspection warrant. On February 1, 2024, the inspection was performed by Code Officer Colen, Code Officer Michael Herringshaw, and Code Supervisor Norman Valdez. Upon an attempt to enter through the front door, the officers observed piles of unsanitary items containing human and cat waste and exposed trash, garbage, and rubbish throughout the interior, piled about four (4) to five (5) feet in height. The officers were unable to enter the interior of the structure to perform the inspection due to the amount of materials blocking entry.

On February 1, 2024, Code Enforcement requested the summary abatement with an additional request to waive the forty-eight-hour requirement for the following reasons:

- Human waste in the form of adult diapers and puppy pads (there is reasonable belief that the occupant has been using the pads to urinate and/or defecate on) directly on the ground and in large quantities inside the dwelling.
- Open garbage on the ground and inside the dwelling.
- Open electrical outlet(s) on exterior and likely covered electrical outlets behind garbage and human waste supplies in the interior of the dwelling.
- Extension cords being used as permanent electrical and not in accordance with its intended use (temporary electrical).
- Blocked routes of Egress and Ingress from the interior or lack of unobstructed pathway to a public area.
- Burnt cargo container that was destroyed by a fire with burnt manmade materials open to the elements and sitting on the ground.

Code Enforcement did make attempts to notify the property owner during and after the inspection that the existing violations on the property merited a summary abatement. Later in the day, after review with the Code Enforcement Manager, Code Enforcement Supervisor Valdez contacted the property owner by phone and informed her Code Enforcement would be pursuing a summary abatement and made a request for her assistance to move her vehicle and to allow access, which the property owner complied.

The cost of the summary abate is \$7,900 (**Exhibit B**). Code Enforcement has posted a red tag on the property for being unsafe and will be posting a Notice of Violation and Notice of Nuisance and Order to Abate for the remaining violations existing on the property. An inspection was also conducted by the Lake County Building Safety Division, although no final determinations have been made as of the date of this memo. A referral was made to Behavioral Health and North Coast Opportunities to provide, any possible assistance to the property owner.

**If not budgeted, fill in the blanks below only:**

Estimated Cost: \_\_\_\_\_ Amount Budgeted: \_\_\_\_\_ Additional Requested: \_\_\_\_\_ Future Annual Cost: \_\_\_\_\_

**Purchasing Considerations** (check all that apply):  Not applicable

Fully Article X. <[https://library.municode.com/ca/lake\\_county/codes/code\\_of\\_ordinances?nodeId=COOR\\_CH2AD\\_ARTXPU\\_S2-38EXCOBI](https://library.municode.com/ca/lake_county/codes/code_of_ordinances?nodeId=COOR_CH2AD_ARTXPU_S2-38EXCOBI)>- and/or Consultant Selection Policy <[http://lcnet.co.lake.ca.us/Assets/Intranet/Policy/Policies+26+Procedures+Manual/Ch4\\_2021v2.pdf](http://lcnet.co.lake.ca.us/Assets/Intranet/Policy/Policies+26+Procedures+Manual/Ch4_2021v2.pdf)>-Compliant (describe process undertaken in "Executive Summary")

Section 2-38 <[https://library.municode.com/ca/lake\\_county/codes/code\\_of\\_ordinances?nodeId=COOR\\_CH2AD\\_ARTXPU\\_S2-38EXCOBI](https://library.municode.com/ca/lake_county/codes/code_of_ordinances?nodeId=COOR_CH2AD_ARTXPU_S2-38EXCOBI)> Exemption from Competitive Bidding (rationale in "Executive Summary," attach documentation, as needed)

For Technology Purchases: Vetted and Supported by the [Technology Governance Committee](http://lcnet.co.lake.ca.us/Assets/Intranet/Intranet+Forms/Information+Technology/AdvPlan.pdf) <<http://lcnet.co.lake.ca.us/Assets/Intranet/Intranet+Forms/Information+Technology/AdvPlan.pdf>> ("Yes," if checked)

Other (Please describe in Executive Summary)

**Consistency with Vision 2028** <<http://www.lakecountyca.gov/Government/Directory/Administration/Visioning/Vision2028.htm>>

(check all that apply):  Not applicable

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| <input checked="" type="checkbox"/> Well-being of Residents | <input checked="" type="checkbox"/> Public Safety    | <input type="checkbox"/> Disaster Prevention, Preparedness, Recovery |
| <input type="checkbox"/> Economic Development               | <input type="checkbox"/> Infrastructure              | <input type="checkbox"/> County Workforce                            |
| <input type="checkbox"/> Community Collaboration            | <input type="checkbox"/> Business Process Efficiency | <input type="checkbox"/> Clear Lake                                  |

**Recommended Action:** This item is informational only. No action is required.