



## Legislation Details (With Text)

**File #:** 19-54      **Version:** 1      **Name:**  
**Type:** Action Item      **Status:** Agenda Ready  
**File created:** 1/15/2019      **In control:** BOARD OF SUPERVISORS  
**On agenda:** 1/29/2019      **Final action:**  
**Title:** 9:30 A.M. - HEARING - Nuisance Abatement Assessment confirmation and proposed recordation of Notice of Lien in the amount of \$4,464.81, for 24980 Morgan Valley Road, Lower Lake, CA (APN 012-014-15 - Terry Alan Rucks, Frederick G. Hosier & Wolter Bijleveld)  
**Sponsors:** Community Development  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. NONOTA Rucks

Date	Ver.	Action By	Action	Result
1/29/2019	1	BOARD OF SUPERVISORS	approved	Pass

### MEMORANDUM

**TO:** Board of Supervisors

**FROM:** Michalyn DelValle, Community Development Director  
Mary Jane Montana, Chief Building Official  
Kathy Freeman, Code Enforcement Program Supervisor

**PREPARED BY:** Michael Penhall, Code Enforcement Officer

**DATE:** January 4, 2019

**SUBJECT:** Notice of Assessment & Lien Hearing for ***Terry Alan Rucks, Frederick G. Hosier and Wolter Bijleveld;***  
**January 29, 2019 @ 9:30 AM**  
Supervisory District 1

**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  
6. Deed

## **I. PROPERTY DESCRIPTION:**

Property Owner: Terry Alan Rucks, Frederick G. Hosier and Wolter Bijleveld  
Location: 24980 Morgan Valley Road, Lower Lake, CA  
APN: 012-014-15  
Zoning: "RL", Rural Lands District  
Case #: 17-00552

## **II. ABATEMENT SUMMARY**

On **September 14, 2018** Code Enforcement coordinated with the Lake County Sheriff's Office to conduct a site visit to the above identified property. Upon arrival at the subject property, deputies cleared the property for safety reasons and located the property owner; Mr. Rucks, who was in another area of the property. A previously prepared Notice of Nuisance and Order to Abate (NONOTA) along with a Notice of 48 Hour Summary Abatement were posted on the motorhome/RV, which appeared to be occupied, that was located on the subject vacant property at

**24980 Morgan Valley Road, Lower Lake, CA.** A copy of the Notice of Nuisance and Order to Abate (NONOTA) was also mailed, certified to the property owner of record, due to the violations of: occupation of a motorhome/RV, open and outdoor storage of garbage, trash and debris, and inoperable vehicles on vacant, undeveloped property. Both, the Notice of Nuisance and Order to Abate (NONOTA) and the Notice of 48 Hour Summary Abatement informed the occupant of the motorhome, to cease occupation of the motorhome and relocate it within 48 Hours from the date and time of posting. The property owner Mr. Rucks, whom was present at the property, was informed by code enforcement staff of this requirement.

The Notice of Nuisance and Order to Abate (NONOTA) provided the property owner with 30 days to remove the other items that were stored on the vacant property in violation of Lake County code.

On **September 17, 2018**, a follow up site visit was conducted by Code Enforcement Officer Michael Penhall to check for compliance of the motorhome, this time without deputies. The site visit was conducted from a nearby road, from the road it was observed that the motorhome had not been removed from the property.

An Inspection and Abatement Warrant was prepared and signed by a Judge of the Lake County Superior Court. An Inspection and Abatement Warrant 24 Hour Notice was prepared. On September 21, 2018, Code Enforcement staff, along with Lake County Sheriff's Office Deputies conducted another site visit to the subject property. After making contact with property owner: Mr. Rucks, he was again informed that the motorhome needed to be removed and relocated. A copy of the Warrant Notice was posted on the motorhome and a copy was given to the property owner: Mr. Rucks.

A site visit was coordinated with a local towing contractor; Jones Towing and Sheriff's Deputies. On **September 25, 2018**, deputies entered and cleared the subject property, the Warrant was served and the tow contractor removed just the motorhome from the property and then towed it to their yard for impound. A copy of the warrant was then attached to one of the remaining vehicles for the occupant/property owner's information.

After removal of the motorhome, abatement actions were complete, and all persons involved left the subject property.

III. **FISCAL IMPACT:** Budgeted XX Non-Budgeted \_ None

Estimated Cost: \$4,464.81 Amount Budgeted: N/A Additional Requested: N/A

Annual Cost (if planned for future years): N/A

IV. **FISCAL IMPACT** (Narrative): Action taken by the Board may result in a lien recorded against the identified Real Property.

V. **STAFFING IMPACT** (if applicable): N/A

VI. **RECOMMENDATION:**

Staff recommends the Board of Supervisors confirm the assessment of **\$4,464.81** and direct staff to Record a Notice of Lien against the property. The cost of abatement services was **\$3,800.00**. The administrative costs on this case amounted to **\$664.81**.

**Sample Motion:**

**Lien Approval**

I move that the assessment of **\$4,464.81** for nuisance abatement on property located at **24980 Morgan Valley Road, Lower Lake, CA**, also known as Assessor's Parcel Number **012-014-15**, and owned by **Terry Alan Rucks** 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 **\$4,464.81** pursuant to Lake County Ordinance Code Chapter 13, Section 13-43.