



City Hall  
555 Santa Clara Street  
Vallejo, CA 94590

## AGENDA

### CODE ENFORCEMENT APPEALS BOARD MEETING

6:00 P.M.

City Council Chambers

September 25, 2014

George Roth, Chair  
Gary Bennett, Vice Chair

Board Members  
Patricia Bernard  
Richard Charmack  
Lee Lancaster  
Wanda Madeiros  
Angela McClure

Robert McConnell – City Council  
Liaison

This AGENDA contains a brief general description of each item to be considered. The posting of the recommended actions does not indicate what action may be taken. If comments come to the Code Enforcement Appeals Board (Board) without prior notice and are not listed on the AGENDA, no specific answers or response should be expected at this meeting per State law.

Pursuant to the Government Code Section 54954.3 (The Brown Act), members of the public shall be afforded the opportunity to speak on any agenda item of interest to them provided they are first recognized by the presiding officer. Members of the public wishing to be so recognized are requested to submit a completed speaker card to the Staff of the Board prior to the consideration of the item.

Those wishing to address the Board on any matter for which another opportunity to speak is not provided on the AGENDA but which is within the jurisdiction of the City Council to resolve may come forward to the podium during the "COMMUNITY FORUM" portion of the AGENDA.

Notice of Availability of Public Records: All public records relating to an open session item, which are not exempt from disclosure pursuant to the Public Records Act, that are distributed to a majority of the Board will be available for public inspection at the Code Enforcement Division or City Clerk's Office, 555 Santa Clara Street, Vallejo, CA at the same time that the public records are distributed or made available to the Board. Such documents may also be available on the City of Vallejo website at <http://www.ci.vallejo,ca.us> subject to staff's ability to post the documents prior to the meeting. Information may be obtained by calling (707) 648-4469, TDD (707) 649-3562.



Vallejo City Council Chambers is ADA compliant. Devices for the hearing impaired are available from the City Clerk. Requests for disability related modifications or accommodations, aids or services may be made by a person with a disability to the City Clerk's office no less than 72 hours prior to the meeting as required by Section 202 of the Americans with Disabilities Act of 1990 and the federal rules and regulations adopted in implementation thereof.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE TO THE FLAG
3. ROLL CALL
4. APPROVAL OF AGENDA
5. READING & APPROVAL OF MINUTES
  - A. August 28, 2014

6. CORRESPONDENCE: None

7. FIRST COMMUNITY FORUM

*Anyone wishing to address the Board on any matter for which another opportunity to speak is not provided on the agenda, and which is within the jurisdiction of the Board to resolve, is requested to submit a completed speaker card to the Board Staff Person. When called upon, each speaker should step to the podium, state his/her name, and address for the record. The conduct of the community forum shall be limited to a maximum of fifteen (15) minutes, with each speaker limited to three (3) minutes, with each speaker limited to three minutes pursuant to Vallejo Municipal Code Section 2.20.300. The remainder of the speakers wishing to address the Board on non-agenda items will be heard at the Second Community Forum listed later on the agenda.*

8. GUEST SPEAKER: None

9. PRESENTATIONS: Code Enforcement Appeal Hearings

- A. 224 Valley Oak Lane – CEO Sidie
- B. 301 Honeydew Drive – CEO Sidie
- C. 344 Florida Street – CEO Yoo
- D. 3028 Burnette Street – CEO Burciaga

10. NEW BUSINESS: None

11. OLD BUSINESS

- A. Discussion of proposed consideration of changes to the Property Maintenance Ordinance -- Staff (Postponed)
- B. Beautification and Design Review Board Rules of Order and Procedure; information from the City Clerk – Vice Chairman, Bennett

12. SECOND COMMUNITY FORUM

13. STAFF COMMENTS: None

14. ANNOUNCEMENTS

15. ADJOURNMENT

I, Nimat Shakoor-Grantham, Staff, do hereby certify that I have caused a true copy of the above notice and agenda to be delivered to each of the members of the Code Enforcement Appeals Board, at the time and in the manner prescribed by law and that this agenda was posted at City Hall, 555 Santa Clara Street, CA at 5:00 p.m., Friday, September 19, 2014.

Dated: September 18, 2014

  
\_\_\_\_\_  
Nimat Shakoor-Grantham, Staff

Notice of Availability of Public Records: All public records relating to an open session item, which are not exempt from disclosure pursuant to the Public Records Act, that are distributed to a majority of the Code Enforcement Appeals Board (Board) will be available for public inspection at the City Clerk's Office, 555 Santa Clara Street, Vallejo, CA at the same time that the public records are distributed or made available to the Board. Such documents may also be available on the City of Vallejo website at <http://www.ci.vallejo.ca.us> subject to staff's ability to post the documents prior to the meeting. Information may be obtained by calling (707) 648-3414, TDD (707) 649-3562.



Requests for disability related modifications or accommodations, aids or services may be made by a person with a disability to the City Clerk's Office no less than 72 hours prior to the meeting as required by Section 202 of the Americans with Disabilities Act of 1990 and the federal rules and regulations adopted.

1. **CALL TO ORDER:** Chairperson George Roth (Chairperson Roth) 6:06 pm.
2. **PLEDGE OF ALLEGIANCE TO THE FLAG :** Chairperson Roth
3. **ROLL CALL:**
  - Present: Chairperson George Roth,  
Board Members: Lee Lancaster, Richard Charmack, Angela McClure  
Council Liaison Robert McConnell
  - Absent: Vice Chairperson Gary Bennett -- Excused  
Board Member Patricia Bernard, Wanda Madeiros – Excused
  - Staff: Nimat Shakoor-Grantham
4. **APPROVAL OF AGENDA:** Board Member Lancaster motioned to approve the agenda, seconded by Board Member Charmack. The motion carried unanimously.
5. **APPROVAL OF MINUTES:** Board Member Lancaster motioned to approve the agenda, seconded by Board Member Charmack. The motion carried unanimously.
6. **CORRESPONDENCE:** None
7. **FIRST COMMUNITY FORUM:**

*Anyone wishing to address the Board on any matter for which another opportunity to speak is not provided on the agenda, and which is within the jurisdiction of the Board to resolve, is requested to submit a completed speaker card to the Board Staff person. When called upon, each speaker should step to the podium, state his /her name, and address for the record. The conduct of the community forum shall be limited to a maximum of fifteen (15) minutes, with each speaker limited to three minutes. The remainder of the speakers wishing to address the Board on non-agenda items will be heard at the second Community Forum listed later on the agenda.*

A. Mr. John Swayze complained about 125 Camino Del Sol. The original hearing was scheduled for July 24, 2014. Since Code Enforcement Officer (CEO) John Silva left the city's employment, which the subject property owner's hearing is now scheduled for October 23, 2014. Mr. Swayze said he would not be able to attend the hearing in October and he didn't want his absence to indicate he was not interested. Mr. Swayze submitted a written statement to CEO Silva responding to the property owner's appeal statement and wanted to be sure that the board would receive it. Mr. Swayze said that the Planning and Code Enforcement Staff have been quick to respond to his concerns and have been very helpful. A copy of Mr. Swayze's submitted statement was left with the board for review and consideration.

**8. NEW BUSINESS:**

- A. Discussion of proposed consideration of changes to the Property Maintenance Ordinance – Craig Whittom, Assistant City Manager

Assistant City Manager Craig Whittom made a brief presentation to the Board concerning the property maintenance ordinance. He spoke about past citation revenue generation and the shift of focus to voluntary compliance. Mr. Whittom informed the Board that it was timely to look at the ordinance in terms of the fine structure and how the ordinance was administered. Mr. Whittom then presented a short staff report which listed the items that the Board previously discussed and as issues of concern.

Mr. Whittom also spoke about the following items: 1) Authority to modify citations based on certain criteria, 2) Maximum dollar limit per assessment, and 3) How specifically Staff could serve notice to the property owner. Mr. Whittom suggested that Staff take the concerns identified by the Board and prepare a red lined version of the ordinance that would allow specific alternate language for the ordinance in terms of how changes might be articulated in the ordinance.

Mr. Whittom proposed that Staff would bring the redlined draft ordinance to the September 25, 2014 CEAB meeting to discuss the changes and then submit the Board's recommendations to the City Council. The City Council would likely consider the changes in October. Mr. Whittom suggested having a Board Representative, to articulate and speak on behalf of the Board, at the City Council meeting. Mr. Whittom expressed Staff's interest in the Board's agreed approach and wanted to ensure the Board that Staff had captured the issues that they were concerned about.

Staff Person Ms. Shakoor-Grantham provided the Board with the Code Enforcement Fee Schedule and a copy of the resolution administrative citations fees/fines approved by the City Council.

Board Member Lancaster wanted to know how successful the City of Vallejo had been in accruing fee/fines placed against subject properties.

Mr. Whittom responded by explaining the city's successful process of liening citations fees/fines against properties and then submitting that information to the County when they were unpaid. Mr. Whittom explained that once the fees/fines go onto the County Tax Bill, the City had limited success during the recent recession on getting the fines paid. Mr. Whittom explained that if the fines were unpaid through the County over a 5 year period, then the County would take the money back from the City. Mr. Whittom said that the City had experienced this situation in high volume over the recent years and that was one of the reasons driving Staff to look at different elements of the ordinance.

Mr. Whittom spoke about the Board's cap idea to achieve better compliance at the payment stage so that staff wouldn't have to put fees/fines on the property tax roll. The second idea was to provide some level of flexibility in terms of negotiating a lower amount. The thought being that if there were a lower amount

to begin with, the city would more likely collect the money. Mr. Whittom said that if there were circumstances where the property owner had a legitimate reason for a \$10,000 fine being reduced to \$8,000, then Staff would have the flexibility to do that, but currently Staff didn't have that flexibility. Mr. Whittom explained that the only recourse that he and Staff had with the current ordinance was if a mistake were made in the enforcement process, then the fee/fines could be reduced.

Board Member Lancaster spoke about the idea of a settlement and said that the idea of a "cap" on fee/fines was a good idea.

Chairperson Roth suggested that there be a mechanism in place for installments as many times the Board would levy the full amount of the fine if an installment plan could be implemented. Chairperson Roth also expressed support for the idea of a cap. He inquired about the possibility of posting the warning letter and then sending the property owner a certified letter. Regarding the late fee, Chairperson Roth wanted to know if there was a way to just double the administrative fine as a late fee.

Staff Person Ms. Shakoor-Grantham explained that the way the fees/fines were administered was approved by the City Council.

Board Member McClure asked if it were possible to crunch the information for the types and number of citations so that the Board could balance the compliance and revenue portions.

Mr. Whittom replied that it could be done using the new metric that the division had used since the spring in which there was a chart showing the amount of compliance after the warning notice, the first citation, and the second citation.

Chairperson Roth asked if there was any relationship between homeowners and renters as far as compliance.

Staff Person Ms. Shakoor-Grantham answered that Staff was working on gathering that information.

Board Member Lancaster wanted to know how soon could Staff get the information.

Mr. Whittom proposed to spend the next couple of weeks putting together a red lined draft of the ordinance, getting some of the information that was being requested, and then putting that together in a staff report for the next meeting of September 25, 2014. Mr. Whittom said that if the board acted on September 25, 2014 and sent a recommendation to the City Council, it would likely go before the City Council on October 28, 2014; then if the City Council approved it, the changes would come back for a second reading before the City Council in November. If the second reading was approved, the changes would become effective in early December.

Chairperson Roth wanted to know if there was a problem with the absentee owners not putting down the correct mailing address for noticing.

Staff Person Ms. Shakoor-Grantham replied that Staff still had challenges with property owners who move/relocate and were not aware that they should change their address with the County Tax Assessor's Office. Per the ordinance, Staff received property owner mailing address information from the County Tax Assessor's Roll.

**9. OLD BUSINESS**

- A. Beautification and Design Review Board Rules of Order and Procedure; information from the City Clerk – Vice Chairman, Bennett

Staff Person Ms. Shakoor-Grantham asked the Board's pleasure in either discussing the item or waiting until the absent Board members were present to have their input.

Chairperson Roth suggested that section 2.5 read as "Code Enforcement Staff Person" instead of "Secretary".

Staff Person Ms. Shakoor-Grantham suggested the idea of bringing a clerical staff person to the CEAB meetings to take minutes/notes which would allow her to concentrate more on the board.

Chairperson Roth suggested that the Board wait until the absent members were present to fully discuss the item in case there were some suggestions that had not been brought to the Board's attention yet.

Board Member Charmack motioned to table the discussion until the September 25<sup>th</sup> meeting. The motion was seconded by Board Member Lancaster; and was carried unanimously.

- B. Voluntary Compliance Coalition (VCC) Update –Nimat Shakoor-Grantham

Staff Person Ms. Shakoor-Grantham gave the Board an update on the VCC activities and the Board had a brief discussion.

**10. SECOND COMMUNITY FORUM**

- 11. STAFF COMMENTS:** Board Member Lancaster requested that the VCC emails go out earlier so that he could schedule to attend. Staff Person Shakoor-Grantham stated that staff was trying to set up meetings every other Tuesday, opposite of the City Council Meetings.

**12. ANNOUNCEMENTS**

- 13. ADJOURNMENT:** Board Member Lancaster motioned to adjourn the meeting. The motion was seconded by Board Member Charmack; and was carried unanimously. Chairperson Roth adjourned the meeting at 8:05 p.m.



## CODE ENFORCEMENT DIVISION

---

**HEARING DATE:** September 25, 2014  
**TO:** Code Enforcement Appeals Board  
**FROM:** David Sidie, Code Enforcement Officer  
**SUBJECT:** HEARING ON CITATION #2

---

Subject Property Address: 224 VALLEY OAK LANE  
Parcel Number: 0079191110  
Owner of Record: ANDERSON, DELVON  
Case Number: CE14-0244  
Violation(s): Vallejo Municipal Code Section 7.64.010 (Inoperative or Unregistered Vehicles)

**Section 7.64.010 prohibits storage of inoperative, unregistered, wrecked, or dismantled vehicles on the property.**

### BACKGROUND

- 1) 01/24/2014 While performing inspections in the area, Officer Silva performed a pro-active inspection of this property and took pictures. While performing the inspection I noticed debris, weeds, trash bins in the driveway, and two inoperative and unregistered vehicles.  
  
On the same day Officer Silva issued a Warning Notice and Administrative Notice by regular and certified mail, to the property owner. Since the property was in financial distress, I also copied the notices to the lender (DEUTSCHE BANK).
- 2) 02/18/2014 Officer Silva performed a re-inspection and verified that one of the vehicles had been removed, but other violations remained. The remaining violations included one inoperable/unregistered vehicle, some debris and trash bins in the driveway.  
  
While performing the inspection Officer Silva was able to speak with the tenant, who stated he was family of the property owner, and reviewed the remaining violations. The tenant explained that he needed more time to abate of the violations and requested an extension of time. I agreed to give him a three week extension and informed the tenant that the re-inspection would be March 11, 2014; allowing additional time to abate of the violations. Officer Silva gave the tenant my business card and explained that he, or the property owner, could call if they had any questions.
- 3) 03/11/2014 Officer Silva performed a re-inspection and verified that the PMO (Property Maintenance Ordinance) violations had been abated, but the inoperable/unregistered vehicle remained. I took photographs to document the violation.  
  
On the same day Officer Silva issued the First Citation of \$200 to the property owner, by regular and certified mail.
- 4) 03/13/2014 Officer Silva posted a copy of the First Citation on the garage door.







01/24/2014 10:14



01/24/2014 10:15







01/24/2014 10:15



01/24/2014 10:15

















Code Enforcement Division · 555 Santa Clara Street · Vallejo · CA · 94590 · 707.648.4469

## **WARNING NOTICE**

1/24/2014

ANDERSON DELVON  
224 VALLEY OAK LN  
VALLEJO, CA 94591

DEUTSCHE BK SERIES 2007-5 (CE)  
1525 S BELT LINE RD  
COPPELL, TX 75019

CASE NO.: CE14-0244  
PARCEL NO.: 0079191110  
LOCATION: 224 VALLEY OAK LN

***Via certified mail, return receipt requested, and first class mail***

We need your help! The property referenced, owned or controlled by you is in need of your immediate attention. An inspection was made on **01/24/2014**. On that date, it was noted that your property is in violation of one or more sections of the Vallejo Municipal Code, Property Maintenance Ordinance 7.54.030.

**Section 7.54.030 F. Prohibits damaged lumber, junk, trash, salvage materials, household materials, etc. Remove all trash, junk and debris on the property.**

**Section 7.54.030 K. Prohibits dead, decayed, diseased or otherwise hazardous trees, weeds or overgrown vegetation. Cut and remove all overgrown weeds and vegetation on the property.**

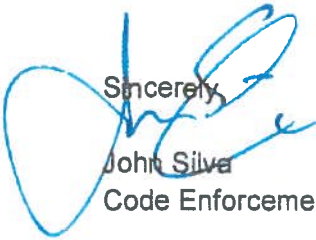
**Section 7.54.030 R. Prohibits leaving any garbage can refuse can, or recycling container in front or side yard. Relocate all garbage and recycle containers out of public view.**

**Section 7.54.030 S. Prohibits maintenance of property in such a manner as to constitute a public nuisance. Maintain property free from blight and public safety issues.**

I hope you understand that the purpose of the Ordinance(s) is to benefit the entire community by maintaining real property and preventing deterioration of neighborhoods in our City. Please take immediate action to remedy this violation.

Failure to correct the noted violations **by 02/14/2014** may result in issuance of an administrative charge of \$219.00, incurrence of City abatement costs, the issuance of Administrative Citations (first citation \$200.00, second \$500.00, third and subsequent citations \$750.00 per violation, per day that each violation continues to exist past the correction date) or other enforcement action by the City.

Please be advised that if your property is found to be in violation again within twelve (12) months of compliance with this notice, you will receive an administrative fine of \$219.00. In addition, you may be subject to the aforementioned administrative citations. If you have any questions, please call this office at (707) 648-4327.



Sincerely,  
John Silva  
Code Enforcement Officer

CITY OF VALLEJO

Citation #: CE14-0244

CASE #CE14-0244

Administrative Notice

WARNING  2nd Citation  3rd Citation  4th Citation  5th Citation

PERSON CITED:

ANDERSON DELVON  
DEUTSCHE BK SERIES 2007-5 (CE)

VIOLATION ADDRESS

224 VALLEY OAK LN

PARCEL#

0079191110

MAILING ADDRESS

224 VALLEY OAK LN VALLEJO CA 94591  
1525 S BELT LINE RD COPPELL, TX 75019

An administrative fine in the amount stated below is being imposed, unless the violation(s) stated below are corrected by **02/14/2014**. Other enforcement action may result if compliance is not achieved by the third citation.

Municipal Code Section Violated	Fine Amount	VIOLATION DESCRIPTION:
7.64	\$0.00	Prohibits storage of inoperative, unregistered, wrecked, or dismantled vehicles on the property.
<b>Total fine amount</b>	<b>\$0.00</b>	

Municipal Code Section Violated	CORRECTIONS REQUIRED
7.64	Remove all inoperative and/or unregistered vehicles from the property or make the vehicles operational and currently registered. (NON-OPERATIONAL REGISTRATION IS NOT ACCEPTED)

Date and time violation was observed: 01/24/2014

Citation Date: 1/24/2014

Issuing Officer: John Silva

Signature: 

Citing Department / Division: Code Enforcement Division

Phone Number: (707) 648-4327

Department Address: Code Enforcement Division, 555 Santa Clara St. 1<sup>st</sup> Floor, Vallejo, Ca.

ADMINISTRATIVE NOTICE

City of Vallejo Municipal Code, Chapter 1.15, provides for the issuance of administrative citations for Municipal Code violations. The level of the citation and fine is indicated on the front of the citation. Each Municipal Code section violated is a separate offense with an independent fine. Likewise, each day any violation exists is a separate and distinct offense. Fines per each Municipal Code section violated are as follows: First Citation \$200.00, Second Citation \$500.00, Third and subsequent citations \$750.00.















03/11/2014 09:07



03/11/2014 09:07



CITY OF VALLEJO

CITATION #: CE14-0244-ZONE

Administrative Citation

1st Citation     2nd Citation     3rd Citation     4th Citation     5th Citation

PERSON CITED:  
ANDERSON DELVON

CASE #: CE14-0244

VIOLATION ADDRESS:  
224 VALLEY OAK LN

PARCEL #:  
0079191110

MAILING ADDRESS:  
224 VALLEY OAK LN VALLEJO CA 94591

An administrative fine in the amount stated below is now being imposed. To avoid additional citations please correct this code violation by 04/01/2014. Other enforcement action may result if compliance is not achieved by the 3rd Citation.

FINE AMOUNT	MUNICIPAL CODE SECTION VIOLATED VIOLATION DESCRIPTION AND REQUIRED CORRECTION
\$200.00	Section 7.64.010 Prohibits storage of inoperative, unregistered, wrecked, or dismantled vehicles on the property.  <u><b>Correction Required: Remove all inoperative and/or unregistered vehicles from the property or make the vehicles operational and currently registered. (NON-OPERATIONAL REGISTRATION IS NOT ACCEPTED)</b></u>
\$200.00	<i>(see reverse side for payment and appeal instructions)</i>

Date and time violation was observed: 3/11/2014

Citation Date: 3/11/2014

Issuing Officer: JOHN SILVA

Signature:

Citing Department / Division: Code Enforcement Division

Phone Number: (707) 648-4469

Division Address: City of Vallejo Code Enforcement Division, 555 Santa Clara St. 1<sup>st</sup> floor, Vallejo, CA 94590

**READ REVERSE SIDE FOR IMPORTANT APPEAL INFORMATION**

## ADMINISTRATIVE CITATION

City of Vallejo Municipal Code, Chapter 1.15, provides for the issuance of administrative citations for Municipal Code violations. The level of the citation and fine is indicated on the front of the citation. Each Municipal Code section violated is a separate offense with an independent fine. Likewise, each day any violation exists is a separate and distinct offense. Fines per each Municipal Code section violated are as follows: First Citation \$200.00, Second Citation \$500.00, Third and subsequent citations \$750.00.

### RIGHTS OF APPEAL

**You have the right to appeal this administrative citation within 15 calendar days from the date of the 1st class mailing of the citation. The failure of any person to file a request for hearing shall be deemed to have waived his or her right to an administrative hearing. A request for hearing form shall be obtained from the citing department listed near the bottom of the Administrative Citation. This request must be accompanied by an advance deposit of the imposed fine or a request for an Advance Fine Deposit Waiver as explained below. You will be sent a written notice of the date and time set for your hearing. A failure to appear at the administrative citation hearing shall constitute a forfeiture of the fine and shall be deemed a waiver of your right to an administrative hearing. The Code Enforcement Appeals Board (Board) or Hearing Officer's decision shall be final. You may seek judicial review of the decision of the Board or hearing officer by filing a petition with a court of competent jurisdiction pursuant to California Code of Civil Procedure §1094.5 and §1094.6.**

### ADVANCE DEPOSIT WAIVER

If you contend that you are financially unable to make the advance fine deposit required to request a hearing of your Administrative Citation, you must file a request for Advance Fine Deposit Waiver. The request form may be obtained from the citing department. This form together with supporting documentation must be filed with the Hearing Request Form. The decision specifying the reasons for issuing or not issuing the waiver will be made in writing by the director (or his/her designee) of the citing department. The written determination shall be final and shall be served upon the person who applied for the waiver. If the director decides not to issue a waiver, the advance fine deposit shall be remitted within 10 days of the decision. If the advance fine deposit is not received by the citing department by this date, the request for hearing shall not be accepted and you shall be deemed to have waived your right to an administrative hearing.

### HOW TO PAY THE FINE

The amount of the fine is indicated on the front of this administrative citation. **If the fine is not paid within 30 calendar days from the date of the citation, a \$890.00 administrative charge will be imposed.** Payment may be made in person at the Vallejo City Hall or by mail addressed to the City of Vallejo Code Enforcement Division, 555 Santa Clara Street, Vallejo, CA 94590. Payment by mail should be made by personal check, cashier's check or money order, payable to the City of Vallejo – Account No. 001-1303-310-36-13. Be sure to **write the Citation Number** on your check or money order and **enclose a copy of this Administrative Citation.**

### CONSEQUENCES OF FAILURE TO PAY THE FEE

Any unpaid fees and/or costs may be recovered by the City through a lien or declared a special assessment against the subject property. Alternatively, the City may collect the fee and/or costs in a civil court action. Any person who fails to pay any fee and/or costs shall be liable in any action brought by the City for costs incurred in securing payment of the delinquent amount.

### CONSEQUENCES OF FAILURE TO CORRECT VIOLATIONS

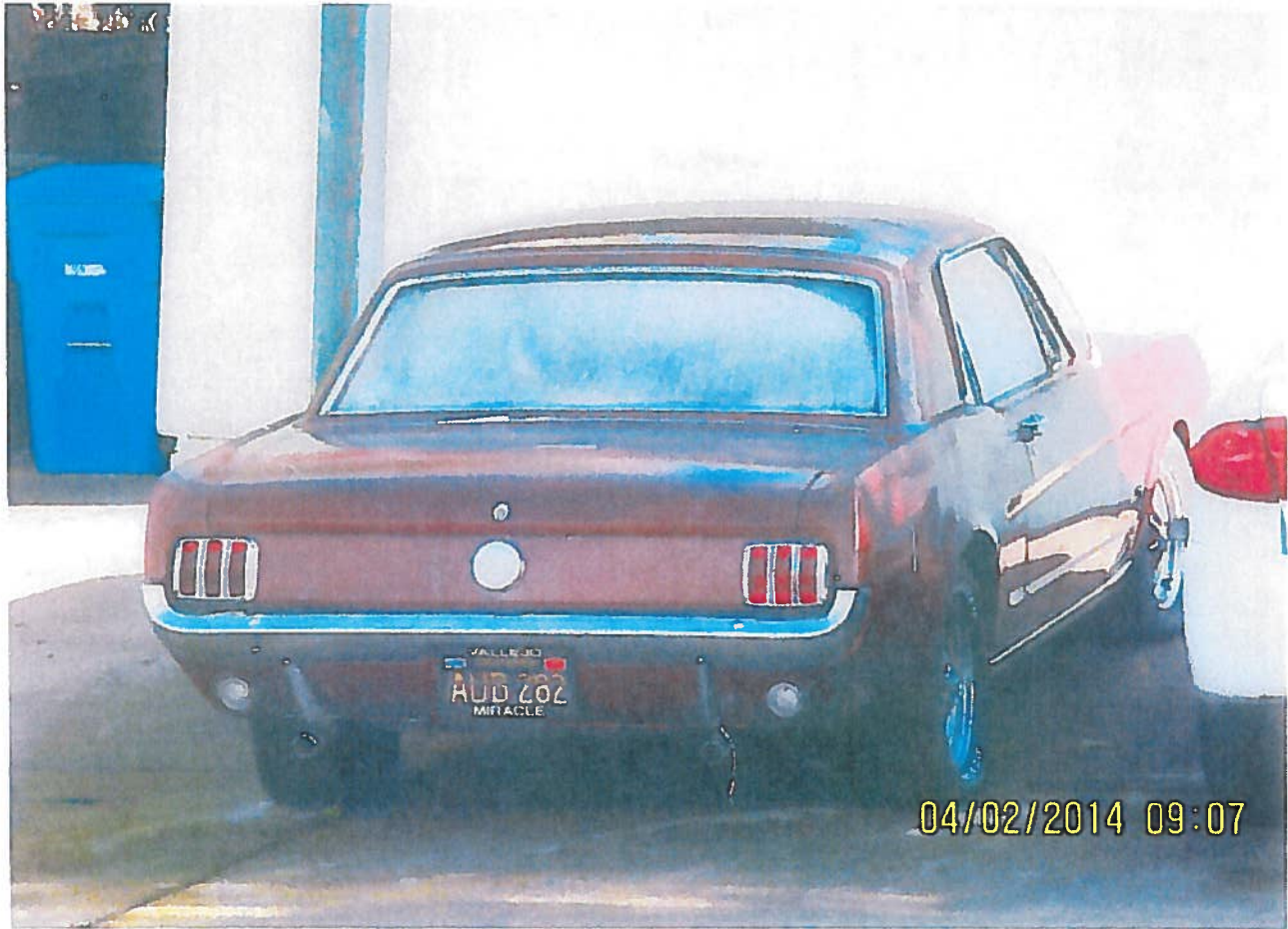
There are numerous enforcement options that can be used to encourage the correction of violations. These options include, but are not limited to, civil penalties, abatement, criminal prosecution, civil litigation, recording the violation with the County Recorder and forfeiture of certain State tax benefits for substandard residential rental property. These options can empower the City to collect fines, fees, demolish structures, make necessary repairs at the owner's expense, and incarcerate violators. Any of these options or others may be used if the notice and/or citations do not result in the achievement of compliance. If you need further clarification, please call the Department listed on the front of the citation.



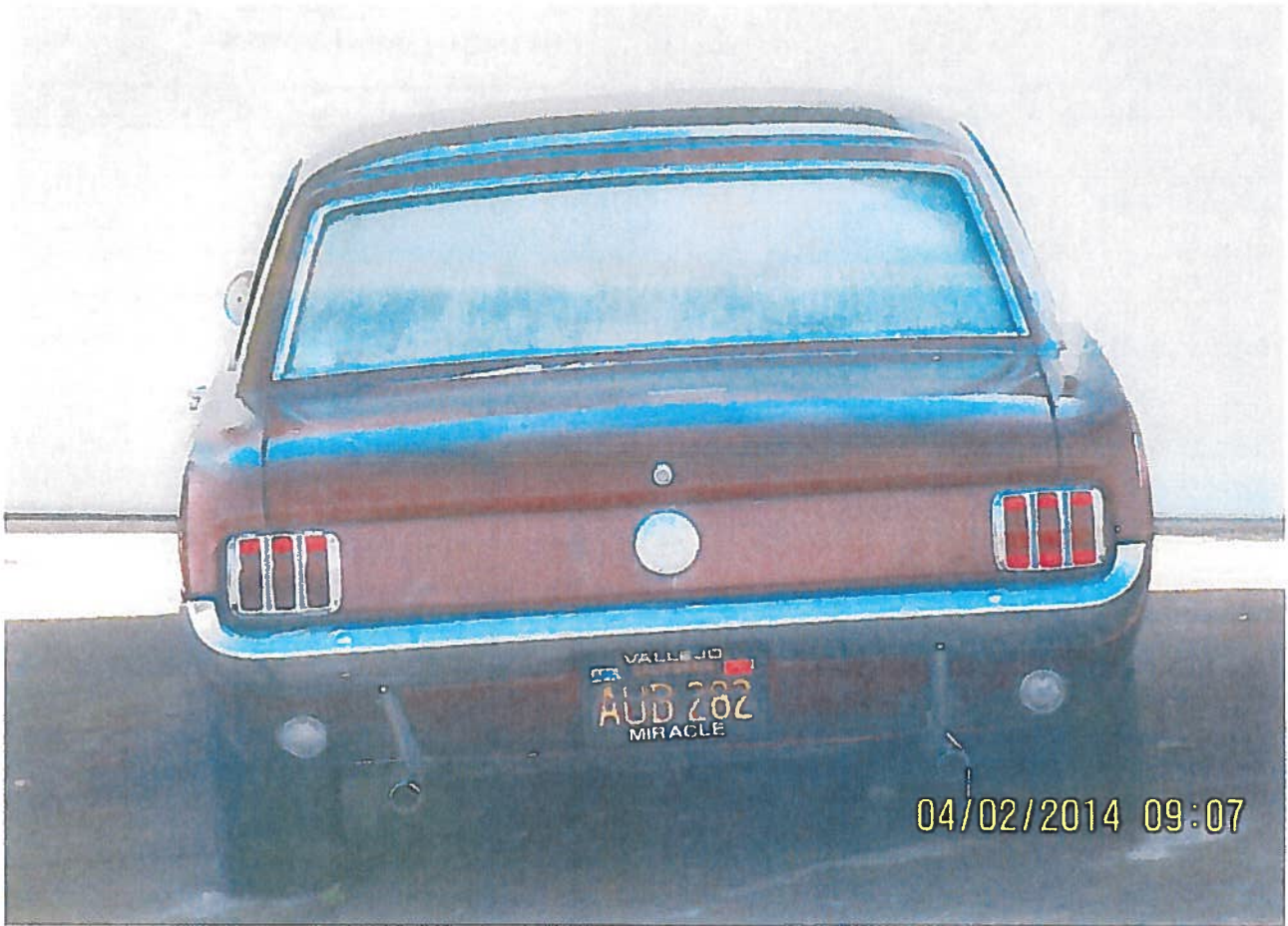
04/02/2014 09:07



04/02/2014 09:07







04/02/2014 09:07



## ADMINISTRATIVE CITATION

City of Vallejo Municipal Code, Chapter 1.15, provides for the issuance of administrative citations for Municipal Code violations. The level of the citation and fine is indicated on the front of the citation. Each Municipal Code section violated is a separate offense with an independent fine. Likewise, each day any violation exists is a separate and distinct offense. Fines per each Municipal Code section violated are as follows: First Citation \$200.00, Second Citation \$500.00, Third and subsequent citations \$750.00.

### RIGHTS OF APPEAL

**You have the right to appeal this administrative citation within 15 calendar days from the date of the 1st class mailing of the citation. The failure of any person to file a request for hearing shall be deemed to have waived his or her right to an administrative hearing. A request for hearing form shall be obtained from the citing department listed near the bottom of the Administrative Citation. This request must be accompanied by an advance deposit of the imposed fine or a request for an Advance Fine Deposit Waiver as explained below. You will be sent a written notice of the date and time set for your hearing. A failure to appear at the administrative citation hearing shall constitute a forfeiture of the fine and shall be deemed a waiver of your right to an administrative hearing. The Code Enforcement Appeals Board (Board) or Hearing Officer's decision shall be final. You may seek judicial review of the decision of the Board or hearing officer by filing a petition with a court of competent jurisdiction pursuant to California Code of Civil Procedure §1094.5 and §1094.6.**

### ADVANCE DEPOSIT WAIVER

If you contend that you are financially unable to make the advance fine deposit required to request a hearing of your Administrative Citation, you must file a request for Advance Fine Deposit Waiver. The request form may be obtained from the citing department. This form together with supporting documentation must be filed with the Hearing Request Form. The decision specifying the reasons for issuing or not issuing the waiver will be made in writing by the director (or his/her designee) of the citing department. The written determination shall be final and shall be served upon the person who applied for the waiver. If the director decides not to issue a waiver, the advance fine deposit shall be remitted within 10 days of the decision. If the advance fine deposit is not received by the citing department by this date, the request for hearing shall not be accepted and you shall be deemed to have waived your right to an administrative hearing.

### HOW TO PAY THE FINE

The amount of the fine is indicated on the front of this administrative citation. **If the fine is not paid within 30 calendar days from the date of the citation, a \$890.00 administrative charge will be imposed.** Payment may be made in person at the Vallejo City Hall or by mail addressed to the City of Vallejo Code Enforcement Division, 555 Santa Clara Street, Vallejo, CA 94590. Payment by mail should be made by personal check, cashier's check or money order, payable to the City of Vallejo – Account No. 001-1303-310-36-13. Be sure to **write the Citation Number** on your check or money order and **enclose a copy of this Administrative Citation.**

### CONSEQUENCES OF FAILURE TO PAY THE FEE

Any unpaid fees and/or costs may be recovered by the City through a lien or declared a special assessment against the subject property. Alternatively, the City may collect the fee and/or costs in a civil court action. Any person who fails to pay any fee and/or costs shall be liable in any action brought by the City for costs incurred in securing payment of the delinquent amount.

### CONSEQUENCES OF FAILURE TO CORRECT VIOLATIONS

There are numerous enforcement options that can be used to encourage the correction of violations. These options include, but are not limited to, civil penalties, abatement, criminal prosecution, civil litigation, recording the violation with the County Recorder and forfeiture of certain State tax benefits for substandard residential rental property. These options can empower the City to collect fines, fees, demolish structures, make necessary repairs at the owner's expense, and incarcerate violators. Any of these options or others may be used if the notice and/or citations do not result in the achievement of compliance. If you need further clarification, please call the Department listed on the front of the citation.







# CITY OF VALLEJO

## CODE ENFORCEMENT DIVISION

555 Santa Clara Street • P.O. Box 3068 • California • 94590-5934 • (707) 648-4469  
FAX (707) 649-3540

CASE #: CE 14-0244

### HEARING REQUEST FORM (ONLY THE PERSON CITED OR NOTICED MAY APPEAL)

PLEASE PRINT OR TYPE

- VACANT BUILDING MONITORING FEE (VMC CHAPTER 7.62)
- ADMINISTRATIVE CITATION (VMC CHAPTER 1.15)
- VACANT BUILDING NOTICE (VMC CHAPTER 7.62)
- PROPERTY MAINTENANCE ABATEMENT NOTICE
- OTHER: \_\_\_\_\_

BEFORE THE CODE ENFORCEMENT APPEALS BOARD:

THE APPEALS OF:

NAME(S): Delvan Anderson

SUBJECT PROPERTY: Owner

MAILING ADDRESS: 224 Valley Oak Ln  
Vallejo, CA 94591

1) Brief statement explaining your legal interest in the subject property (e.g., owner, tenant, etc.)

My legal interest in the subject property is that I'm  
the owner of the property.

2) Brief statement of reason for appeal, together with any material facts to support the appeal.

Recently, February 10, 2014, my grandmother passed away. During the period until now I have been dealing with a lot of estate affairs for her, dealing with my normal affairs, and a lot of mental stress. I simply let this situation and the vastness slip my mind. The vehicle has been removed as ordered. I'm not trying to accept account ability, but during such circumstances, it was an oversight on my behalf.

3) Statement of why protested order or action should be reversed or modified and what you want the outcome to be.

Based on statement number 2), I would like the outcome of both citations to be a return or whatever respective modifications that can be recommended.

I HAVE SUBMITTED THE REQUIRED APPEAL FEE.

I HAVE SUBMITTED A REQUEST FOR APPEAL FEE WAIVER

4) Signatures of all parties named as appellants, their official mailing addresses and daytime telephone number(s)

NAME: Delvon Anderson

MAILING ADDRESS: 224 Valley Oak Ln  
Vallejo, CA 94591

TELEPHONE NUMBER: [REDACTED]

NAME:

MAILING ADDRESS:

TELEPHONE NUMBER:

5) ALL APPELLANTS MUST SIGN THE FOLLOWING DECLARATION:

I certify and declare under the penalty of perjury under the laws of the State of California, that the foregoing is true and correct

4/17/14

DATE

Delvon Anderson

PRINT NAME

*Delvon Anderson*

SIGNATURE

DATE

PRINT NAME

SIGNATURE

(ATTACH ADDITIONAL PAGES IF NEEDED)

**224 Valley Oak Lane appeal fee waiver GRANTED.**





## CODE ENFORCEMENT DIVISION

---

**HEARING DATE:** September 25, 2014  
**TO:** Code Enforcement Appeals Board  
**FROM:** John Silva, Code Enforcement Officer  
**SUBJECT:** HEARING ON CITATION #1

---

Subject Property Address: 301 HONEYDEW DR  
Parcel Number: 0079501090  
Owner of Record: REIS, PAUL & PAMELA  
Case Number: CE14-1161  
Violation(s): Vallejo Municipal Code Section 7.64.010 (Inoperative or Unregistered Vehicles)

**Section 7.64.010 prohibits storage of inoperative, unregistered, wrecked, or dismantled vehicles on the property.**

### BACKGROUND

- 1) 04/24/2014 While performing inspections in the area, Officer Silva performed a pro-active inspection of this property and took pictures. While performing the inspection Officer Silva noticed weeds and an unregistered vehicle parked on the unpaved surface.  
  
On the same day Officer Silva issued a Warning Notice and Administrative Notice, by regular and certified mail, to the property owner.
- 2) 05/16/2014 Officer Silva performed a re-inspection and verified that some weeds had been removed, but all violations remained. The violations remaining included weeds and an unregistered vehicle parked on the unpaved surface. Officer Silva took pictures to document the violations.  
  
On the same day Officer Silva issued a Notice of Violation and First Citation, by regular and certified mail, to the property owner.
- 3) 05/20/2014 Officer Silva posted a copy of the Notice of Violation and First Citation on the front door.
- 4) 05/21/2014 Officer Silva received a phone call from the property owner (Paul Reis) and reviewed the case with him. Mr. Reis explained that the vehicle is registered, but he does not have the plates; since he is working out some paperwork issues with the DMV (Department of Motor Vehicles). Mr. Reis stated that he did not agree with issuing both a Notice of Violation and a First Citation. Officer Silva explained that the Notice of Violation was issued for the weeds and for the vehicle being parked on unpaved surface (PMO Violations), and the First Citation was issued for the vehicle being unregistered. Officer Silva went on to review the appeal process with Mr. Reis and sent an email to him, containing the pictures Officer Silva took on May 16, 2014.

Later in the day, Mr. Reis came into the office to pay the fees due and file an appeal for the First Citation. Officer Silva assisted Mr. Reis with the appeal application and forwarded the application to

the administrative staff for processing. Mr. Reis provided me with a receipt, showing payment of \$419.00 for the Notice of Violation (\$219) and the First Citation (\$200).

- 5) 06/05/2014 Officer Silva performed a final inspection and confirmed that all violations had been abated. The weeds and the vehicle have been removed. Officer Silva took photos to document the compliance.
- 6) 07/24/2014 This case was referred to the September meeting, owner was notified.

### **ATTACHMENTS**

1. Photos taken 04/24/2014
2. Warning of Violation issued 04/24/2014
3. Administrative Notice issued 04/24/2014
4. Photos taken 05/16/2014
5. 1<sup>st</sup> Citation issued 05/16/2014
6. Notice of Violation issued 05/16/2014
7. Final photos taken 06/05/2014
8. Appeal application received on 05/21/2014

### **RECOMMENDATION**

Based upon the evidence presented, Staff recommends that the Board:

1. Uphold the First Citation issued 05/16/2014

### **CONTACT**

John Silva, Code Enforcement Officer  
(707) 648-4327  
[jsilva@ci.vallejo.ca.us](mailto:jsilva@ci.vallejo.ca.us)

David Sidie, Code Enforcement officer  
(707) 648-4009  
[dsidie@ci.vallejo.ca.us](mailto:dsidie@ci.vallejo.ca.us)











Code Enforcement Division · 555 Santa Clara Street · Vallejo · CA · 94590 · 707.648.4469

4/24/2014

REIS PAUL & PAMELA  
301 HONEYDEW DR  
VALLEJO, CA 94591

WN/ CE14-1161/ 301 HONEYDEW DR/ JOHN SILVA

## **WARNING NOTICE**

*Via certified mail, return receipt requested, and first class mail to the property owner at the address shown on the county's last property tax assessment rolls or to any other address known for the property owner. The failure of any property owner to receive this notice shall not affect the validity of any proceedings taken under Chapter 7.54 (Property Maintenance Ordinance) of the Vallejo Municipal Code.*

**CASE NO.: CE14-1161**  
**PARCEL NO.:0079501090**  
**LOCATION: 301 HONEYDEW DR**

We need your help! The property referenced, owned or controlled by you is in need of your immediate attention. **An inspection was made on 04/24/2014** and it was noted that the conditions that exist on the subject property constitute an unlawful public nuisance as defined in Vallejo Municipal Code Chapter 7.54 (Property Maintenance Ordinance). The following unlawful property violations, as stated in Section 7.54.030, are found to exist:

### **DESCRIPTION OF VIOLATION(S) AND REQUIRED CORRECTIVE ACTION(S)**

**Section 7.54.030 J. Prohibits vehicles, RVs, trailers and boats parked in front yard, on unpaved surface, in residential zoning districts. Remove all vehicles, trucks or trailers from the front yard area and park on driveway or street.**

**Section 7.54.030 K. Prohibits dead, decayed, diseased or otherwise hazardous trees, weeds or overgrown vegetation. Cut and remove all overgrown weeds and vegetation on the property.**

**Section 7.54.030 S. Prohibits maintenance of property in such a manner as to constitute a public nuisance. Correct above violations, monitor and maintain property free from blight and public safety issues.**

I hope you understand that the purpose of the Property Maintenance Ordinance is to benefit the entire community by maintaining real property and preventing deterioration of neighborhoods in our City. Please take immediate action to remedy this violation.

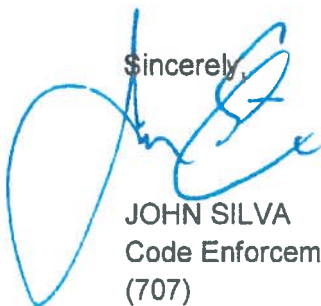
## CONSEQUENCES OF NOT ABATING

**Failure to correct the noted violation(s) by 05/15/2014 will result in the issuance of a written Notice of Violation and imposition of an administrative charge of \$219.00, as established by resolution by the City Council, pursuant to Section 7.54.140 of the Vallejo Municipal Code.** If the Code Enforcement Manager or other city employees designated by the City Manager determines the violation(s) to be immediately dangerous to the general welfare, health and safety, the same may be summarily abated without compliance with the provisions of this code. If after a Notice of Violation is issued and the violation(s) are still not abated within the time limit specified, then you may be subject to administrative citations (1st Citation: \$200.00, 2nd Citation: \$500.00, 3rd and subsequent Citations: \$750.00 - *per violation*, per day that each violation continues to exist past the correction date), incurrence of City abatement costs, and/or other legal remedies available to the City. The amount of any unpaid administrative charges and/or abatement costs including incidental costs may be made a lien on the real property on which the violation occurred and may constitute as a special assessment added to the ordinary secured property taxes.

***\*Please be advised that if your property is found to be in violation again within twelve (12) months of compliance with this notice, you will receive an administrative fine of \$219.00 pursuant to Section 7.54.160 of the Vallejo Municipal Code.***

If you have any questions, please contact me immediately at the phone number or e-mail address listed below or call this office at (707) 648-4469. Thank you.

Sincerely,



JOHN SILVA  
Code Enforcement Officer  
(707)  
@ci.vallejo.ca.us





Code Enforcement Division · 555 Santa Clara Street · Vallejo · CA · 94590 · 707.648.4469

4/24/2014

REIS PAUL & PAMELA  
301 HONEYDEW DR  
VALLEJO, CA 94591

WN-Zoning/ CE14-1161/ 301 HONEYDEW DR/JOHN SILVA

## **ADMINISTRATIVE NOTICE**

*Via certified mail, return receipt requested, and first class mail addressed to the person or persons listed as the owner of the real property in the most current equalized assessment roll of Solano County, including updated computer printouts, available to the City at the time notice is prepared, at his or their last known place of address as shown therein.*

**CASE NO.: CE14-1161**  
**PARCEL NO.:0079501090**  
**LOCATION: 301 HONEYDEW DR**

We need your help! The property referenced, owned or controlled by you is in need of your immediate attention. **An inspection was made on 04/24/2014** and the following violations were noted based on the Vallejo Municipal Code Section(s) stated below:

### **DESCRIPTION OF VIOLATION(S) AND REQUIRED CORRECTIVE ACTION(S)**

**Section 7.64.010 Prohibits storage of inoperative, unregistered, wrecked, or dismantled vehicles on the property.**

**Correction Required: Remove all inoperative and/or unregistered vehicles from the property or make the vehicles operational and currently registered. (NON-OPERATIONAL REGISTRATION IS NOT ACCEPTED)**

I hope you understand that the purpose of the Ordinance is to benefit the entire community by maintaining the value of real property and preventing deterioration of neighborhoods in our City. Please take immediate action to remedy this violation.

### **CONSEQUENCES OF NOT ABATING**

**Failure to correct the noted violation(s) by 05/15/2014 will result in the issuance of a 1<sup>st</sup> Citation, pursuant to Chapter 1.15 of the Vallejo Municipal Code, and imposition of a \$200.00 fine, as established by resolution by the City Council, per violation, per day that each violation continues to exist past the correction date.** If after a 1<sup>st</sup> Citation is issued and the violation(s) are still not abated within the time limit specified, then you may be subject

to subsequent administrative citations with escalating fine amounts for repeat violations (2nd Citation: \$500.00, 3rd and subsequent Citations: \$750.00 - *per violation*, per day that each violation continues to exist past the correction date), and/or other legal remedies available to the City. The amount of any unpaid administrative charges may be made a lien on the real property on which the violation occurred and may constitute as a special assessment added to the ordinary secured property taxes.

If you have any questions, please contact me immediately at the phone number or e-mail address listed below or call this office at (707) 648-4469. Thank you.

Sincerely,



JOHN SILVA  
Code Enforcement Officer  
(707) 648-4327  
JSILVA@ci.vallejo.ca.us











CITY OF VALLEJO

CITATION #: CE14-1161-ZONE

Administrative Citation

1st Citation     2nd Citation     3rd Citation     4th Citation     5th Citation

PERSON CITED:

REIS PAUL & PAMELA

CASE #: CE14-1161

VIOLATION ADDRESS:

301 HONEYDEW DR

PARCEL #:

0079501090

MAILING ADDRESS:

301 HONEYDEW DR VALLEJO CA 94591

An administrative fine in the amount stated below is now being imposed. To avoid additional citations please correct this code violation by 06/06/2014. Other enforcement action may result if compliance is not achieved by the 3rd Citation.

FINE AMOUNT	MUNICIPAL CODE SECTION VIOLATED VIOLATION DESCRIPTION AND REQUIRED CORRECTION
\$200.00	Section 7.64.010 Prohibits storage of inoperative, unregistered, wrecked, or dismantled vehicles on the property.  <b><u>Correction Required: Remove all inoperative and/or unregistered vehicles from the property or make the vehicles operational and currently registered. (NON-OPERATIONAL REGISTRATION IS NOT ACCEPTED)</u></b>
\$200.00	<i>(see reverse side for payment and appeal instructions)</i>

Date and time violation was observed: 5/16/2014

Citation Date: 5/16/2014

Issuing Officer: JOHN SILVA

Signature: 

Citing Department / Division: Code Enforcement Division

Phone Number: (707) 648-4469

Division Address: City of Vallejo Code Enforcement Division, 555 Santa Clara St. 1<sup>st</sup> floor, Vallejo, CA 94590

**READ REVERSE SIDE FOR IMPORTANT APPEAL INFORMATION**



## ADMINISTRATIVE CITATION

City of Vallejo Municipal Code, Chapter 1.15, provides for the issuance of administrative citations for Municipal Code violations. The level of the citation and fine is indicated on the front of the citation. Each Municipal Code section violated is a separate offense with an independent fine. Likewise, each day any violation exists is a separate and distinct offense. Fines per each Municipal Code section violated are as follows: First Citation \$200.00, Second Citation \$500.00, Third and subsequent citations \$750.00.

### RIGHTS OF APPEAL

**You have the right to appeal this administrative citation within 15 calendar days from the date of the 1st class mailing of the citation. The failure of any person to file a request for hearing shall be deemed to have waived his or her right to an administrative hearing. A request for hearing form shall be obtained from the citing department listed near the bottom of the Administrative Citation. This request must be accompanied by an advance deposit of the imposed fine or a request for an Advance Fine Deposit Waiver as explained below. You will be sent a written notice of the date and time set for your hearing. A failure to appear at the administrative citation hearing shall constitute a forfeiture of the fine and shall be deemed a waiver of your right to an administrative hearing. The Code Enforcement Appeals Board (Board) or Hearing Officer's decision shall be final. You may seek judicial review of the decision of the Board or hearing officer by filing a petition with a court of competent jurisdiction pursuant to California Code of Civil Procedure §1094.5 and §1094.6.**

### ADVANCE DEPOSIT WAIVER

If you contend that you are financially unable to make the advance fine deposit required to request a hearing of your Administrative Citation, you must file a request for Advance Fine Deposit Waiver. The request form may be obtained from the citing department. This form together with supporting documentation must be filed with the Hearing Request Form. The decision specifying the reasons for issuing or not issuing the waiver will be made in writing by the director (or his/her designee) of the citing department. The written determination shall be final and shall be served upon the person who applied for the waiver. If the director decides not to issue a waiver, the advance fine deposit shall be remitted within 10 days of the decision. If the advance fine deposit is not received by the citing department by this date, the request for hearing shall not be accepted and you shall be deemed to have waived your right to an administrative hearing.

### HOW TO PAY THE FINE

The amount of the fine is indicated on the front of this administrative citation. **If the fine is not paid within 30 calendar days from the date of the citation, a \$890.00 administrative charge will be imposed.** Payment may be made in person at the Vallejo City Hall or by mail addressed to the City of Vallejo Code Enforcement Division, 555 Santa Clara Street, Vallejo, CA 94590. Payment by mail should be made by personal check, cashier's check or money order, payable to the City of Vallejo – Account No. 001-1303-310-36-13. Be sure to **write the Citation Number** on your check or money order and **enclose a copy of this Administrative Citation.**

### CONSEQUENCES OF FAILURE TO PAY THE FEE

Any unpaid fees and/or costs may be recovered by the City through a lien or declared a special assessment against the subject property. Alternatively, the City may collect the fee and/or costs in a civil court action. Any person who fails to pay any fee and/or costs shall be liable in any action brought by the City for costs incurred in securing payment of the delinquent amount.

### CONSEQUENCES OF FAILURE TO CORRECT VIOLATIONS

There are numerous enforcement options that can be used to encourage the correction of violations. These options include, but are not limited to, civil penalties, abatement, criminal prosecution, civil litigation, recording the violation with the County Recorder and forfeiture of certain State tax benefits for substandard residential rental property. These options can empower the City to collect fines, fees, demolish structures, make necessary repairs at the owner's expense, and incarcerate violators. Any of these options or others may be used if the notice and/or citations do not result in the achievement of compliance. If you need further clarification, please call the Department listed on the front of the citation.



Code Enforcement Division · 555 Santa Clara Street · Vallejo · CA · 94590 · 707.648.4469

5/16/2014

REIS PAUL & PAMELA  
301 HONEYDEW DR  
VALLEJO, CA 94591

NOV/CE14-1161/ 301 HONEYDEW DR/ JOHN SILVA

## **NOTICE OF VIOLATION**

*Via certified mail, return receipt requested, and first class mail to the property owner at the address shown on the county's last property tax assessment rolls or to any other address known for the property owner. The failure of any property owner to receive this notice shall not affect the validity of any proceedings taken under Chapter 7.54 (Property Maintenance Ordinance) of the Vallejo Municipal Code.*

**CASE NO.: CE14-1161**  
**PARCEL NO.:0079501090**  
**LOCATION: 301 HONEYDEW DR**

You are hereby notified that a **reinspection was performed on 05/16/2014** and the violation(s) was not abated within the time limit specified in the Warning Notice. The conditions that exist on the subject property owned or controlled by you constitute an unlawful public nuisance as defined in **Section 7.54.030** of the Vallejo Municipal Code (Property Maintenance Ordinance). The following violation(s) which were observed during my initial inspection on 04/24/2014 **must be corrected by 06/06/2014**.

### **DESCRIPTION OF VIOLATION(S) AND REQUIRED CORRECTIVE ACTION(S)**

**Section 7.54.030 J. Prohibits vehicles, RVs, trailers and boats parked in front yard, on unpaved surface, in residential zoning districts. Remove all vehicles, trucks or trailers from the front yard area and park on driveway or street.**

**Section 7.54.030 K. Prohibits dead, decayed, diseased or otherwise hazardous trees, weeds or overgrown vegetation. Cut and remove all overgrown weeds and vegetation on the property.**

**Section 7.54.030 S. Prohibits maintenance of property in such a manner as to constitute a public nuisance. Correct above violations, monitor and maintain property free from blight and public safety issues.**

## ADMINISTRATIVE CHARGE

**A charge of \$219.00, as established by resolution by the City Council, is now owed to the City pursuant to Section 7.54.140 of the Vallejo Municipal Code payable twenty (20) days of the effective date of this notice.** Any property owner who fails to pay the administrative charges or abatement costs including incidental costs owed to the City shall be liable in any action brought by the City for costs incurred in securing payment of the delinquent amount. Legal action may include costs and/or charges being liened against the property and/or applied as a special assessment to the ordinary secured property taxes.

**How to Pay the Fine:** Payment may be made in person at the Vallejo City Hall, 1st Floor – Cashier (please bring this notice to the cashier and drop off the duplicate receipt to the Code Enforcement Division office for recording) or by mail addressed to the City of Vallejo Code Enforcement Division, 555 Santa Clara Street, Vallejo, CA 94590-5922. Payment by mail should be made by personal check, cashier's check or money order, payable to the City of Vallejo. Make sure to include the case number CE14-1161 and account number 001-1303-310-36-13 on your check.

*If the code enforcement manager or other city employees designated by the city manager determines the violation to be immediately dangerous to the general welfare, health and safety, the same may be summarily abated without compliance with the provisions of this code. Abatement may include, but is not limited to boarding of windows, doors and other openings to city specifications, removal of junk and debris, and securing the perimeter of the property with fencing, gates or barricades to prevent further occurrences of the nuisance activity.*

## CONSEQUENCES OF NOT ABATING

**Should these conditions not be corrected by 06/06/2014, the following action(s) may be taken:**

**Administrative Citation:** 1st Citation \$200.00, 2nd Citation \$500.00, 3rd and subsequent Citations \$750.00 - *per violation*, per day that each violation continues to exist past the correction.

**City Abatement:** The City may have the work done with city employees and/or by private contract if a violation is not abated within the time limit specified in this notice. **The costs of abatement, including incidental costs shall be billed to the property owner pursuant to Section 7.54.140 of the Vallejo Municipal Code and will be due and payable within thirty (30) days of the date the billing is mailed to the property owner.**

**Liens and Special Assessments:** The amount of any unpaid administrative charges and/or abatement costs including incidental costs may be made a lien on the real property on which the violation occurred and may constitute as a special assessment added to the ordinary secured property taxes.

**Civil Action:** \$50.00 per day for every day each separate violation exists

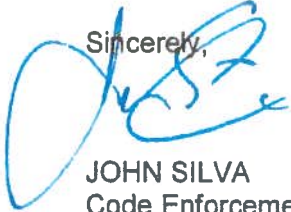
**Criminal Citation:** Maximum penalty of \$500.00 fine for every day each separate violation exists.

## APPEALS PROCESS

Information on the process to appeal this notice is attached, which includes the amount of the appeal fee and procedure for requesting an appeal fee waiver.

If you have any questions, please contact me immediately at the phone number or e-mail address listed below or call this office at (707) 648-4469. Thank you.

Sincerely,



JOHN SILVA  
Code Enforcement Officer  
(707) 648-4327  
JSILVA@ci.vallejo.ca.us

## NOTICE OF VIOLATION APPEALS PROCESS

Any property owner may appeal the notice of violation and may request a hearing before the Code Enforcement Appeals Board as follows:

1. An appeal form shall be obtained from the Code Enforcement Manager via the Code Enforcement Division office. The completed appeal form shall be filed with the Code Enforcement Manager via the Code Enforcement Division office **within fifteen (15) days of the effective date of the notice of violation, which is the date of the first class mailing, together with an appeal fee of \$658.00 as established by resolution by the City Council or a request for an appeal fee waiver.**
2. Only after the completed appeal form has been filed together with the appeal fee or with an *approved* appeal fee waiver shall the Code Enforcement Manager set the date for a hearing. The hearing shall be set for a date not less than fifteen (15) days nor more than sixty (60) days after the Code Enforcement Manager via the Code Enforcement Division office received the request.
3. The appellant may request one continuance, but in no event shall the hearing be continued more than thirty (30) days after the date of the originally scheduled hearing unless the Code Enforcement Manager finds circumstances of hardship warrant a longer continuance not to exceed ninety (90) days after the date of the originally scheduled hearing.
4. The appellant shall be notified by first class mail and certified mail, return receipt requested, of the date, time and place set for the hearing. Such notice shall be sent at least ten (10) days prior to the date of the hearing. The notice shall include a statement that if the violation is found to be a public nuisance and the violation is not substantially abated, then the city may pursue any and all legal and equitable remedies for the recovery of unpaid abatement costs and administrative charges. The notice shall be sent to the appellant at the address provided on the completed appeal form. Failure of the appellant to receive such notice shall not affect the validity of any proceedings taken under Chapter 7.54 of the Vallejo Municipal Code.
5. Any documentation, other than the notice of violation, which the Code Enforcement Manager has submitted or will submit to the Code Enforcement Appeals Board, shall be served on the appellant at least three (3) days before the hearing.

Failure of any property owner to file an appeal in accordance with the provisions of Section 7.54.080 of the Vallejo Municipal Code shall be deemed to waive his or her right to an appeal hearing.

**Appeal Fee Waiver.** Any property owner who requests a hearing to appeal a notice of violation and is financially unable to pay the appeal fee may file a request for an appeal fee waiver as follows:

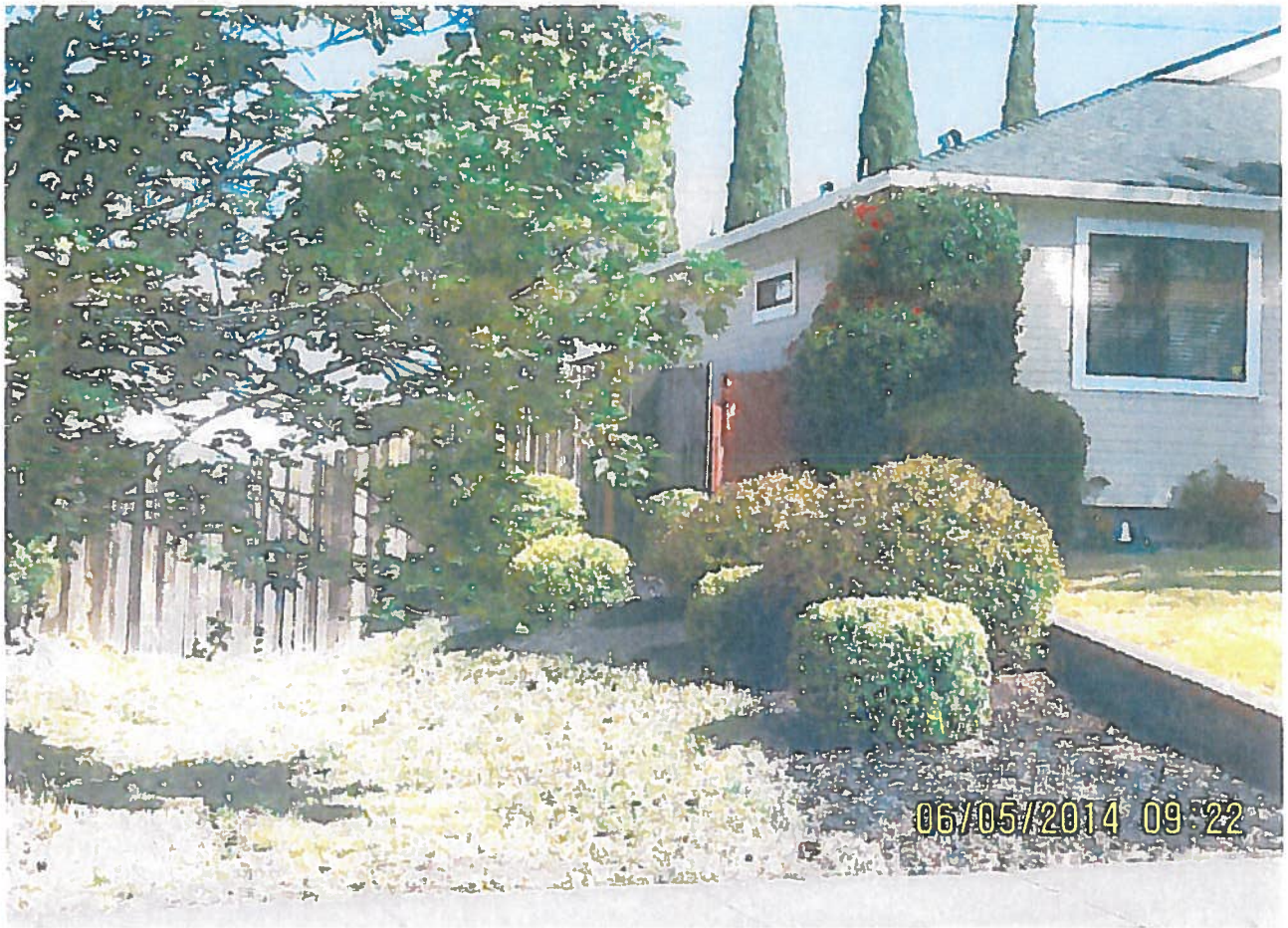
1. The request for waiver shall be made on a form obtained from the Code Enforcement Manager via the Code Enforcement Division office and submitted to the Code Enforcement Manager via the Code Enforcement Division office within fifteen (15) days of the effective date of the notice of violation.
2. The Code Enforcement Manager may issue an appeal fee waiver only if the person requesting the waiver submits a sworn affidavit together with any supporting documents demonstrating to the satisfaction of the manager the person's financial inability to deposit with the city the full amount of the fee in advance of the appeal hearing.
3. The Code Enforcement Manager via the Code Enforcement Division office shall issue a written decision specifying the reasons for issuing or not issuing the waiver within ten (10) days of the receipt of the request. The decision of the Code Enforcement Manager shall be final.
4. If the Code Enforcement Manager office determines a waiver is not warranted, the property owner shall remit the appeal fee within ten (10) days of the determination. If the Code Enforcement Manager via the Code Enforcement Division office does not receive the appeal fee within this time period, the request for hearing shall not be accepted and shall constitute a failure of the property owner to exhaust his or her administrative remedies.















# CITY OF VALLEJO

## CODE ENFORCEMENT DIVISION

555 Santa Clara Street • P O Box 3068 • California • 94590-5934 • (707) 648-4469  
FAX (707) 649-3540

~~CE#~~ CE# 1161

### HEARING REQUEST FORM (ONLY THE PERSON CITED OR NOTICED MAY APPEAL)

PLEASE PRINT OR TYPE

- VACANT BUILDING MONITORING FEE (VMC CHAPTER 7.62)
- ADMINISTRATIVE CITATION (VMC CHAPTER 1.15)
- VACANT BUILDING NOTICE (VMC CHAPTER 7.62)
- PROPERTY MAINTENANCE ABATEMENT NOTICE
- OTHER: Section 7.64

BEFORE THE CODE ENFORCEMENT APPEALS BOARD:

THE APPEALS OF:

NAME(S): Paul Reis

SUBJECT PROPERTY: 301 Honeydew Dr.

MAILING ADDRESS: 301 Honeydew Dr.  
Vallejo CA. 94591

1) Brief statement explaining your legal interest in the subject property (e.g. owner tenant, etc.)

Vehicle was registered at time of notice Owner.  
still waiting for license plates from DMV  
After light inspection done.

2) Brief statement of reason for appeal, together with any material facts to support the appeal.

Car was registered at time of inspection

3) Statement of why protested order or action should be reversed or modified and what you want the outcome to be.

Vehicle was registered at time of notice still waiting for plates from DMV. A tail light inspection to done.

I HAVE SUBMITTED THE REQUIRED APPEAL FEE.

I HAVE SUBMITTED A REQUEST FOR APPEAL FEE WAIVER.

4) Signatures of all parties named as appellants, their official mailing addresses and daytime telephone number(s):

NAME: Paul Reis

MAILING ADDRESS: 301 Home dew Dr  
Vallejo CA, 94591

TELEPHONE NUMBER: [REDACTED]

NAME:

MAILING ADDRESS:

TELEPHONE NUMBER:

5) ALL APPELLANTS MUST SIGN THE FOLLOWING DECLARATION:

I certify and declare under the penalty of perjury under the laws of the State of California, that the foregoing is true and correct

5-21-14  
DATE

Paul Reis  
PRINT NAME

[Signature]  
SIGNATURE

DATE

PRINT NAME

SIGNATURE

(ATTACH ADDITIONAL PAGES IF NEEDED)



## CODE ENFORCEMENT DIVISION

---

**HEARING DATE:** September 25, 2014  
**TO:** Code Enforcement Appeals Board  
**FROM:** Dong M. Yoo, Sr. Code Enforcement Officer  
**SUBJECT:** HEARING ON CITATION #3

---

**Subject Property Address:** 344 Florida Street  
**Parcel Number:** 0055-104-120  
**Owner of Record:** Vonderhaar, Pauline A TR  
**Case Number:** CE13-3300  
**Violation(s):** Vallejo Municipal Code (VMC) Section 7.64 (Inoperative and/or unregistered vehicles)

**Section 7.64 Prohibits storage of inoperative and/or unregistered, wrecked, or dismantled vehicles on the property.**

### BACKGROUND

- 1) 12-18-13 I performed an inspection of the property per a complaint. I noticed deteriorated or missing shingles on the house siding, deteriorated front deck rail, an unpainted and boarded up opening on the Santa Clara Street side and inoperative vehicles stored on the same side with car covers. The tires for the inoperative vehicles have sunk into the dirt, due to extended storage of the inoperative and/or unregistered vehicles at the same location and in the same condition. Photographs were taken.
- 2) 12-19-13 I checked the Realquest and SCIPS for the owner information. The owner was Pauline A Vonderhaar with a mailing address of 1341 Arkansas Street Vallejo, CA 94590. But from previous knowledge, I also knew owner's son had a mailing address of PO Box 1714 Shingle Springs, CA 95682.
- 3) 12-19-13 A Warning Notice was sent to the property owner for the Property Maintenance Ordinance (PMO), via regular and certified mail to 1341 Arkansas Street Vallejo, CA 94590 and PO Box 1714 Shingle Springs, CA 95682. This Warning Notice advised the owner to correct the violations by 01-05-14, and to maintain the property to prevent it from becoming a public nuisance. An Administrative Warning Notice for the inoperative vehicles was sent to the owner at the same mailing addresses. This Administrative Warning Notice advised the owner to correct the violation by 01-05-14.
- 4) 2-3-14 I conducted a re-inspection. The missing or deteriorated siding has been repaired and the plywood on Santa Clara Street has been painted. The deteriorated deck fence/rail was still the same, and the inoperative vehicles were still the same. Photographs were taken.
- 5) 2-4-14 A Notice of Violation for PMO Violations was sent via regular and certified mail to the owner at 1341 Arkansas Street Vallejo, CA 94590 and to PO Box 1714 Shingle Springs, CA 95682. This Notice of

- 
- Violation advised the owner to repair the front deck railing by 2-23-14, and to maintain the property to prevent it from becoming a public nuisance. A 1<sup>st</sup> Administrative Citation for the storage of inoperative vehicles was sent to the same addresses advising the owner to correct the violation by 2-23-14.
- 6) 2-10-14 Copies of the Notice of Violation and the 1st Administrative Citation were posted. A photo was taken.
  - 7) 3-7-14 I conducted another re-inspection. The deteriorated deck rails and inoperative vehicles were still the same. Photographs were taken.
  - 8) 3-10-14 A 1<sup>st</sup> Administrative Citation for the PMO Violations was sent to the owner, via regular and certified mail to 1341 Arkansas Street, Vallejo, CA 94590 and to PO Box 1714 Shingle Springs, CA 95682. This 1<sup>st</sup> Administrative Citation advised the owner to correct the violation by 3-30-14, and to maintain the property to prevent it from becoming a public nuisance. A 2nd Administrative Citation for the storage of the inoperative vehicles was sent to the same addresses advising the owner to correct the violation by 3-30-14.
  - 9) 3-11-14 Copies of the 1<sup>st</sup> Administrative Citation for the deck rail and the 2nd Administrative Citation for the inoperative vehicles were posted. A photo was taken.
  - 10) 3-25-14 The property owner, Michael Vonderhaar, came into Code Enforcement Office with copies of the 1<sup>st</sup> Administrative Citation for the deteriorated deck rail and the 2nd Administrative Citation for storage of the inoperative vehicles. He wanted to appeal the citations. I advised him he needed to complete and submit the Appeal Application by end of this date. He filled out the Appeal Application and submitted it, but didn't have enough time to complete the Fee Waiver Form. Mr. Vonderhaar was told to turn the Fee Waiver Form in immediately for review; otherwise his appeal would be voided. He understood and said he would fill it out and drop it inside our door slot.
  - 11) 4-16-14 I called the owner, Mr. Vonderhaar and left a message stating it has been 3 weeks and have not received the Fee Wavier Form. He was advised if the Fee Waiver Form was not turned in by 4-23-14, then he would forfeit his appeal rights.
  - 12) 4-22-14 Fee Waiver Form received from the owner and turned over to the Code Enforcement Division Manager for review.
  - 13) 5-1-14 Code Enforcement Manager, Nimat Shakoor-Grantham, reviewed the Fee Waiver Form. She determined the property owner didn't demonstrate financial inability to qualify for the fee waiver. The Manager determined the owner should pay half of the fee due for the appeal.
  - 14) 6-9-14 A letter stating the Code Enforcement Manager's decision and to pay the advance fine deposit by June 20, 2014 or to contact the Officer with any questions. If not paid by this date, then it shall deem to have waived his right to an administrative hearing. The owner failed to respond to the letter.
  - 15) 7-10-14 The owner failed to respond to the letter dated 6-9-14. I conducted a re-inspection. The deck rail has been repaired, but the inoperative vehicles were still on the property. Photographs were taken of the vehicles.
  - 16) 7-10-14 A 3<sup>rd</sup> Administrative Citation for the inoperative vehicles sent to the addresses, via regular and certified mail to remove the inoperative vehicles by 7-31-14.

- 
- 17) 7-14-14 A copy of the 3<sup>rd</sup> Administrative Citation was posted and a photo taken.
- 18) 7-23-14 The property owner, Michael Vonderhaar, called and left a message stating “seems there are still problems with his property in Vallejo” and asked for a call back on his cell phone at (707) 235-6771. I called the owner and left a message asking for a call back at (707) 648-4389.
- 19) 7-24-14 The Code Enforcement Manager, Nimat Shakoor-Grantham and I met with the property owner, Michael Vonderhaar in the Planning Conference Room. Mr. Vonderhaar was advised he failed to respond to the letter dated June 9, 2014. He now wanted to appeal the 3<sup>rd</sup> Administrative Citation. Mr. Vonderhaar had a copy of the hearing agenda and staff report for this property and for the same violations from 2005. He said he met with Code Enforcement Manager, Nimat Shakoor-Grantham and the Department Manager, Brian Dolan about the same vehicles in 2005. Mr. Vonderhaar said he was told to put car covers over the vehicles and they will be in compliance. He wanted to know why he was in violation now 10 years later. Code Enforcement Manager, Nimat Shakoor-Grantham, advised Mr. Vonderhaar, she had to find out what exactly happened at that meeting in 2005. She advised Mr. Vonderhaar neither Brian Dolan nor she can allow him to put car covers over the inoperative vehicles and make them come into compliance. Nimat asked if we can make a copy of the 2005 hearing agenda and the staff report. Mr. Vonderhaar wanted Nimat to let her Supervisor, Craig Whittom, know about this issue before he goes and speaks to him.  
Mr. Vonderhaar also filled out an Appeal Application for the 3<sup>rd</sup> Administrative Citation and the Fee Wavier application. Nimat reviewed the application and discussed the details with Mr. Vonderharr. She approved the application.
- 20) 7-28-14 I called Mr. Vonderhaar and asked if he can provide a copy of the 2005 hearing packet for review. He said he will bring the documents into Code enforcement Office next week, as long as he didn't have any medical procedures scheduled. Mr. Vonderhaar will let call me by end of the week.
- 21) 8-7-14 I called Mr. Vonderhaar and advised him that he has been waiting for his call back to see when he will be bringing a copy of the 2005 hearing document. He said he was on his way to the doctor and will know what will happen by end of the day. Mr. Vonderhaar promised to call me back by next day.
- 22) 9-8-14 I conducted a re-inspection and the inoperative vehicles were still on the property.

## ATTACHMENTS

1. Photographs dated 12-18-13
2. Warning Notice for PMO dated 12-19-13
3. Administrative Warning Notice for vehicles dated 12-19-13
4. Photographs dated 2-3-14
5. Notice of Violation for PMO dated 2-4-14
6. 1<sup>st</sup> Administrative Citation for vehicles dated 2-4-14
7. Photographs dated 3-7-14
8. 1<sup>st</sup> Administrative Citation for PMO dated 3-10-14
9. 2<sup>nd</sup> Administrative Citation for vehicles dated 3-10-14
10. Photographs dated 7-10-14
11. 3<sup>rd</sup> Administrative Citation dated 7-10-14
12. Photographs dated 9-8-14

**RECOMMENDATION**

Based upon the evidence presented, Staff recommends that the Board:

1. Uphold the third Citation for the storage of the inoperative vehicles, and order the property owner to pay the fines incurred on or before 30 days from the date of this hearing.
2. Remove the inoperative vehicles from the property or provide proof that all of the vehicles are operational with current registration.

**CONTACT**

Dong M. Yoo, Senior Code Enforcement Officer  
(707) 648-4389  
dyoo@ci.vallejo.ca.us



344 Florida Street Boarded up opening but unpainted on Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\annual\2013\Dec 2013\12-18-13



DSCN2515.JPG  
4000x3000x24(RGB)  
2,755.88 KB



DSCN2516.JPG  
4000x3000x24(RGB)  
2,797.82 KB

344 Florida Street deteriorated or missing sidings.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\annual\2013\Dec 2013\12-18-13



DSCN2517.JPG  
4000x3000x24(RGB)  
2,759.83 KB



DSCN2518.JPG  
4000x3000x24(RGB)  
2,725.71 KB

344 Florida Street deteriorated deck railing in the front.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\annual\2013\Dec 2013\12-18-13



DSCN2519.JPG  
4000x3000x24(RGB)  
2,727.31 KB



DSCN2520.JPG  
4000x3000x24(RGB)  
2,803.92 KB

344 Florida Street Inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\annual\2013\Dec 2013\12-18-13



DSCN2521.JPG  
4000x3000x24(RGB)  
2,758.82 KB



DSCN2522.JPG  
4000x3000x24(RGB)  
2,800.29 KB

344 Florida Street Inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\annual\2013\Dec 2013\12-18-13



DSCN2523.JPG  
4000x3000x24(RGB)  
2,730.84 KB



DSCN2524.JPG  
4000x3000x24(RGB)  
2,731.78 KB

344 Florida Street Inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\annual\2013\Dec 2013\12-18-13



DSCN2525.JPG  
4000x3000x24(RGB)  
2,779.27 KB



DSCN2526.JPG  
4000x3000x24(RGB)  
2,704.08 KB

344 Florida Street Inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\annual\2013\Dec 2013\12-18-13



DSCN2527.JPG  
4000x3000x24(RGB)  
2,734.98 KB

## **WARNING NOTICE**

12/19/2013

VONDERHAAR PAULINE A TR  
1341 ARKANSAS ST  
VALLEJO, CA 94590

VONDERHAAR PAULINE A TR  
PO BOX 1714  
SHINGLE SPRINGS, CA 95682

CASE NO.: CE13-3300  
PARCEL NO.: 0055104120  
LOCATION: 344 FLORIDA ST

***Via certified mail, return receipt requested, and first class mail***

We need your help! The property referenced, owned or controlled by you is in need of your immediate attention. An inspection was made on **12/18/2013**. On that date, it was noted that your property is in violation of one or more sections of the Vallejo Municipal Code, Property Maintenance Ordinance 7.54.030.

**Section 7.54.030 B. Prohibits unpainted buildings, buildings having dry rot warping, or termite infestation. Properly prepare, primer and paint the plywood on the Santa Clara Street side.**

**Section 7.54.030 D. Prohibits building exteriors, walls, roofs, accessory structures, driveways, walkways or alleys that are deteriorated or in disrepair. Repair all missing, damaged and/or deteriorated exterior wall shingles. Repair the deteriorated front deck railing.**

**Section 7.54.030 S. Prohibits maintenance of property in such a manner as to constitute a public nuisance. Correct above violations, monitor and maintain property free from blight and public safety issues.**

I hope you understand that the purpose of the Ordinance(s) is to benefit the entire community by maintaining real property and preventing deterioration of neighborhoods in our City. Please take immediate action to remedy this violation.

Failure to correct the noted violations **by 01/05/2014** may result in issuance of an administrative charge of \$219.00, incurrence of City abatement costs, the issuance of Administrative Citations (first citation \$200.00, second \$500.00, third and subsequent citations \$750.00 per violation, per day that each violation continues to exist past the correction date) or other enforcement action by the City.

Please be advised that if your property is found to be in violation again within twelve (12) months of compliance with this notice, you will receive an administrative fine of \$219.00. In



addition, you may be subject to the aforementioned administrative citations. If you have any questions, please call this office at (707) 648-4469.

Sincerely,



DONG M. YOO

Code Enforcement Officer



# CITY OF VALLEJO

## CODE ENFORCEMENT DIVISION

555 Santa Clara Street • P.O. Box 3068 • California • 94590-5934 • (707) 648-4469  
FAX: (707) 649-3540

### WARNING LETTER

12/19/2013

VONDERHAAR PAULINE A TR  
1341 ARKANSAS ST  
VALLEJO, CA 94590

VONDERHAAR PAULINE A TR  
PO BOX 1714  
SHINGLE SPRINGS, CA 95682

CASE NO: CE13-3300  
PARCEL: 0055104120  
LOCATION: 344 FLORIDA ST

We need your help! The property referenced, owned or controlled by you is in need of your immediate attention. As you may not be aware, your property was reported to be in violation of the Vallejo Municipal Code.

Comments: Section 7.64 Prohibits storage of inoperative, unregistered, wrecked or dismantled vehicles on the property. A "Non-Op" status registration with DMV is still in violation of this ordinance. Remove all inoperative and/or unregistered vehicles from the property by 1/5/2014 to avoid a \$200.00 Administrative Citation.

I hope you understand that the purpose of the Ordinance is to benefit the entire community by maintaining real property and preventing deterioration of neighborhoods in our City. Please take immediate action to remedy this violation.

Failure to correct the noted violations by **01/05/2014** may result in issuance of an Administrative Citation (first citation \$200.00, second \$500.00, third and subsequent citations \$750.00 per violation, per day), or other enforcement action by the City. If you have any questions please call this office (707) 644-4469.

Sincerely,

DONG M. YOO  
Code Enforcement Division

344 Florida Street The deteriorated siding has been repaired and board painted, but still had the inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\2014\Feb 2014\2-3-14



DSCN3351.JPG  
4000x3000x24(RGB)  
2,757.99 KB



DSCN3352.JPG  
4000x3000x24(RGB)  
2,901.23 KB

344 Florida Street The deteriorated siding has been repaired and board painted, but still had the inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\2014\Feb 2014\2-3-14



DSCN3353.JPG  
4000x3000x24(RGB)  
2,742.67 KB



DSCN3354.JPG  
4000x3000x24(RGB)  
2,719.40 KB

344 Florida Street The deteriorated siding has been repaired and board painted, but still had the inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\2014\Feb 2014\2-3-14



DSCN3355.JPG  
4000x3000x24(RGB)  
2,765.70 KB



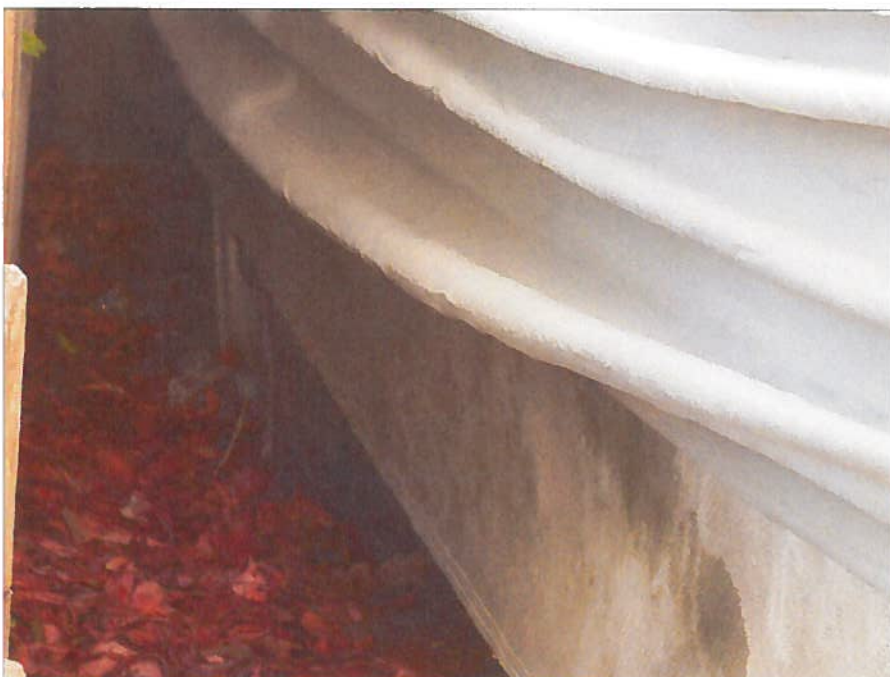
DSCN3356.JPG  
4000x3000x24(RGB)  
2,773.88 KB

344 Florida Street The deteriorated siding has been repaired and board painted, but still had the inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\2014\Feb 2014\2-3-14



DSCN3357.JPG  
4000x3000x24(RGB)  
2,812.97 KB



DSCN3358.JPG  
4000x3000x24(RGB)  
2,632.52 KB

344 Florida Street The deteriorated siding has been repaired and board painted, but still had the inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\2014\Feb 2014\2-3-14



DSCN3359.JPG  
4000x3000x24(RGB)  
2,801.95 KB



DSCN3360.JPG  
4000x3000x24(RGB)  
2,771.73 KB

2/4/2014

VONDERHAAR PAULINE A TR  
1341 ARKANSAS ST  
VALLEJO, CA 94590

VONDERHAAR PAULINE A TR  
PO BOX 1714  
SHINGLE SPRINGS, CA 95682

NOV/CE13-3300/344 FLORIDA ST/DONG M YOO

## **NOTICE OF VIOLATION**

*Via certified mail, return receipt requested, and first class mail to the property owner at the address shown on the county's last property tax assessment rolls or to any other address known for the property owner. The failure of any property owner to receive this notice shall not affect the validity of any proceedings taken under Chapter 7.54 (Property Maintenance Ordinance) of the Vallejo Municipal Code.*

**CASE NO.: CE13-3300**  
**PARCEL NO.:0055104120**  
**LOCATION: 344 FLORIDA ST**

You are hereby notified that a **reinspection was performed on 02/04/2014** and the violation(s) was not abated within the time limit specified in the Warning Notice. The conditions that exist on the subject property owned or controlled by you constitute an unlawful public nuisance as defined in **Section 7.54.030** of the Vallejo Municipal Code (Property Maintenance Ordinance). The following violation(s) which were observed during my initial inspection on 12/18/2013 **must be corrected by 02/23/2014**.

### **DESCRIPTION OF VIOLATION(S) AND REQUIRED CORRECTIVE ACTION(S)**

**Section 7.54.030 D. Prohibits building exteriors, walls, roofs, accessory structures, driveways, walkways or alleys that are deteriorated or in disrepair. Repair the deteriorated front deck railing.**

**Section 7.54.030 S. Prohibits maintenance of property in such a manner as to constitute a public nuisance. Correct above violations, monitor and maintain property free from blight and public safety issues.**

### **ADMINISTRATIVE CHARGE**

**A charge of \$219.00, as established by resolution by the City Council, is now owed to the City pursuant to Section 7.54.140 of the Vallejo Municipal Code payable twenty (20) days of the effective date of this notice.** Any property owner who fails to pay the administrative charges or abatement costs including incidental costs owed to the City shall be liable in any action brought by the City for costs incurred in securing payment of the delinquent amount. Legal action may include costs and/or charges being liened against the property and/or applied as a special assessment to the ordinary secured property taxes.



**How to Pay the Fine:** Payment may be made in person at the Vallejo City Hall, 1st Floor – Cashier (please bring this notice to the cashier and drop off the duplicate receipt to the Code Enforcement Division office for recording) or by mail addressed to the City of Vallejo Code Enforcement Division, 555 Santa Clara Street, Vallejo, CA 94590-5922. Payment by mail should be made by personal check, cashier's check or money order, payable to the City of Vallejo. Make sure to include the case number CE13-3300 and account number 001-1303-310-36-13 on your check.

*If the code enforcement manager or other city employees designated by the city manager determines the violation to be immediately dangerous to the general welfare, health and safety, the same may be summarily abated without compliance with the provisions of this code. Abatement may include, but is not limited to boarding of windows, doors and other openings to city specifications, removal of junk and debris, and securing the perimeter of the property with fencing, gates or barricades to prevent further occurrences of the nuisance activity.*

### **CONSEQUENCES OF NOT ABATING**

**Should these conditions not be corrected by 02/23/2014, the following action(s) may be taken:**

**Administrative Citation:** 1st Citation \$200.00, 2nd Citation \$500.00, 3rd and subsequent Citations \$750.00 - *per violation*, per day that each violation continues to exist past the correction.

**City Abatement:** The City may have the work done with city employees and/or by private contract if a violation is not abated within the time limit specified in this notice. **The costs of abatement, including incidental costs shall be billed to the property owner pursuant to Section 7.54.140 of the Vallejo Municipal Code and will be due and payable within thirty (30) days of the date the billing is mailed to the property owner.**

**Liens and Special Assessments:** The amount of any unpaid administrative charges and/or abatement costs including incidental costs may be made a lien on the real property on which the violation occurred and may constitute as a special assessment added to the ordinary secured property taxes.

**Civil Action:** \$50.00 per day for every day each separate violation exists

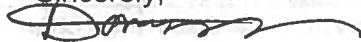
**Criminal Citation:** Maximum penalty of \$500.00 fine for every day each separate violation exists.

### **APPEALS PROCESS**

**Information on the process to appeal this notice is attached, which includes the amount of the appeal fee and procedure for requesting an appeal fee waiver.**

If you have any questions, please contact me immediately at the phone number or e-mail address listed below or call this office at (707) 648-4469. Thank you.

Sincerely,



DONG M. YOO

Code Enforcement Officer

(707) 648-4389

[dyoo@ci.vallejo.ca.us](mailto:dyoo@ci.vallejo.ca.us)

## NOTICE OF VIOLATION APPEALS PROCESS

Any property owner may appeal the notice of violation and may request a hearing before the Code Enforcement Appeals Board as follows:

1. An appeal form shall be obtained from the Code Enforcement Manager via the Code Enforcement Division office. The completed appeal form shall be filed with the Code Enforcement Manager via the Code Enforcement Division office **within fifteen (15) days of the effective date of the notice of violation, which is the date of the first class mailing, together with an appeal fee of \$658.00 as established by resolution by the City Council or a request for an appeal fee waiver.**
2. Only after the completed appeal form has been filed together with the appeal fee or with an *approved* appeal fee waiver shall the Code Enforcement Manager set the date for a hearing. The hearing shall be set for a date not less than fifteen (15) days nor more than sixty (60) days after the Code Enforcement Manager via the Code Enforcement Division office received the request.
3. The appellant may request one continuance, but in no event shall the hearing be continued more than thirty (30) days after the date of the originally scheduled hearing unless the Code Enforcement Manager finds circumstances of hardship warrant a longer continuance not to exceed ninety (90) days after the date of the originally scheduled hearing.
4. The appellant shall be notified by first class mail and certified mail, return receipt requested, of the date, time and place set for the hearing. Such notice shall be sent at least ten (10) days prior to the date of the hearing. The notice shall include a statement that if the violation is found to be a public nuisance and the violation is not substantially abated, then the city may pursue any and all legal and equitable remedies for the recovery of unpaid abatement costs and administrative charges. The notice shall be sent to the appellant at the address provided on the completed appeal form. Failure of the appellant to receive such notice shall not affect the validity of any proceedings taken under Chapter 7.54 of the Vallejo Municipal Code.
5. Any documentation, other than the notice of violation, which the Code Enforcement Manager has submitted or will submit to the Code Enforcement Appeals Board, shall be served on the appellant at least three (3) days before the hearing.

Failure of any property owner to file an appeal in accordance with the provisions of Section 7.54.080 of the Vallejo Municipal Code shall be deemed to waive his or her right to an appeal hearing.

**Appeal Fee Waiver.** Any property owner who requests a hearing to appeal a notice of violation and is financially unable to pay the appeal fee may file a request for an appeal fee waiver as follows:

1. The request for waiver shall be made on a form obtained from the Code Enforcement Manager via the Code Enforcement Division office and submitted to the Code Enforcement Manager via the Code Enforcement Division office within fifteen (15) days of the effective date of the notice of violation.
2. The Code Enforcement Manager may issue an appeal fee waiver only if the person requesting the waiver submits a sworn affidavit together with any supporting documents demonstrating to the satisfaction of the manager the person's financial inability to deposit with the city the full amount of the fee in advance of the appeal hearing.
3. The Code Enforcement Manager via the Code Enforcement Division office shall issue a written decision specifying the reasons for issuing or not issuing the waiver within ten (10) days of the receipt of the request. The decision of the Code Enforcement Manager shall be final.
4. If the Code Enforcement Manager office determines a waiver is not warranted, the property owner shall remit the appeal fee within ten (10) days of the determination. If the Code Enforcement Manager via the Code Enforcement Division office does not receive the appeal fee within this time period, the request for hearing shall not be accepted and shall constitute a failure of the property owner to exhaust his or her administrative remedies.

Code Enforcement Division  
555 Santa Clara Street  
VALLEJO CA 94590-5922

CE13 3300 NOV DY  
344 FLORIDA ST

US POSTAGE AND FEES PAID  
FIRST CLASS  
Feb 05 2014  
Mailed from ZIP 94590  
1 oz First Class Mail  
Letter Rate (No surcharge)  
CID: 73722



071S00534813

**USPS CERTIFIED MAIL**



**9414 8106 9994 5003 8564 05**

VONDERHAAR PAULINE A TR (a)  
1341 ARKANSAS ST  
VALLEJO CA 94590-3943



---

FOLD ALONG THIS LINE

Code Enforcement Division  
555 Santa Clara Street  
VALLEJO CA 94590-5922

CE13 3300 NOV DY  
344 FLORIDA ST

**USPS CERTIFIED MAIL**



**9414 8106 9994 5003 8564 36**

VONDERHAAR PAULINE A TR (b)  
PO BOX 1714  
SHINGLE SPRINGS CA 95682-1714

**US POSTAGE AND FEES PAID**

**FIRST CLASS**

Feb 05 2014

Mailed from ZIP 94590

1 oz First Class Mail

Letter Rate (No surcharge)

CID: 73722



endicia.com

071S00534813



---

FOLD ALONG THIS LINE

## Administrative Citation

1st Citation     2nd Citation     3rd Citation     4th Citation     5th Citation

PERSON CITED:

CASE #: CE13-3300

VONDERHAAR PAULINE A TR

VIOLATION ADDRESS:

PARCEL #:

344 FLORIDA ST

0055104120

MAILING ADDRESS:

1341 ARKANSAS ST VALLEJO CA 94590,    PO BOX 1714 SHINGLE SPRINGS, CA 95682

An administrative fine in the amount stated below is now being imposed. To avoid additional citations please correct this code violation by 02/23/2014. Other enforcement action may result if compliance is not achieved by the 3rd Citation.

FINE AMOUNT	MUNICIPAL CODE SECTION VIOLATED VIOLATION DESCRIPTION AND REQUIRED CORRECTION
\$200.00	Section 7.64 Prohibits storage of inoperative, unregistered, wrecked or dismantled vehicles on the property. A "Non-Op" status registration with DMV is still in violation of this ordinance. Remove all inoperative and/or unregistered vehicles form the property .
\$200.00	(see reverse side for payment and appeal instructions)

Date and time violation was observed: 2-3-14

Citation Date: 2/4/2014

Issuing Officer: DONG M. YOO

Signature: 

Citing Department / Division: Code Enforcement Division

Phone Number: (707) 648-4469

Division Address: City of Vallejo Code Enforcement Division, 555 Santa Clara St. 1<sup>st</sup> floor, Vallejo, CA 94590**READ REVERSE SIDE FOR IMPORTANT APPEAL INFORMATION**

## ADMINISTRATIVE CITATION

City of Vallejo Municipal Code, Chapter 15, provides for the issuance of administrative citations for Municipal Code violations. The level of the citation and fine is indicated on the front of the citation. Each Municipal Code section violated is a separate offense with an independent fine. Likewise, each day any violation exists is a separate and distinct offense. Fines per each Municipal Code section violated are as follows: First Citation \$200.00, Second Citation \$500.00, Third and subsequent citations \$750.00.

### RIGHTS OF APPEAL

**You have the right to appeal this administrative citation within 15 calendar days from the date of the 1st class mailing of the citation. The failure of any person to file a request for hearing shall be deemed to have waived his or her right to an administrative hearing. A request for hearing form shall be obtained from the citing department listed near the bottom of the Administrative Citation. This request must be accompanied by an advance deposit of the imposed fine or a request for an Advance Fine Deposit Waiver as explained below. You will be sent a written notice of the date and time set for your hearing. A failure to appear at the administrative citation hearing shall constitute a forfeiture of the fine and shall be deemed a waiver of your right to an administrative hearing. The Code Enforcement Appeals Board (Board) or Hearing Officer's decision shall be final. You may seek judicial review of the decision of the Board or hearing officer by filing a petition with a court of competent jurisdiction pursuant to California Code of Civil Procedure §1094.5 and §1094.6.**

### ADVANCE DEPOSIT WAIVER

If you contend that you are financially unable to make the advance fine deposit required to request a hearing of your Administrative Citation, you must file a request for Advance Fine Deposit Waiver. The request form may be obtained from the citing department. This form together with supporting documentation must be filed with the Hearing Request Form. The decision specifying the reasons for issuing or not issuing the waiver will be made in writing by the director (or his/her designee) of the citing department. The written determination shall be final and shall be served upon the person who applied for the waiver. If the director decides not to issue a waiver, the advance fine deposit shall be remitted within 10 days of the decision. If the advance fine deposit is not received by the citing department by this date, the request for hearing shall not be accepted and you shall be deemed to have waived your right to an administrative hearing.

### HOW TO PAY THE FINE

The amount of the fine is indicated on the front of this administrative citation. **If the fine is not paid within 30 calendar days from the date of the citation, a \$890.00 administrative charge will be imposed.** Payment may be made in person at the Vallejo City Hall or by mail addressed to the City of Vallejo Code Enforcement Division, 555 Santa Clara Street, Vallejo, CA 94590. Payment by mail should be made by personal check, cashier's check or money order, payable to the City of Vallejo – Account No. 001-1303-310-36-13. Be sure to **write the Citation Number** on your check or money order and **enclose a copy of this Administrative Citation.**

### CONSEQUENCES OF FAILURE TO PAY THE FEE

Any unpaid fees and/or costs may be recovered by the City through a lien or declared a special assessment against the subject property. Alternatively, the City may collect the fee and/or costs in a civil court action. Any person who fails to pay any fee and/or costs shall be liable in any action brought by the City for costs incurred in securing payment of the delinquent amount.

### CONSEQUENCES OF FAILURE TO CORRECT VIOLATIONS

There are numerous enforcement options that can be used to encourage the correction of violations. These options include, but are not limited to, civil penalties, abatement, criminal prosecution, civil litigation, recording the violation with the County Recorder and forfeiture of certain State tax benefits for substandard residential rental property. These options can empower the City to collect fines, fees, demolish structures, make necessary repairs at the owner's expense, and incarcerate violators. Any of these options or others may be used if the notice and/or citations do not result in the achievement of compliance. If you need further clarification, please call the Department listed on the front of the citation.

Code Enforcement Division  
555 Santa Clara Street  
VALLEJO CA 94590-5922

CE13 3300 C1 DY  
344 FLORIDA ST

US POSTAGE AND FEES PAID

FIRST CLASS

Feb 05 2014

Mailed from ZIP 94590

1 oz First Class Mail

Letter Rate (No surcharge)

CID: 73722



071S00534813

USPS CERTIFIED MAIL



9414 8106 9994 5003 8564 50

VONDERHAAR PAULINE A TR (a)  
1341 ARKANSAS ST  
VALLEJO CA 94590-3943



---

FOLD ALONG THIS LINE

Code Enforcement Division  
555 Santa Clara Street  
VALLEJO CA 94590-5922

CE13 3300 C1 DY  
344 FLORIDA ST

US POSTAGE AND FEES PAID

**FIRST CLASS**  
Feb 05 2014  
Mailed from ZIP 94590  
1 oz First Class Mail  
Letter Rate (No surcharge)  
CID: 73722



endicia.com

071S00534813

**USPS CERTIFIED MAIL**



**9414 8106 9994 5003 8564 67**

VONDERHAAR PAULINE A TR (b)  
PO BOX 1714  
SHINGLE SPRINGS CA 95682-1714



---

FOLD ALONG THIS LINE



344 Florida Street Still had the deteriorated front deck railing and the inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\2014\March 2014\3-7-14



DSCN3676.JPG  
4000x3000x24(RGB)  
2,757.56 KB



DSCN3677.JPG  
4000x3000x24(RGB)  
2,912.49 KB

344 Florida Street Still had the deteriorated front deck railing and the inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\2014\March 2014\3-7-14



DSCN3680.JPG  
4000x3000x24(RGB)  
2,805.96 KB



DSCN3681.JPG  
4000x3000x24(RGB)  
2,893.64 KB

344 Florida Street Still had the deteriorated front deck railing and the inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\2014\March 2014\3-7-14



DSCN3682.JPG  
4000x3000x24(RGB)  
2,776.59 KB



DSCN3683.JPG  
4000x3000x24(RGB)  
2,811.28 KB

344 Florida Street Still had the deteriorated front deck railing and the inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\2014\March 2014\3-7-14



DSCN3684.JPG  
4000x3000x24(RGB)  
2,777.64 KB



DSCN3685.JPG  
4000x3000x24(RGB)  
2,782.58 KB

344 Florida Street Still had the deteriorated front deck railing and the inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\2014\March 2014\3-7-14



DSCN3686.JPG  
4000x3000x24(RGB)  
2,732.70 KB



DSCN3687.JPG  
4000x3000x24(RGB)  
2,744.24 KB

344 Florida Street Still had the deteriorated front deck railing and the inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\2014\March 2014\3-7-14



DSCN3688.JPG  
4000x3000x24(RGB)  
2,761.98 KB



DSCN3689.JPG  
4000x3000x24(RGB)  
2,847.33 KB

CITY OF VALLEJO

CITATION #: CE13-3300A

Administrative Citation

1st Citation     2nd Citation     3rd Citation     4th Citation     5th Citation

PERSON CITED:

CASE #: CE13-3300

VONDERHAAR PAULINE A TR

VIOLATION ADDRESS:

PARCEL #:

344 FLORIDA ST

0055104120

MAILING ADDRESS:

1341 ARKANSAS ST VALLEJO CA 94590

PO Box 1714 Shingle Springs, CA 95682

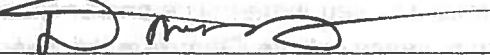
An administrative fine in the amount stated below is now being imposed. To avoid additional citations please correct this code violation by 03/30/2014. Other enforcement action may result if compliance is not achieved by the 3rd Citation.

FINE AMOUNT	MUNICIPAL CODE SECTION VIOLATED VIOLATION DESCRIPTION AND REQUIRED CORRECTION
\$200.00	Section 7.54.030 D. Prohibits building exteriors, walls, roofs, accessory structures, driveways, walkways or alleys that are deteriorated or in disrepair. Repair the deteriorated front deck railings.
\$200.00	Section 7.54.030 S. Prohibits maintenance of property in such a manner as to constitute a public nuisance. Correct above violations, monitor and maintain property free from blight and public safety issues.
\$400.00	(see reverse side for payment and appeal instructions)

Date and time violation was observed: 3-7-14

Citation Date: 3/10/2014

Issuing Officer: DONG M. YOO

Signature: 

Citing Department / Division: Code Enforcement Division

Phone Number: (707) 648-4469

Division Address: City of Vallejo Code Enforcement Division, 555 Santa Clara St. 1<sup>st</sup> floor, Vallejo, CA 94590

**READ REVERSE SIDE FOR IMPORTANT APPEAL INFORMATION**

## ADMINISTRATIVE CITATION

City of Vallejo Municipal Code, Chapter 1.15, provides for the issuance of administrative citations for Municipal Code violations. The level of the citation and fine is indicated on the front of the citation. Each Municipal Code section violated is a separate offense with an independent fine. Likewise, each day any violation exists is a separate and distinct offense. Fines per each Municipal Code section violated are as follows: First Citation \$200.00, Second Citation \$500.00, Third and subsequent citations \$750.00.

### RIGHTS OF APPEAL

**You have the right to appeal this administrative citation within 15 calendar days from the date of the 1st class mailing of the citation. The failure of any person to file a request for hearing shall be deemed to have waived his or her right to an administrative hearing. A request for hearing form shall be obtained from the citing department listed near the bottom of the Administrative Citation. This request must be accompanied by an advance deposit of the imposed fine or a request for an Advance Fine Deposit Waiver as explained below. You will be sent a written notice of the date and time set for your hearing. A failure to appear at the administrative citation hearing shall constitute a forfeiture of the fine and shall be deemed a waiver of your right to an administrative hearing. The Code Enforcement Appeals Board (Board) or Hearing Officer's decision shall be final. You may seek judicial review of the decision of the Board or hearing officer by filing a petition with a court of competent jurisdiction pursuant to California Code of Civil Procedure §1094.5 and §1094.6.**

### ADVANCE DEPOSIT WAIVER

If you contend that you are financially unable to make the advance fine deposit required to request a hearing of your Administrative Citation, you must file a request for Advance Fine Deposit Waiver. The request form may be obtained from the citing department. This form together with supporting documentation must be filed with the Hearing Request Form. The decision specifying the reasons for issuing or not issuing the waiver will be made in writing by the director (or his/her designee) of the citing department. The written determination shall be final and shall be served upon the person who applied for the waiver. If the director decides not to issue a waiver, the advance fine deposit shall be remitted within 10 days of the decision. If the advance fine deposit is not received by the citing department by this date, the request for hearing shall not be accepted and you shall be deemed to have waived your right to an administrative hearing.

### HOW TO PAY THE FINE

The amount of the fine is indicated on the front of this administrative citation. **If the fine is not paid within 30 calendar days from the date of the citation, a \$890.00 administrative charge will be imposed.** Payment may be made in person at the Vallejo City Hall or by mail addressed to the City of Vallejo Code Enforcement Division, 555 Santa Clara Street, Vallejo, CA 94590. Payment by mail should be made by personal check, cashier's check or money order, payable to the City of Vallejo – Account No. 001-1303-310-36-13. Be sure to **write the Citation Number** on your check or money order and **enclose a copy of this Administrative Citation.**

### CONSEQUENCES OF FAILURE TO PAY THE FEE

Any unpaid fees and/or costs may be recovered by the City through a lien or declared a special assessment against the subject property. Alternatively, the City may collect the fee and/or costs in a civil court action. Any person who fails to pay any fee and/or costs shall be liable in any action brought by the City for costs incurred in securing payment of the delinquent amount.

### CONSEQUENCES OF FAILURE TO CORRECT VIOLATIONS

There are numerous enforcement options that can be used to encourage the correction of violations. These options include, but are not limited to, civil penalties, abatement, criminal prosecution, civil litigation, recording the violation with the County Recorder and forfeiture of certain State tax benefits for substandard residential rental property. These options can empower the City to collect fines, fees, demolish structures, make necessary repairs at the owner's expense, and incarcerate violators. Any of these options or others may be used if the notice and/or citations do not result in the achievement of compliance. If you need further clarification, please call the Department listed on the front of the citation.



Code Enforcement Division  
555 Santa Clara Street  
VALLEJO CA 94590-5922

CE13 3300 C2V C1 DY  
344 FLORIDA ST

**USPS CERTIFIED MAIL**



**9414 8106 9994 5004 3165 64**

VONDERHAAR PAULINE A TR (a)  
1341 ARKANSAS ST  
VALLEJO CA 94590-3943



US POSTAGE AND FEES PAID  
**FIRST CLASS**  
Mar 11 2014  
Mailed from ZIP 94590  
1 oz First Class Mail  
Letter Rate (No surcharge)  
CID: 73722



endicia.com

071S00534813

---

FOLD ALONG THIS LINE

Code Enforcement Division  
555 Santa Clara Street  
VALLEJO CA 94590-5922

CE13 3300 C2V C1 DY  
344 FLORIDA ST

US POSTAGE AND FEES PAID  
FIRST CLASS  
Mar 11 2014  
Mailed from ZIP 94590  
1 oz First Class Mail  
Letter Rate (No surcharge)  
CID: 73722



071S00534813

**USPS CERTIFIED MAIL**



**9414 8106 9994 5004 3165 71**

VONDERHAAR PAULINE A TR (b)  
PO BOX 1714  
SHINGLE SPRINGS CA 95682-1714



---

FOLD ALONG THIS LINE

CITY OF VALLEJO

CITATION #: CE13-3300B

Administrative Citation

1st Citation  2nd Citation  3rd Citation  4th Citation  5th Citation

PERSON CITED:

CASE #: CE13-3300

VONDERHAAR PAULINE A TR

VIOLATION ADDRESS:

PARCEL #:

344 FLORIDA ST

0055104120

MAILING ADDRESS:

1341 ARKANSAS ST VALLEJO CA 94590, PO BOX 1714 SHINGLE SPRINGS, CA 95682

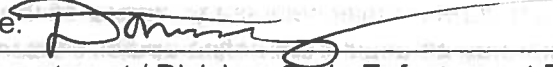
An administrative fine in the amount stated below is now being imposed. To avoid additional citations please correct this code violation by 03/30/2014. Other enforcement action may result if compliance is not achieved by the 3rd Citation.

FINE AMOUNT	MUNICIPAL CODE SECTION VIOLATED VIOLATION DESCRIPTION AND REQUIRED CORRECTION
\$500.00	Section 7.64 Prohibits storage of inoperative, unregistered, wrecked or dismantled vehicles on the property. A "Non-Op" status registration with DMV is still in violation of this ordinance. Remove all inoperative and/or unregistered vehicles form the property .
\$500.00	(see reverse side for payment and appeal instructions)

Date and time violation was observed: 3-7-14

Citation Date: 3/10/2014

Issuing Officer: DONG M. YOO

Signature: 

Citing Department / Division: Code Enforcement Division

Phone Number: (707) 648-4469

Division Address: City of Vallejo Code Enforcement Division, 555 Santa Clara St. 1<sup>st</sup> floor, Vallejo, CA 94590

**READ REVERSE SIDE FOR IMPORTANT APPEAL INFORMATION**

## ADMINISTRATIVE CITATION

City of Vallejo Municipal Code, Chapter 1.15, provides for the issuance of administrative citations for Municipal Code violations. The level of the citation and fine is indicated on the front of the citation. Each Municipal Code section violated is a separate offense with an independent fine. Likewise, each day any violation exists is a separate and distinct offense. Fines per each Municipal Code section violated are as follows: First Citation \$200.00, Second Citation \$500.00, Third and subsequent citations \$750.00.

### RIGHTS OF APPEAL

**You have the right to appeal this administrative citation within 15 calendar days from the date of the 1st class mailing of the citation. The failure of any person to file a request for hearing shall be deemed to have waived his or her right to an administrative hearing. A request for hearing form shall be obtained from the citing department listed near the bottom of the Administrative Citation. This request must be accompanied by an advance deposit of the imposed fine or a request for an Advance Fine Deposit Waiver as explained below. You will be sent a written notice of the date and time set for your hearing. A failure to appear at the administrative citation hearing shall constitute a forfeiture of the fine and shall be deemed a waiver of your right to an administrative hearing. The Code Enforcement Appeals Board (Board) or Hearing Officer's decision shall be final. You may seek judicial review of the decision of the Board or hearing officer by filing a petition with a court of competent jurisdiction pursuant to California Code of Civil Procedure §1094.5 and §1094.6.**

### ADVANCE DEPOSIT WAIVER

If you contend that you are financially unable to make the advance fine deposit required to request a hearing of your Administrative Citation, you must file a request for Advance Fine Deposit Waiver. The request form may be obtained from the citing department. This form together with supporting documentation must be filed with the Hearing Request Form. The decision specifying the reasons for issuing or not issuing the waiver will be made in writing by the director (or his/her designee) of the citing department. The written determination shall be final and shall be served upon the person who applied for the waiver. If the director decides not to issue a waiver, the advance fine deposit shall be remitted within 10 days of the decision. If the advance fine deposit is not received by the citing department by this date, the request for hearing shall not be accepted and you shall be deemed to have waived your right to an administrative hearing.

### HOW TO PAY THE FINE

The amount of the fine is indicated on the front of this administrative citation. **If the fine is not paid within 30 calendar days from the date of the citation, a \$890.00 administrative charge will be imposed.** Payment may be made in person at the Vallejo City Hall or by mail addressed to the City of Vallejo Code Enforcement Division, 555 Santa Clara Street, Vallejo, CA 94590. Payment by mail should be made by personal check, cashier's check or money order, payable to the City of Vallejo – Account No. 001-1303-310-36-13. Be sure to **write the Citation Number** on your check or money order and **enclose a copy of this Administrative Citation.**

### CONSEQUENCES OF FAILURE TO PAY THE FEE

Any unpaid fees and/or costs may be recovered by the City through a lien or declared a special assessment against the subject property. Alternatively, the City may collect the fee and/or costs in a civil court action. Any person who fails to pay any fee and/or costs shall be liable in any action brought by the City for costs incurred in securing payment of the delinquent amount.

### CONSEQUENCES OF FAILURE TO CORRECT VIOLATIONS

There are numerous enforcement options that can be used to encourage the correction of violations. These options include, but are not limited to, civil penalties, abatement, criminal prosecution, civil litigation, recording the violation with the County Recorder and forfeiture of certain State tax benefits for substandard residential rental property. These options can empower the City to collect fines, fees, demolish structures, make necessary repairs at the owner's expense, and incarcerate violators. Any of these options or others may be used if the notice and/or citations do not result in the achievement of compliance. If you need further clarification, please call the Department listed on the front of the citation.

Code Enforcement Division  
555 Santa Clara Street  
VALLEJO CA 94590-5922

CE13 3300 C2V C1 DY  
344 FLORIDA ST

US POSTAGE AND FEES PAID  
FIRST CLASS  
Mar 11 2014  
Mailed from ZIP 94590  
1 oz First Class Mail  
Letter Rate (No surcharge)  
CID: 73722



071S00534813

USPS CERTIFIED MAIL



9414 8106 9994 5004 3165 64

VONDERHAAR PAULINE A TR (a)  
1341 ARKANSAS ST  
VALLEJO CA 94590-3943



---

FOLD ALONG THIS LINE

Code Enforcement Division  
555 Santa Clara Street  
VALLEJO CA 94590-5922

CE13 3300 C2V C1 DY  
344 FLORIDA ST

US POSTAGE AND FEES PAID  
FIRST CLASS  
Mar 11 2014  
Mailed from ZIP 94590  
1 oz First Class Mail  
Letter Rate (No surcharge)  
CID: 73722



071S00534813

USPS CERTIFIED MAIL



9414 8106 9994 5004 3165 71

VONDERHAAR PAULINE A TR (b)  
PO BOX 1714  
SHINGLE SPRINGS CA 95682-1714



FOLD ALONG THIS LINE

344 Florida Street Still had the inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\2014\July 2014\7-10-14



DSCN1635.JPG  
4000x3000x24(RGB)  
2,723.49 KB



DSCN1636.JPG  
4000x3000x24(RGB)  
2,754.13 KB

344 Florida Street Still had the inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\2014\July 2014\7-10-14



DSCN1639.JPG  
4000x3000x24(RGB)  
2,718.36 KB



DSCN1640.JPG  
4000x3000x24(RGB)  
2,808.65 KB



344 Florida Street Still had the inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\2014\July 2014\7-10-14



DSCN1637.JPG  
4000x3000x24(RGB)  
2,804.11 KB



DSCN1638.JPG  
4000x3000x24(RGB)  
2,657.13 KB

344 Florida Street Still had the inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\2014\July 2014\7-10-14



DSCN1641.JPG  
4000x3000x24(RGB)  
2,814.03 KB



DSCN1642.JPG  
4000x3000x24(RGB)  
2,764.90 KB

344 Florida Street Still had the inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\2014\July 2014\7-10-14



DSCN1643.JPG  
4000x3000x24(RGB)  
2,795.27 KB



DSCN1644.JPG  
4000x3000x24(RGB)  
2,661.38 KB

**Administrative Citation**

1st Citation     2nd Citation     3rd Citation     4th Citation     5th Citation

**PERSON CITED:**

**CASE #: CE13-3300**

**VONDERHAAR PAULINE A TR**

**VIOLATION ADDRESS:**

**PARCEL #:**

**344 FLORIDA ST**

**0055104120**

**MAILING ADDRESS:**

**1341 ARKANSAS ST VALLEJO CA 94590,    PO BOX 1714 SHINGLE SPRINGS, CA 95682**


An administrative fine in the amount stated below is now being imposed. To avoid additional citations please correct this code violation by 07/31/2014. Other enforcement action may result if compliance is not achieved by the 3rd Citation.

<b>FINE AMOUNT</b>	<b>MUNICIPAL CODE SECTION VIOLATED VIOLATION DESCRIPTION AND REQUIRED CORRECTION</b>
\$750.00	Section 7.64 Prohibits storage of inoperative, unregistered, wrecked or dismantled vehicles on the property. A "Non-Op" status registration with DMV is still in violation of this ordinance. Remove all inoperative and/or unregistered vehicles form the property .
\$750.00	<i>(see reverse side for payment and appeal instructions)</i>

Date and time violation was observed: 7-10-14

Citation Date: 7/10/2014

Issuing Officer: DONG M. YOO

Signature: 

Citing Department / Division: Code Enforcement Division

Phone Number: (707) 648-4469

Division Address: City of Vallejo Code Enforcement Division, 555 Santa Clara St. 1<sup>st</sup> floor, Vallejo, CA 94590

**READ REVERSE SIDE FOR IMPORTANT APPEAL INFORMATION**

## ADMINISTRATIVE CITATION

City of Vallejo Municipal Code, Chapter 1.15, provides for the issuance of administrative citations for Municipal Code violations. The level of the citation and fine is indicated on the front of the citation. Each Municipal Code section violated is a separate offense with an independent fine. Likewise, each day any violation exists is a separate and distinct offense. Fines per each Municipal Code section violated are as follows: First Citation \$200.00, Second Citation \$500.00, Third and subsequent citations \$750.00.

### RIGHTS OF APPEAL

**You have the right to appeal this administrative citation within 15 calendar days from the date of the 1st class mailing of the citation. The failure of any person to file a request for hearing shall be deemed to have waived his or her right to an administrative hearing. A request for hearing form shall be obtained from the citing department listed near the bottom of the Administrative Citation. This request must be accompanied by an advance deposit of the imposed fine or a request for an Advance Fine Deposit Waiver as explained below. You will be sent a written notice of the date and time set for your hearing. A failure to appear at the administrative citation hearing shall constitute a forfeiture of the fine and shall be deemed a waiver of your right to an administrative hearing. The Code Enforcement Appeals Board (Board) or Hearing Officer's decision shall be final. You may seek judicial review of the decision of the Board or hearing officer by filing a petition with a court of competent jurisdiction pursuant to California Code of Civil Procedure §1094.5 and §1094.6.**

### ADVANCE DEPOSIT WAIVER

If you contend that you are financially unable to make the advance fine deposit required to request a hearing of your Administrative Citation, you must file a request for Advance Fine Deposit Waiver. The request form may be obtained from the citing department. This form together with supporting documentation must be filed with the Hearing Request Form. The decision specifying the reasons for issuing or not issuing the waiver will be made in writing by the director (or his/her designee) of the citing department. The written determination shall be final and shall be served upon the person who applied for the waiver. If the director decides not to issue a waiver, the advance fine deposit shall be remitted within 10 days of the decision. If the advance fine deposit is not received by the citing department by this date, the request for hearing shall not be accepted and you shall be deemed to have waived your right to an administrative hearing.

### HOW TO PAY THE FINE

The amount of the fine is indicated on the front of this administrative citation. **If the fine is not paid within 30 calendar days from the date of the citation, a \$890.00 administrative charge will be imposed.** Payment may be made in person at the Vallejo City Hall or by mail addressed to the City of Vallejo Code Enforcement Division, 555 Santa Clara Street, Vallejo, CA 94590. Payment by mail should be made by personal check, cashier's check or money order, payable to the City of Vallejo – Account No. 001-1303-310-36-13. Be sure to **write the Citation Number** on your check or money order and **enclose a copy of this Administrative Citation.**

### CONSEQUENCES OF FAILURE TO PAY THE FEE

Any unpaid fees and/or costs may be recovered by the City through a lien or declared a special assessment against the subject property. Alternatively, the City may collect the fee and/or costs in a civil court action. Any person who fails to pay any fee and/or costs shall be liable in any action brought by the City for costs incurred in securing payment of the delinquent amount.

### CONSEQUENCES OF FAILURE TO CORRECT VIOLATIONS

There are numerous enforcement options that can be used to encourage the correction of violations. These options include, but are not limited to, civil penalties, abatement, criminal prosecution, civil litigation, recording the violation with the County Recorder and forfeiture of certain State tax benefits for substandard residential rental property. These options can empower the City to collect fines, fees, demolish structures, make necessary repairs at the owner's expense, and incarcerate violators. Any of these options or others may be used if the notice and/or citations do not result in the achievement of compliance. If you need further clarification, please call the Department listed on the front of the citation.

Code Enforcement Division  
555 Santa Clara Street  
VALLEJO CA 94590-5922

US POSTAGE AND FEES PAID

FIRST CLASS

Jul 11 2014

Mailed from ZIP 94590

1 oz First Class Mail

Letter Rate (No surcharge)

CID: 73722



endicia.com

071S00534813

c3 ce13 3300 344 flond  
a st dy

USPS CERTIFIED MAIL



9407 1106 9994 5005 6448 72

VONDERHAAR PAULINE A TR  
PO BOX 1714  
SHINGLE SPRINGS CA 95682-1714



---

FOLD ALONG THIS LINE

Code Enforcement Division  
555 Santa Clara Street  
VALLEJO CA 94590-5922

c3 ce13 3300 344 flord  
a st dy

US POSTAGE AND FEES PAID  
FIRST CLASS  
Jul 11 2014  
Mailed from ZIP 94590  
1 oz First Class Mail  
Letter Rate (No surcharge)  
CID: 73722



endicia.com

071S00534813

USPS CERTIFIED MAIL



9407 1106 9994 5005 6448 65

VONDERHAAR PAULINE A TR  
1341 ARKANSAS ST  
VALLEJO CA 94590-3943



---

FOLD ALONG THIS LINE

344 Florida Street Still had the inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\9-8-14



DSCN2566.JPG  
4000x3000x24(RGB)  
2,773.60 KB



DSCN2567.JPG  
4000x3000x24(RGB)  
2,800.21 KB



344 Florida Street Still had the inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\9-8-14



DSCN2568.JPG  
4000x3000x24(RGB)  
2,785.91 KB



DSCN2569.JPG  
4000x3000x24(RGB)  
2,755.62 KB

344 Florida Street Still had the inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\9-8-14



DSCN2570.JPG  
4000x3000x24(RGB)  
2,714.66 KB



DSCN2571.JPG  
4000x3000x24(RGB)  
3,012.07 KB

344 Florida Street Still had the inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\9-8-14



DSCN2572.JPG  
4000x3000x24(RGB)  
2,765.22 KB



DSCN2573.JPG  
4000x3000x24(RGB)  
2,776.90 KB

344 Florida Street The deteriorated siding has been repaired and board painted, but still had the inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\2014\Feb 2014\2-3-14



DSCN3361.JPG  
4000x3000x24(RGB)  
2,772.58 KB



DSCN3362.JPG  
4000x3000x24(RGB)  
2,758.62 KB

344 Florida Street The deteriorated siding has been repaired and board painted, but still had the inoperative and/or unregistered vehicles stored on the Santa Clara Street side.

[home on Oes-home1] \\OES-HOME1\HOME\USERS\CE\DYOO\photos\2014\Feb 2014\2-3-14



DSCN3363.JPG  
4000x3000x24(RGB)  
2,792.55 KB



DSCN3364.JPG  
4000x3000x24(RGB)  
2,753.34 KB



# CITY OF VALLEJO

## CODE ENFORCEMENT DIVISION

555 Santa Clara Street • P.O. Box 3068 • California • 94590-5934 • (707) 648-4469  
FAX: (707) 649-3540

CASE #: CE 13-3300

### HEARING REQUEST FORM (ONLY THE PERSON CITED OR NOTICED MAY APPEAL)

PLEASE PRINT OR TYPE

- VACANT BUILDING MONITORING FEE (VMC CHAPTER 7.62)
- ADMINISTRATIVE CITATION (VMC CHAPTER 1.15)
- VACANT BUILDING NOTICE (VMC CHAPTER 7.62)
- PROPERTY MAINTENANCE ABATEMENT NOTICE
- OTHER: \_\_\_\_\_

BEFORE THE CODE ENFORCEMENT APPEALS BOARD:

THE APPEALS OF:

NAME(S): Michael / Pauline VONDER HAAR  
~~PO Box 1714~~ 344 FLORIDA ST.  
~~Shingle Springs~~ Vallejo CA.  
94550

SUBJECT PROPERTY: \_\_\_\_\_

MAILING ADDRESS: P.O. Box 1714  
SHINGLE SPRINGS CA.  
95682

1) Brief statement explaining your legal interest in the subject property (e.g., owner, tenant, etc.)

Family property son / Estate power of Attorney

2) Brief statement of reason for appeal, together with any material facts to support the appeal.

I RECEIVED CITATION # CE 13-3300 MARCH 17, 2014. So once I received this citation, I corrected the issues.

3) Statement of why protested order or action should be reversed or modified and what you want the outcome to be.

NEVER RECEIVED NOTICE. Out of State ~~FROM~~ FROM Dec. 13, 2013 - THRU Feb 22, 2014, ARRIVED in Valley on Mar. 17, 2014. READ notice AND REpaired items over weekend of Dec. 22: 23, 2014. In connection to the auto's PARKED ON CARPORT. HAVE ALREADY HAD THIS ISSUE resolved ten years ago when I had a meeting with Nimat Shakoor Boss. ELLAMAE Lofton was my contact back then

- I HAVE SUBMITTED THE REQUIRED APPEAL FEE.
- I HAVE SUBMITTED A REQUEST FOR APPEAL FEE WAIVER.

4) Signatures of all parties named as appellants, their official mailing addresses and daytime telephone number(s):

NAME: Michael / Pauline VONDER HAAR  
 MAILING ADDRESS: P.O. Box 1714  
 Shingle Springs CA, 95682  
 TELEPHONE NUMBER: [REDACTED]

NAME: Michael / William VONDER HAAR  
 MAILING ADDRESS: P.O. Box 296  
 JACKSON CA. 95642  
 TELEPHONE NUMBER: [REDACTED]

5) ALL APPELLANTS MUST SIGN THE FOLLOWING DECLARATION:

I certify and declare under the penalty of perjury under the laws of the State of California, that the foregoing is true and correct.

3.24. 2014  
DATE

Michael VONDER HAAR  
PRINT NAME

[Signature]  
SIGNATURE

DATE

PRINT NAME

SIGNATURE

(ATTACH ADDITIONAL PAGES IF NEEDED)

**344 Florida Street appeal fee waiver GRANTED**





## CODE ENFORCEMENT DIVISION

---

**HEARING DATE:** September 25, 2014  
**TO:** Code Enforcement Appeals Board  
**FROM:** Lorena Burciaga, Code Enforcement Officer  
**SUBJECT:** HEARING ON NOTICE OF VIOLATION AND CITATION #1

---

Subject Property Address: 3028 BURNETTE ST  
Parcel Number: 0071151280  
Owner of Record: BERGER, JEFFREY A  
Case Number: CE14-1457  
Violation(s): Vallejo Municipal Code Section 7.54.030 (under Chapter 7.54 known as the Property Maintenance Ordinance of the City of Vallejo) Section 7.64 (Storage of Inoperative and/or unregistered vehicles)

Section 7.54.030 F. Prohibits damaged lumber, junk, trash, salvage materials, household materials, etc.

Section 7.54.030 J. Prohibits vehicles, RVs, trailers and boats parked in front yard, on unpaved surface, in residential zoning districts.

Section 7.54.030 K. Prohibits dead, decayed, leaving any garbage can refuse can, or recycling container in front or side yard.

Section 7.54.030 S. Prohibits maintenance of property in such a manner as to constitute a public nuisance.

Section 7.64.010 Prohibits storage of inoperative, unregistered, wrecked, or dismantled vehicles on the property.

### **BACKGROUND**

- 1) 05/21/2014 This case was picked up while performing inspections in the area. By CEO John Silva.
- 2) 05/21/2014 CEO John Silva checked the Realquest and SCIPS reports for owner information. The owner listed on the reports was Jeffrey A Berger with a mailing address of 277 Montecito Blvd, Napa CA 94559.
- 3) 05/21/2014 CEO John Silva performed an inspection on property and confirmed there to be debris, an unregistered vehicle, trash and trash bins that were out of compliance. CEO, John Silva documented the violations and See photos attached.

On the same day CEO John Silva issued a Warning Notice and Administrative Notice by regular and certified mail to the property owner.

- 4) 06/12/2014 CEO John Silva checked Realquest and SCIPS reports for owner current information. The ownership status remained the same. (Jeffrey A Berger with a mailing address of 277 Montecito Blvd, Napa CA 94559).
- 5) 06/12/2014 CEO John Silva performed a re-inspection and confirmed that the violations had not been abated. See photos attached.
- 6) 06/12/2014 A 1<sup>st</sup> Administrative Citation for the inoperative vehicles was sent via regular and certified mail to the owner and a copy and cc occupants.
- 7) 06/12/2014 A Notice of Violation was sent via regular and certified mail to the owner and a copy and cc occupants.
- 8) 06/17/2014 CEO John Silva posted a copy of the First Citation and Notice of Violation on the property. See photo attached.
- 9) 07/16/2014 Owner status remained the same. CEO John Silva attempted to knock on the door but received no response.
- 10) 07/16/2014 CEO John Silva performed a re-inspection and confirmed that all vehicles had been removed. The only violation remaining were the tires that have not been abated. See photos attached.
- 11) 07/16/2014 First Administrative Citation, for PMO violations was sent via regular and certified mailed to the owner and a copy cc to occupants.
- 12) 07/21/2014 CEO John Silva posted a copy of the First Citation on the mailbox. See photo attached.
- 13) 07/23/2014 CEO John Silva received a phone call from the property owner about the appeal process and CEO John Silva explained to property owner the appeal process.
- 14) 07/24/2014 The property owner came into the office and reviewed case, fees due, policy, and photos with CEO John Silva. The owner was not happy with the late fee amount and requested a meeting with the division manager to have fees reviewed per the option given to him by CEO John Silva.
- 15) 07/25/2014 The Code Enforcement Manager, Nimat Shakoor-Grantham and CEO John Silva met with the property owner who wanted the late fees removed from the first citation. The Code Enforcement Manager Nimat informed the property owner that she could not make changes to the fees only if an error was made by the staff. The Code Enforcement Manager Nimat reviewed the file the only error on Citation 1 was the wrong fees of \$200 on Citation 1, but should have been \$400. The Code Enforcement Manager Nimat recommended the Property owner to file an appeal for the most recent Citation 1, and gave an appeal application to the property owner.
- 16) 07/25/2014 CEO John Silva called the property owner and explained that the fees would remain the same and the appeal date is schedule for July 31, 2014 and the payment for the property maintenance violations is due on August 16, 2014. Property owner said he will be in the office to pay Citation 1 for the appeal hearing prior to July 31, 2014.
- 17) 07/25/2014 CEO John Silva performed a final inspection and confirmed that all violations have been abated. See attached photos

1. Photos taken 05-21-14
2. Warning of Violation issued 05-21-14
3. Administrative Notice issued 05-21-14
4. Photos taken 06-12-14, 07-16-14, 7-21-14
5. Notice of Violation issued 06-12-14
6. 1<sup>st</sup> Citation issued 06-12-14
7. Appeal application received on 07-30-2014
8. Final photos taken 7-25-2014

**RECOMMENDATION**

BASED UPON THE EVIDENCE PRESENTED, STAFF RECOMMENDS THAT THE BOARD:

1. UPHOLD THE FIRST CITATION AND THE NOTICE OF VIOLATION ISSUED 06-12-14.

**CONTACT**

Lorena Burciaga, Code Enforcement Officer  
(707) 645-2605  
lburciaga@ci.vallejo.ca.us

3028 BURNETTE AVE

[data on Oes-cityhall] \\Oes-cityhall\data\DEPARTMENTS\CE\OFFICERS' NOTICES & PHOTOS\John Silva\PICTURES\2014\MAY\05.21.14



IMG\_7945.JPG  
1600x1064x24(RGB)  
365.53 KB



IMG\_7946.JPG  
1600x1064x24(RGB)  
580.89 KB



IMG\_7947.JPG  
1600x1064x24(RGB)  
700.43 KB

IMG\_7948.JPG  
1600x1064x24(RGB)  
501.19 KB

3028 BURNETTE AVE



IMG\_7949.JPG  
1600x1064x24(RGB)  
509.65 KB

IMG\_7950.JPG  
1600x1064x24(RGB)  
577.22 KB



IMG\_7951.JPG  
1600x1064x24(RGB)  
683.26 KB

IMG\_7952.JPG  
1600x1064x24(RGB)  
642.90 KB

Code Enforcement Division  
555 Santa Clara Street  
VALLEJO CA 94590-5922

AN WN CE14 1457 JS  
3028 BURNETTE ST

**USPS CERTIFIED MAIL**



**9407 1106 9994 5005 2321 09**

BERGER JEFFREY A  
277 MONTECITO BLVD  
NAPA CA 94559-2119



**US POSTAGE AND FEES PAID**

**FIRST CLASS**

May 22 2014

Mailed from ZIP 94590

1 oz First Class Mail

Letter Rate (No surcharge)

CID. 73722



endicia.com

071S00534813

---

FOLD ALONG THIS LINE

5/21/2014

BERGER JEFFREY A  
277 MONTECITO BL  
NAPA, CA 94559

WN/ CE14-1457/ 3028 BURNETTE ST/ JOHN SILVA

## **WARNING NOTICE**

*Via certified mail, return receipt requested, and first class mail to the property owner at the address shown on the county's last property tax assessment rolls or to any other address known for the property owner. The failure of any property owner to receive this notice shall not affect the validity of any proceedings taken under Chapter 7.54 (Property Maintenance Ordinance) of the Vallejo Municipal Code.*

**CASE NO.: CE14-1457**  
**PARCEL NO.:0071151280**  
**LOCATION: 3028 BURNETTE ST**

We need your help! The property referenced, owned or controlled by you is in need of your immediate attention. **An inspection was made on 05/21/2014** and it was noted that the conditions that exist on the subject property constitute an unlawful public nuisance as defined in Vallejo Municipal Code Chapter 7.54 (Property Maintenance Ordinance). The following unlawful property violations, as stated in Section 7.54.030, are found to exist:

### **DESCRIPTION OF VIOLATION(S) AND REQUIRED CORRECTIVE ACTION(S)**

**Section 7.54.030 F. Prohibits damaged lumber, junk, trash, salvage materials, household materials, etc. Remove all trash, junk and debris on the property. This refers to the tires/rims by the fence**

**Section 7.54.030 J. Prohibits vehicles, RVs, trailers and boats parked in front yard, on unpaved surface, in residential zoning districts. Remove all vehicles, trucks or trailers from the front yard area and park on driveway or street.**

**Section 7.54.030 K. Prohibits dead, decayed, diseased or otherwise hazardous trees, weeds or overgrown vegetation. Cut and remove all overgrown weeds and vegetation on the property.**

**Section 7.54.030 R. Prohibits leaving any garbage can refuse can, or recycling container in front or side yard. Relocate all garbage and recycle containers out of public view.**

**Section 7.54.030 S. Prohibits maintenance of property in such a manner as to constitute a public nuisance. Correct above violations, monitor and maintain property free from blight and public safety issues.**

I hope you understand that the purpose of the Property Maintenance Ordinance is to benefit the entire community by maintaining real property and preventing deterioration of neighborhoods in our City. Please take immediate action to remedy this violation.

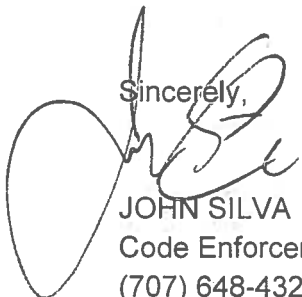
**CONSEQUENCES OF NOT ABATING**

**Failure to correct the noted violation(s) by 06/11/2014 will result in the issuance of a written Notice of Violation and imposition of an administrative charge of \$219.00, as established by resolution by the City Council, pursuant to Section 7.54.140 of the Vallejo Municipal Code.** If the Code Enforcement Manager or other city employees designated by the City Manager determines the violation(s) to be immediately dangerous to the general welfare, health and safety, the same may be summarily abated without compliance with the provisions of this code. If after a Notice of Violation is issued and the violation(s) are still not abated within the time limit specified, then you may be subject to administrative citations (1st Citation: \$200.00, 2nd Citation: \$500.00, 3rd and subsequent Citations: \$750.00 - *per violation*, per day that each violation continues to exist past the correction date), incurrence of City abatement costs, and/or other legal remedies available to the City. The amount of any unpaid administrative charges and/or abatement costs including incidental costs may be made a lien on the real property on which the violation occurred and may constitute as a special assessment added to the ordinary secured property taxes.

***\*Please be advised that if your property is found to be in violation again within twelve (12) months of compliance with this notice, you will receive an administrative fine of \$219.00 pursuant to Section 7.54.160 of the Vallejo Municipal Code.***

If you have any questions, please contact me immediately at the phone number or e-mail address listed below or call this office at (707) 648-4469. Thank you.

Sincerely,



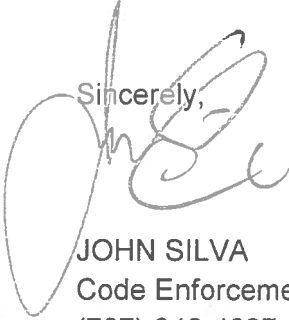
JOHN SILVA  
Code Enforcement Officer  
(707) 648-4327  
JSILVA@ci.vallejo.ca.us



and the violation(s) are still not abated within the time limit specified, then you may be subject to subsequent administrative citations with escalating fine amounts for repeat violations (2nd Citation: \$500.00, 3rd and subsequent Citations: \$750.00 - *per violation*, per day that each violation continues to exist past the correction date), and/or other legal remedies available to the City. The amount of any unpaid administrative charges may be made a lien on the real property on which the violation occurred and may constitute as a special assessment added to the ordinary secured property taxes.

If you have any questions, please contact me immediately at the phone number or e-mail address listed below or call this office at (707) 648-4469. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Silva', written over the word 'Sincerely,'.

JOHN SILVA  
Code Enforcement Officer  
(707) 648-4327  
JSILVA@ci.vallejo.ca.us

5/21/2014

BERGER JEFFREY A  
277 MONTECITO BL  
NAPA, CA 94559

WN-Zoning/ CE14-1457/ 3028 BURNETTE ST/JOHN SILVA

## **ADMINISTRATIVE NOTICE**

*Via certified mail, return receipt requested, and first class mail addressed to the person or persons listed as the owner of the real property in the most current equalized assessment roll of Solano County, including updated computer printouts, available to the City at the time notice is prepared, at his or their last known place of address as shown therein.*

**CASE NO.: CE14-1457**  
**PARCEL NO.:0071151280**  
**LOCATION: 3028 BURNETTE ST**

We need your help! The property referenced, owned or controlled by you is in need of your immediate attention. **An inspection was made on 05/21/2014** and the following violations were noted based on the Vallejo Municipal Code Section(s) stated below:

### **DESCRIPTION OF VIOLATION(S) AND REQUIRED CORRECTIVE ACTION(S)**

**Section 7.64.010 Prohibits storage of inoperative, unregistered, wrecked, or dismantled vehicles on the property.**

**Correction Required: Remove all inoperative and/or unregistered vehicles from the property or make the vehicles operational and currently registered. (NON-OPERATIONAL REGISTRATION IS NOT ACCEPTED)**

I hope you understand that the purpose of the Ordinance is to benefit the entire community by maintaining the value of real property and preventing deterioration of neighborhoods in our City. Please take immediate action to remedy this violation.

### **CONSEQUENCES OF NOT ABATING**

**Failure to correct the noted violation(s) by 06/11/2014 will result in the issuance of a 1<sup>st</sup> Citation, pursuant to Chapter 1.15 of the Vallejo Municipal Code, and imposition of a \$200.00 fine, as established by resolution by the City Council, per violation, per day that each violation continues to exist past the correction date.** If after a 1<sup>st</sup> Citation is issued

## ADMINISTRATIVE CITATION

City of Vallejo Municipal Code, Chapter 1.15, provides for the issuance of administrative citations for Municipal Code violations. The level of the citation and fine is indicated on the front of the citation. Each Municipal Code section violated is a separate offense with an independent fine. Likewise, each day any violation exists is a separate and distinct offense. Fines per each Municipal Code section violated are as follows: First Citation \$200.00, Second Citation \$500.00, Third and subsequent citations \$750.00.

### RIGHTS OF APPEAL

**You have the right to appeal this administrative citation within 15 calendar days from the date of the 1st class mailing of the citation. The failure of any person to file a request for hearing shall be deemed to have waived his or her right to an administrative hearing. A request for hearing form shall be obtained from the citing department listed near the bottom of the Administrative Citation. This request must be accompanied by an advance deposit of the imposed fine or a request for an Advance Fine Deposit Waiver as explained below. You will be sent a written notice of the date and time set for your hearing. A failure to appear at the administrative citation hearing shall constitute a forfeiture of the fine and shall be deemed a waiver of your right to an administrative hearing. The Code Enforcement Appeals Board (Board) or Hearing Officer's decision shall be final. You may seek judicial review of the decision of the Board or hearing officer by filing a petition with a court of competent jurisdiction pursuant to California Code of Civil Procedure §1094.5 and §1094.6.**

### ADVANCE DEPOSIT WAIVER

If you contend that you are financially unable to make the advance fine deposit required to request a hearing of your Administrative Citation, you must file a request for Advance Fine Deposit Waiver. The request form may be obtained from the citing department. This form together with supporting documentation must be filed with the Hearing Request Form. The decision specifying the reasons for issuing or not issuing the waiver will be made in writing by the director (or his/her designee) of the citing department. The written determination shall be final and shall be served upon the person who applied for the waiver. If the director decides not to issue a waiver, the advance fine deposit shall be remitted within 10 days of the decision. If the advance fine deposit is not received by the citing department by this date, the request for hearing shall not be accepted and you shall be deemed to have waived your right to an administrative hearing.

### HOW TO PAY THE FINE

The amount of the fine is indicated on the front of this administrative citation. **If the fine is not paid within 30 calendar days from the date of the citation, a \$890.00 administrative charge will be imposed.** Payment may be made in person at the Vallejo City Hall or by mail addressed to the City of Vallejo Code Enforcement Division, 555 Santa Clara Street, Vallejo, CA 94590. Payment by mail should be made by personal check, cashier's check or money order, payable to the City of Vallejo – Account No. 001-1303-310-36-13. Be sure to **write the Citation Number** on your check or money order and **enclose a copy of this Administrative Citation.**

### CONSEQUENCES OF FAILURE TO PAY THE FEE

Any unpaid fees and/or costs may be recovered by the City through a lien or declared a special assessment against the subject property. Alternatively, the City may collect the fee and/or costs in a civil court action. Any person who fails to pay any fee and/or costs shall be liable in any action brought by the City for costs incurred in securing payment of the delinquent amount.

### CONSEQUENCES OF FAILURE TO CORRECT VIOLATIONS

There are numerous enforcement options that can be used to encourage the correction of violations. These options include, but are not limited to, civil penalties, abatement, criminal prosecution, civil litigation, recording the violation with the County Recorder and forfeiture of certain State tax benefits for substandard residential rental property. These options can empower the City to collect fines, fees, demolish structures, make necessary repairs at the owner's expense, and incarcerate violators. Any of these options or others may be used if the notice and/or citations do not result in the achievement of compliance. If you need further clarification, please call the Department listed on the front of the citation.

3028 BURNETTE



IMG\_9586.JPG  
1600x1064x24(RGB)  
611.57 KB

IMG\_9587.JPG  
1600x1064x24(RGB)  
415.24 KB



IMG\_9588.JPG  
1600x1064x24(RGB)  
506.47 KB

3028 BURNETTE

[data on Oes-cityhall] \\Oes-cityhall\data\DEPARTMENTS\CE\OFFICERS' NOTICES & PHOTOS\John Silva\PICTURES\2014\JUNE\06.12.14



IMG\_9582.JPG  
1600x1064x24(RGB)  
413.79 KB



IMG\_9583.JPG  
1600x1064x24(RGB)  
455.18 KB



IMG\_9584.JPG  
1600x1064x24(RGB)  
599.47 KB



IMG\_9585.JPG  
1600x1064x24(RGB)  
513.13 KB



3028 BURNETTE

[data on Oes-cityhall] \\Oes-cityhall\data\DEPARTMENTS\CE\OFFICERS' NOTICES & PHOTOS\John Silva\PICTURES\2014\JULY\07.16.14



IMG\_1187.JPG  
1600x1064x24(RGB)  
333.22 KB



IMG\_1188.JPG  
1600x1064x24(RGB)  
474.90 KB



IMG\_1189.JPG  
1600x1064x24(RGB)  
583.72 KB



IMG\_1190.JPG  
1600x1064x24(RGB)  
666.52 KB

3028 BURNETTE



IMG\_1191.JPG  
1600x1064x24(RGB)  
601.35 KB

IMG\_1192.JPG  
1600x1064x24(RGB)  
557.50 KB



IMG\_1193.JPG  
1600x1064x24(RGB)  
579.71 KB



Code Enforcement Division · 555 Santa Clara Street · Vallejo · CA · 94590 · 707.648.4469

6/12/2014

BERGER JEFFREY A  
277 MONTECITO BL  
NAPA, CA 94559

NOV/CE14-1457/3028 BURNETTE ST/JOHN SILVA

## **NOTICE OF VIOLATION**

*Via certified mail, return receipt requested, and first class mail to the property owner at the address shown on the county's last property tax assessment rolls or to any other address known for the property owner. The failure of any property owner to receive this notice shall not affect the validity of any proceedings taken under Chapter 7.54 (Property Maintenance Ordinance) of the Vallejo Municipal Code.*

**CASE NO.: CE14-1457**  
**PARCEL NO.:0071151280**  
**LOCATION: 3028 BURNETTE ST**

You are hereby notified that a **reinspection was performed on 06/12/2014** and the violation(s) was not abated within the time limit specified in the Warning Notice. The conditions that exist on the subject property owned or controlled by you constitute an unlawful public nuisance as defined in **Section 7.54.030** of the Vallejo Municipal Code (Property Maintenance Ordinance). The following violation(s) which were observed during my initial inspection on 05/21/2014 **must be corrected by 07/10/2014**.

### **DESCRIPTION OF VIOLATION(S) AND REQUIRED CORRECTIVE ACTION(S)**

**Section 7.54.030 F. Prohibits damaged lumber, junk, trash, salvage materials, household materials, etc. Remove all trash, junk and debris on the property. This refers to the tires/rims by the fence**

**Section 7.54.030 J. Prohibits vehicles, RVs, trailers and boats parked in front yard, on unpaved surface, in residential zoning districts. Remove all vehicles, trucks or trailers from the front yard area and park on driveway or street.**

**Section 7.54.030 K. Prohibits dead, decayed, diseased or otherwise hazardous trees, weeds or overgrown vegetation. Cut and remove all overgrown weeds and vegetation on the property.**

**Section 7.54.030 R. Prohibits leaving any garbage can refuse can, or recycling container in front or side yard. Relocate all garbage and recycle containers out of public view.**



**Section 7.54.030 S. Prohibits maintenance of property in such a manner as to constitute a public nuisance. Correct above violations, monitor and maintain property free from blight and public safety issues.**

### **ADMINISTRATIVE CHARGE**

**A charge of \$219.00, as established by resolution by the City Council, is now owed to the City pursuant to Section 7.54.140 of the Vallejo Municipal Code payable twenty (20) days of the effective date of this notice.** Any property owner who fails to pay the administrative charges or abatement costs including incidental costs owed to the City shall be liable in any action brought by the City for costs incurred in securing payment of the delinquent amount. Legal action may include costs and/or charges being liened against the property and/or applied as a special assessment to the ordinary secured property taxes.

**How to Pay the Fine:** Payment may be made in person at the Vallejo City Hall, 1st Floor – Cashier (*please bring this notice to the cashier and drop off the duplicate receipt to the Code Enforcement Division office for recording*) or by mail addressed to the City of Vallejo Code Enforcement Division, 555 Santa Clara Street, Vallejo, CA 94590-5922. Payment by mail should be made by personal check, cashier's check or money order, payable to the City of Vallejo. Make sure to include the case number CE14-1457 and account number 001-1303-310-36-13 on your check.

*If the code enforcement manager or other city employees designated by the city manager determines the violation to be immediately dangerous to the general welfare, health and safety, the same may be summarily abated without compliance with the provisions of this code. Abatement may include, but is not limited to boarding of windows, doors and other openings to city specifications, removal of junk and debris, and securing the perimeter of the property with fencing, gates or barricades to prevent further occurrences of the nuisance activity.*

### **CONSEQUENCES OF NOT ABATING**

**Should these conditions not be corrected by 07/10/2014, the following action(s) may be taken:**

**Administrative Citation:** 1st Citation \$200.00, 2nd Citation \$500.00, 3rd and subsequent Citations \$750.00 - *per violation, per day that each violation continues to exist past the correction.*

**City Abatement:** The City may have the work done with city employees and/or by private contract if a violation is not abated within the time limit specified in this notice. **The costs of abatement, including incidental costs shall be billed to the property owner pursuant to Section 7.54.140 of the Vallejo Municipal Code and will be due and payable within thirty (30) days of the date the billing is mailed to the property owner.**

**Liens and Special Assessments:** The amount of any unpaid administrative charges and/or abatement costs including incidental costs may be made a lien on the real property on which the violation occurred and may constitute as a special assessment added to the ordinary secured property taxes.

**Civil Action:** \$50.00 per day for every day each separate violation exists

**Criminal Citation:** Maximum penalty of \$500.00 fine for every day each separate violation exists.

## Administrative Citation

1st Citation     2nd Citation     3rd Citation     4th Citation     5th Citation

PERSON CITED:

CASE #: CE14-1457

BERGER JEFFREY A

VIOLATION ADDRESS:

PARCEL #:

3028 BURNETTE ST

0071151280

MAILING ADDRESS:

277 MONTECITO BL NAPA CA 94559

An administrative fine in the amount stated below is now being imposed. To avoid additional citations please correct this code violation by 07/10/2014. Other enforcement action may result if compliance is not achieved by the 3rd Citation.

FINE AMOUNT	MUNICIPAL CODE SECTION VIOLATED VIOLATION DESCRIPTION AND REQUIRED CORRECTION
\$200.00	Section 7.64.010 Prohibits storage of inoperative, unregistered, wrecked, or dismantled vehicles on the property.  <u>Correction Required: Remove all inoperative and/or unregistered vehicles from the property or make the vehicles operational and currently registered. (NON-OPERATIONAL REGISTRATION IS NOT ACCEPTED)</u>
\$200.00	(see reverse side for payment and appeal instructions)

Date and time violation was observed: 6/12/2014

Citation Date: 6/12/2014

Issuing Officer: JOHN SILVA

Signature: 

Citing Department / Division: Code Enforcement Division

Phone Number: (707) 648-4469

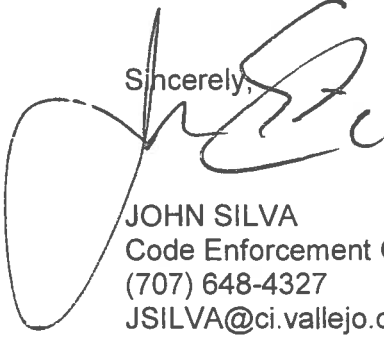
Division Address: City of Vallejo Code Enforcement Division, 555 Santa Clara St. 1<sup>st</sup> floor, Vallejo, CA 94590**READ REVERSE SIDE FOR IMPORTANT APPEAL INFORMATION**

**APPEALS PROCESS**

**Information on the process to appeal this notice is attached, which includes the amount of the appeal fee and procedure for requesting an appeal fee waiver.**

If you have any questions, please contact me immediately at the phone number or e-mail address listed below or call this office at (707) 648-4469. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Silva', is written over the word 'Sincerely,'. The signature is fluid and cursive, with a large loop at the beginning.

JOHN SILVA  
Code Enforcement Officer  
(707) 648-4327  
JSILVA@ci.vallejo.ca.us

## NOTICE OF VIOLATION APPEALS PROCESS

Any property owner may appeal the notice of violation and may request a hearing before the Code Enforcement Appeals Board as follows:

1. An appeal form shall be obtained from the Code Enforcement Manager via the Code Enforcement Division office. The completed appeal form shall be filed with the Code Enforcement Manager via the Code Enforcement Division office **within fifteen (15) days of the effective date of the notice of violation, which is the date of the first class mailing, together with an appeal fee of \$658.00 as established by resolution by the City Council or a request for an appeal fee waiver.**
2. Only after the completed appeal form has been filed together with the appeal fee or with an *approved* appeal fee waiver shall the Code Enforcement Manager set the date for a hearing. The hearing shall be set for a date not less than fifteen (15) days nor more than sixty (60) days after the Code Enforcement Manager via the Code Enforcement Division office received the request.
3. The appellant may request one continuance, but in no event shall the hearing be continued more than thirty (30) days after the date of the originally scheduled hearing unless the Code Enforcement Manager finds circumstances of hardship warrant a longer continuance not to exceed ninety (90) days after the date of the originally scheduled hearing.
4. The appellant shall be notified by first class mail and certified mail, return receipt requested, of the date, time and place set for the hearing. Such notice shall be sent at least ten (10) days prior to the date of the hearing. The notice shall include a statement that if the violation is found to be a public nuisance and the violation is not substantially abated, then the city may pursue any and all legal and equitable remedies for the recovery of unpaid abatement costs and administrative charges. The notice shall be sent to the appellant at the address provided on the completed appeal form. Failure of the appellant to receive such notice shall not affect the validity of any proceedings taken under Chapter 7.54 of the Vallejo Municipal Code.
5. Any documentation, other than the notice of violation, which the Code Enforcement Manager has submitted or will submit to the Code Enforcement Appeals Board, shall be served on the appellant at least three (3) days before the hearing.

Failure of any property owner to file an appeal in accordance with the provisions of Section 7.54.080 of the Vallejo Municipal Code shall be deemed to waive his or her right to an appeal hearing.

**Appeal Fee Waiver.** Any property owner who requests a hearing to appeal a notice of violation and is financially unable to pay the appeal fee may file a request for an appeal fee waiver as follows:

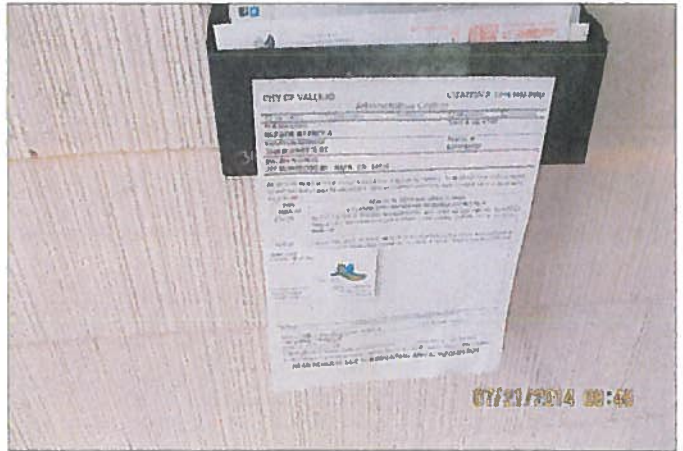
1. The request for waiver shall be made on a form obtained from the Code Enforcement Manager via the Code Enforcement Division office and submitted to the Code Enforcement Manager via the Code Enforcement Division office within fifteen (15) days of the effective date of the notice of violation.
2. The Code Enforcement Manager may issue an appeal fee waiver only if the person requesting the waiver submits a sworn affidavit together with any supporting documents demonstrating to the satisfaction of the manager the person's financial inability to deposit with the city the full amount of the fee in advance of the appeal hearing.
3. The Code Enforcement Manager via the Code Enforcement Division office shall issue a written decision specifying the reasons for issuing or not issuing the waiver within ten (10) days of the receipt of the request. The decision of the Code Enforcement Manager shall be final.
4. If the Code Enforcement Manager office determines a waiver is not warranted, the property owner shall remit the appeal fee within ten (10) days of the determination. If the Code Enforcement Manager via the Code Enforcement Division office does not receive the appeal fee within this time period, the request for hearing shall not be accepted and shall constitute a failure of the property owner to exhaust his or her administrative remedies.

3028 BURNETTE

[data on Oes-cityhall] \\Oes-cityhall\data\DEPARTMENTS\CE\OFFICERS' NOTICES & PHOTOS\John Silva\PICTURES\2014\JULY\07.21.14



IMG\_1396.JPG  
1600x1064x24(RGB)  
405.54 KB



IMG\_1397.JPG  
1600x1064x24(RGB)  
469.06 KB

Administrative Citation

1st Citation     2nd Citation     3rd Citation     4th Citation     5th Citation

PERSON CITED:

CASE #: CE14-1457

BERGER JEFFREY A

VIOLATION ADDRESS:

PARCEL #:

3028 BURNETTE ST

0071151280

MAILING ADDRESS:

277 MONTECITO BL NAPA CA 94559

An administrative fine in the amount stated below is now being imposed. To avoid additional citations please correct this code violation by 08/06/2014. Other enforcement action may result if compliance is not achieved by the 3rd Citation.

FINE AMOUNT	MUNICIPAL CODE SECTION VIOLATED VIOLATION DESCRIPTION AND REQUIRED CORRECTION
\$200.00	Section 7.54.030 F. Prohibits damaged lumber, junk, trash, salvage materials, household materials, etc. Remove all trash, junk and debris on the property. This refers to the tires/rims by the fence
\$200.00	Section 7.54.030 S. Prohibits maintenance of property in such a manner as to constitute a public nuisance. Correct above violations, monitor and maintain property free from blight and public safety issues.
\$200.00	(see reverse side for payment and appeal instructions)

Date and time violation was observed: 7/16/2014

Citation Date: 7/16/2014

Issuing Officer: JOHN SILVA

Signature: 

Citing Department / Division: Code Enforcement Division

Phone Number: (707) 648-4469

Division Address: City of Vallejo Code Enforcement Division, 555 Santa Clara St. 1<sup>st</sup> floor, Vallejo, CA 94590

**READ REVERSE SIDE FOR IMPORTANT APPEAL INFORMATION**

## ADMINISTRATIVE CITATION

City of Vallejo Municipal Code, Chapter 1.15, provides for the issuance of administrative citations for Municipal Code violations. The level of the citation and fine is indicated on the front of the citation. Each Municipal Code section violated is a separate offense with an independent fine. Likewise, each day any violation exists is a separate and distinct offense. Fines per each Municipal Code section violated are as follows: First Citation \$200.00, Second Citation \$500.00, Third and subsequent citations \$750.00.

### RIGHTS OF APPEAL

**You have the right to appeal this administrative citation within 15 calendar days from the date of the 1st class mailing of the citation. The failure of any person to file a request for hearing shall be deemed to have waived his or her right to an administrative hearing. A request for hearing form shall be obtained from the citing department listed near the bottom of the Administrative Citation. This request must be accompanied by an advance deposit of the imposed fine or a request for an Advance Fine Deposit Waiver as explained below. You will be sent a written notice of the date and time set for your hearing. A failure to appear at the administrative citation hearing shall constitute a forfeiture of the fine and shall be deemed a waiver of your right to an administrative hearing. The Code Enforcement Appeals Board (Board) or Hearing Officer's decision shall be final. You may seek judicial review of the decision of the Board or hearing officer by filing a petition with a court of competent jurisdiction pursuant to California Code of Civil Procedure §1094.5 and §1094.6.**

### ADVANCE DEPOSIT WAIVER

If you contend that you are financially unable to make the advance fine deposit required to request a hearing of your Administrative Citation, you must file a request for Advance Fine Deposit Waiver. The request form may be obtained from the citing department. This form together with supporting documentation must be filed with the Hearing Request Form. The decision specifying the reasons for issuing or not issuing the waiver will be made in writing by the director (or his/her designee) of the citing department. The written determination shall be final and shall be served upon the person who applied for the waiver. If the director decides not to issue a waiver, the advance fine deposit shall be remitted within 10 days of the decision. If the advance fine deposit is not received by the citing department by this date, the request for hearing shall not be accepted and you shall be deemed to have waived your right to an administrative hearing.

### HOW TO PAY THE FINE

The amount of the fine is indicated on the front of this administrative citation. **If the fine is not paid within 30 calendar days from the date of the citation, a \$890.00 administrative charge will be imposed.** Payment may be made in person at the Vallejo City Hall or by mail addressed to the City of Vallejo Code Enforcement Division, 555 Santa Clara Street, Vallejo, CA 94590. Payment by mail should be made by personal check, cashier's check or money order, payable to the City of Vallejo – Account No. 001-1303-310-36-13. Be sure to **write the Citation Number** on your check or money order and **enclose a copy of this Administrative Citation.**

### CONSEQUENCES OF FAILURE TO PAY THE FEE

Any unpaid fees and/or costs may be recovered by the City through a lien or declared a special assessment against the subject property. Alternatively, the City may collect the fee and/or costs in a civil court action. Any person who fails to pay any fee and/or costs shall be liable in any action brought by the City for costs incurred in securing payment of the delinquent amount.

### CONSEQUENCES OF FAILURE TO CORRECT VIOLATIONS

There are numerous enforcement options that can be used to encourage the correction of violations. These options include, but are not limited to, civil penalties, abatement, criminal prosecution, civil litigation, recording the violation with the County Recorder and forfeiture of certain State tax benefits for substandard residential rental property. These options can empower the City to collect fines, fees, demolish structures, make necessary repairs at the owner's expense, and incarcerate violators. Any of these options or others may be used if the notice and/or citations do not result in the achievement of compliance. If you need further clarification, please call the Department listed on the front of the citation.

3028 BURNETTE



IMG\_1829.JPG  
1600x1064x24(RGB)  
589.98 KB

IMG\_1830.JPG  
1600x1064x24(RGB)  
737.52 KB



IMG\_1831.JPG  
1600x1064x24(RGB)  
552.99 KB

IMG\_1832.JPG  
1600x1064x24(RGB)  
505.62 KB



3028 BURNETTE

[data on Oes-cityhall] \\Oes-cityhall\data\DEPARTMENTS\CE\OFFICERS' NOTICES & PHOTOS\John Silva\PICTURES\2014\JULY\07.25.14



IMG\_1825.JPG  
1600x1064x24(RGB)  
373.53 KB



IMG\_1826.JPG  
1600x1064x24(RGB)  
623.32 KB



IMG\_1827.JPG  
1600x1064x24(RGB)  
790.07 KB

IMG\_1828.JPG  
1600x1064x24(RGB)  
561.18 KB



# CITY OF VALLEJO

## CODE ENFORCEMENT DIVISION

555 Santa Clara Street • P.O. Box 3068 • California • 94590-5934 • (707) 648-4469  
FAX: (707) 649-3540

CASE #: CE14-1457

LAST DAY TO TURN IN = JULY 31, 20

### HEARING REQUEST FORM (ONLY THE PERSON CITED OR NOTICED MAY APPEAL)

THIS REQ. FORM

PLEASE PRINT OR TYPE

- VACANT BUILDING MONITORING FEE (VMC CHAPTER 7.62)
- ADMINISTRATIVE CITATION (VMC CHAPTER 1.15) DATED 7/16/2014 CI PMO
- VACANT BUILDING NOTICE (VMC CHAPTER 7.62)
- PROPERTY MAINTENANCE ABATEMENT NOTICE
- OTHER: \_\_\_\_\_

BEFORE THE CODE ENFORCEMENT APPEALS BOARD:

THE APPEALS OF:

NAME(S): JEFFREY A. BERGER

SUBJECT PROPERTY: 3028 BURNOTTS ST.

MAILING ADDRESS: 277 MONTECITO BLVD.  
NAPA, CA. 94559

1) Brief statement explaining your legal interest in the subject property (e.g., owner, tenant, etc.)

OWNER

2) Brief statement of reason for appeal, together with any material facts to support the appeal.


I DID NOT RECEIVE FIRST WARNING NOTICE, SO I  
DID NOT HAVE A CHANCE TO CORRECT THE VIOLATION BEFORE  
THE CITATION WAS ISSUED.

3) Statement of why protested order or action should be reversed or modified and what you want the outcome to be.

THE VIOLATION WAS CORRECTED IMMEDIATELY AFTER I RECEIVED  
THE CITATION NOTICE. PLEASE DISMISS THE CITATION FINE

- I HAVE SUBMITTED THE REQUIRED APPEAL FEE.
- I HAVE SUBMITTED A REQUEST FOR APPEAL FEE WAIVER.

4) Signatures of all parties named as appellants, their official mailing addresses and daytime telephone number(s):

NAME: JEFFREY A. BERGER  
 MAILING ADDRESS: 277 MONTECITO BLVD  
NAPA, CA 94659  
 TELEPHONE NUMBER: 

NAME: \_\_\_\_\_  
 MAILING ADDRESS: \_\_\_\_\_  
 \_\_\_\_\_  
 TELEPHONE NUMBER: \_\_\_\_\_

5) ALL APPELLANTS MUST SIGN THE FOLLOWING DECLARATION:

I certify and declare under the penalty of perjury under the laws of the State of California, that the foregoing is true and correct.

7/30/14                      JEFFREY A. BERGER                      Jeffrey A. Berger  
 DATE                                      PRINT NAME                                      SIGNATURE

\_\_\_\_\_  
 DATE                                      PRINT NAME                                      SIGNATURE

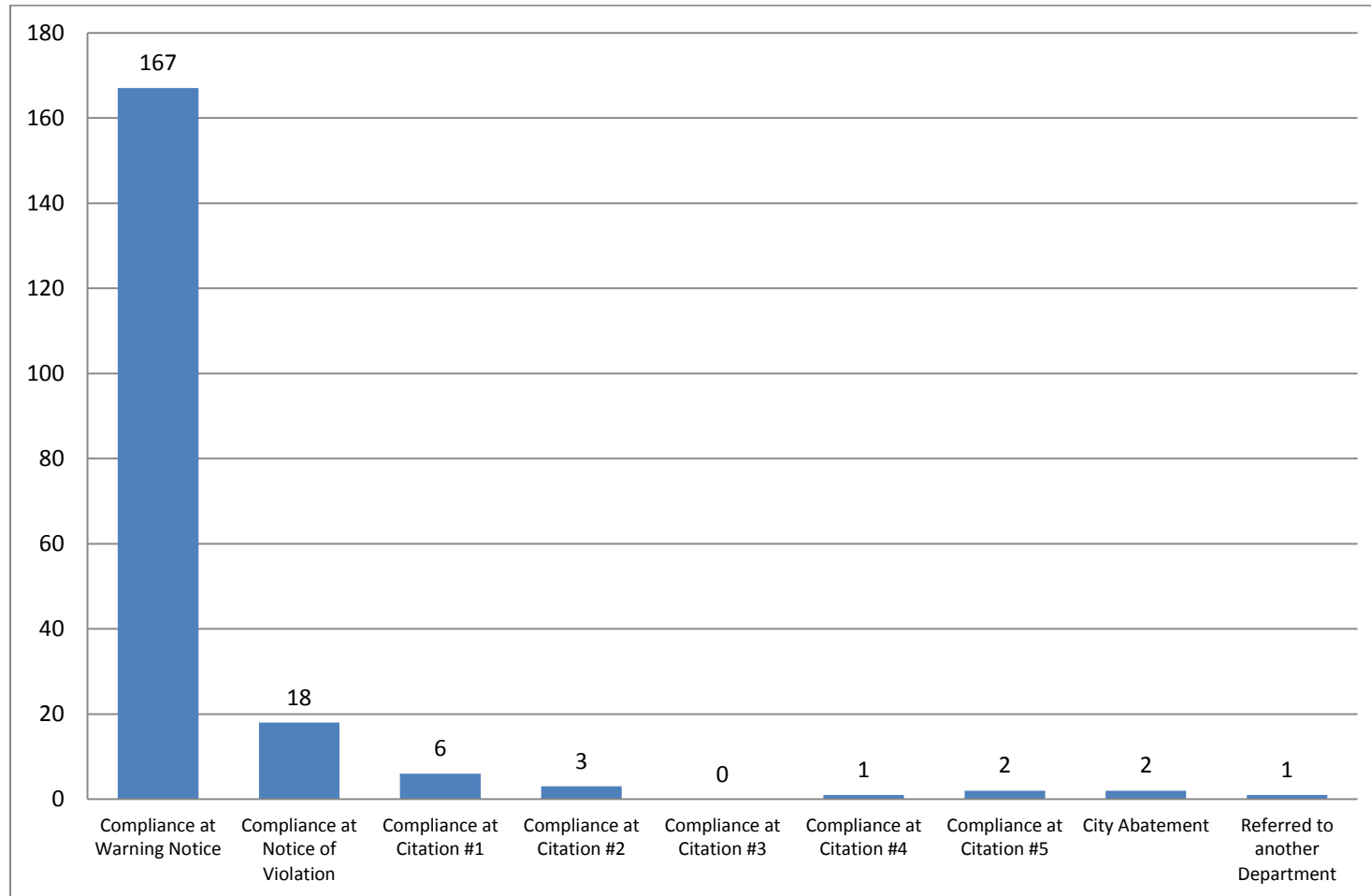
(ATTACH ADDITIONAL PAGES IF NEEDED)

**Code Enforcement  
Statistics  
for the  
Current Fiscal Year**

(July 1, 2014 through September 18, 2014)



### Closed Cases for the Fiscal Year *(July 2014 through Mid-September 2014)*





## Fiscal Year Collected Fees/Fines Statistics

(July 2014 to September 2014)

City of Vallejo  
Code Enforcement Division

### CLOSED CASES

	#	% of Total
Closed-WN	167	83.50%
Closed-NOV	18	9.00%
Closed-C1	6	3.00%
Closed-C2	3	1.50%
Closed-C3	0	0.00%
Closed-C4	1	0.50%
Closed-C5	2	1.00%
Closed-Warrant	2	1.00%
Referred	1	0.50%
<b>Total Closed Cases</b>	<b>200</b>	

= 92.50%

### Paid Fees

This does NOT include the delinquent fees/fines from the Solano County Tax Roll \$

Code Enforcement - Nov & Citations Paid	\$116,699.80
Property Registration - Registration Fee Paid	\$18,759.00
<b>Total \$ amount Received for the Fiscal Year</b>	<b>\$135,458.80</b>

Total Amount Cited for this Fiscal Year	\$21,961.00
Total Amount Paid of Above Cited Amounts	\$12,235.00
% of above Paid Citations for this Fiscal Year	55.71%