

# ATTACHMENT D

## Notice of Unsafe Structure



COUNTY OF HUMBOLDT  
PLANNING AND BUILDING DEPARTMENT  
BUILDING DIVISION

3015 H Street Eureka CA 95501  
Fax: (707) 268-3792 Phone: (707) 445-7541

November 7, 2019

First Church of Christ Scientist  
438 Maple  
Garberville, CA, 95542

Subject: Unsafe Building Conditions – 531 Elm Street, California  
APN 032-133-002, Legal description attached here to as Attachment A

**NOTICE OF UNSAFE STRUCTURE: DO NOT ENTER OR OCCUPY**

**PLEASE TAKE NOTICE** that the Humboldt County Planning and Building Department, Building Division, acting under the authority and approval of the Humboldt County Chief Building Official, has determined that the above referenced location constitutes an unsafe structure for habitation, in violation of numerous state and local laws and regulations. An inspection of the single family residence and surrounding structures at the above referenced location was conducted on October 23, 2019 by Humboldt County Building Inspector Rudy Marengi and Humboldt County Code Enforcement Investigator Shauna Soeth, which revealed conditions that are in violation of the 2016 California Building Code and Building Code Standards adopted by the County of Humboldt in Humboldt County Code, Title III, Division 3, Section 331-11(a). The structure has been found by the County Chief Building Official or his designee to be unsafe per various California Building Code (CBC), California Fire Code (CFC), California Plumbing Code (CPC), and Health & Safety Code Section 17920.3.

**YOU ARE HEREBY NOTIFIED** that the following conditions, injurious to the public health, exist as the above referenced location and render the building dangerous and unsafe:

**CBC 3303.6 Utility Connections. Service utility connections shall be discontinued and capped in accordance with the approved rules and the requirements of the applicable governing authority.**

- At time of inspection the utilities were disconnected. They shall be disconnected until a final building permit is issued for the structure or until temporary service is granted during construction.

**Health & Safety Code section 17920.3(b) (structural hazards); CBC 3301 Safeguards During Construction; CBC 3302.2 Manner of Removal**

- Unsafe structure due to fire damage

**Health & Safety Code section 17920.3(b) (structural hazards); CFC 110.1 Inspections General**

- Structural beams were near failure and the air quality was at dangerous levels.

**CPC 301.2 Plumbing Minimum Standards**

- Most of the plumbing pipes, fittings, traps, fixtures, materials, and devices used in the plumbing system were destroyed.

**CEC 300.4 Protection Against Physical Damage**

- Many of the raceways and conductors that were not completely destroyed were unprotected from physical damage.

**YOU ARE HEREBY NOTIFIED** the conditions listed above are determined to be an immediate danger to human life, limb, property and safety of the occupant and the public.

**YOU ARE HEREBY ORDERED** to vacate the premises and maintain the premises against entry. Pursuant to CBC Section 1.8.3 Local Enforcing Agency and CBC Section 1.8.9 Unsafe Housing and Structures, the Chief Building Official and/or his or her designee has determined that **the premises must be vacated immediately with the posting of this notice** and must remain vacated, secured and maintained against entry until dangerous conditions are abated and corrected or the structure is demolished.

No person shall remain in or enter any building that has been posted as unsafe, except for entry to make repair, demolish, or remove such building under permit from the Humboldt County Building Department (HCBD). No person shall remove or deface any such notice after it is posted until the required repairs, demolition, or removal have been completed and a certificate of occupancy issued pursuant to the provisions of the Building Code. Any person violating this subsection shall be guilty of a misdemeanor.

**The following corrections must be commenced within 60 days of the posting of this notice including the securing of all necessary permits, if any.**

1. Apply for and obtain a building permit from the County of Humboldt Building Department. Provide 3-sets of commercial construction plans by California Licensed Architect or Engineer for all demolition and reconstruction work proposed to the County of Humboldt Building Department. Complete work required by permit and schedule final inspection to have permit finalized.
2. Apply for and obtain a demolition permit from County of Humboldt Building Department include current photos of the structure, provide North Coast Unified Air Quality Management – Acknowledgement of receipt of your completed abatement and demolition

notification form, provide PG&E form for building demolition confirming no PG&E gas or electric facility on this building, Location of Debris letter and Contract with Valuation.

3. With Demolition permit, take the structure down. All construction debris must be removed in a legal manner and receipts must be provided to Code Enforcement.

Please be advised that property owners are required to maintain buildings and structures in safe and sanitary manner. Action must be taken to correct the above-identified conditions within the identified timeframe and must comply with the Humboldt County Code and the requirements of this office. If the required corrective action and repairs or demolition are not commenced within the time specified, the County Chief Building Official may proceed to cause work to be done and charge the costs thereof against the property or its owner. In addition, failure to comply with this order constitutes a misdemeanor and may result in enforcement action against you pursuant to Humboldt County Code Section 331-29.

**RIGHT TO APPEAL:** Any person having any record title or legal interest in the building and premises may appeal this Notice or any action of the Humboldt County Chief Building Official to the Humboldt County Board of Appeals, provided the appeal is made in writing as provided by Humboldt County Code 331-11 and filed with the Humboldt County Building Official within ten (10) calendar days from the date of service of this order. Failure to appeal will constitute a waiver of all right to an administrative hearing and adjudicate on of this order and any determination/action by the County Chief Building Official.

Signed,



Keith Ingersoll  
Interim Chief Building Official

cc via email: Shauna Soeth, Code Enforcement Investigator  
Rudy Marengi Building Inspector 2

Enclosure: Legal description Attachment A

## Attachment A Legal Description

That certain real property situated in the County of Humboldt, State of California, described as follows:

That portion of Block 5 of the Town of Garberville as shown on the official map thereof recorded in Book 11, Page 10, of Surveys, in the Office of the County Recorder of said County, described as follows:

BEGINNING at a point on the north line of said Block 5 located South 88 degrees 31 minutes East 150 feet from the east line of Cedar Street; and running  
thence South 88 degrees 31 minutes East 130 feet to the west line of a 30 foot lane;  
thence South 2 degrees 09 minutes West along said lane 77 feet to the north line of a 40 foot street designated as Elm Street;  
thence North 88 degrees 31 minutes West along said street 130 feet to the southeast corner of the land conveyed to Leland S Loewen and wife by Deed recorded October 28, 1948, as Serial No 10622 in Book 70, Page 14, Official Records;  
thence North 2 degrees 09 minutes East along the east line of the land described in said Deed 77 feet to the point of beginning.

PROOF OF SERVICE

STATE OF CALIFORNIA    )  
                                  ) ss.  
COUNTY OF HUMBOLDT )

I, TASHEENA EVENSON, say:

I am a citizen of the United States, over 18 years of age, a resident of the County of Humboldt, State of California, and not a party to the within action; that my business address is Planning and Building Department, 3015 H Street, Eureka, California; that on November 13<sup>th</sup> 2019 I served a true copy **NOTICE OF UNSAFE STRUCTURE: DO NOT ENTER OF OCCUPY.**

  XXX   by placing a true copy of the aforementioned document in a sealed envelope individually addressed to each of the parties and caused each such envelope to be deposited with the U.S. Postal Service and/or picked up by an authorized representative, on that same day with fees fully prepaid at Eureka, California, in the ordinary course of business as set forth below: (First Class and Cert.)

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\_\_\_\_\_ by personally hand delivering a true copy thereof to the occupant at the premises located at:

\_\_\_\_\_ by personally posting a true copy thereof on the premises located at:

\_\_\_\_\_ by placing a true copy thereof in the designated place at Court Operations to the attorney/parties named below:

\_\_\_\_\_ by placing a true copy in the County's Mailroom designated to the attorney named below:

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 14 day of November 2019, in the City of Eureka, County of Humboldt, State of California.



Tasheena Evenson - Code Enforcement Legal Office Assistant II