



COUNTY OF HUMBOLDT

AGENDA ITEM NO.  
**K-1**

For the meeting of: **May 31<sup>st</sup>, 2016**

Date: **May 12<sup>th</sup>, 2016**

To: **Board of Supervisors**

From: **County Counsel's Office, Code Enforcement Unit  
Blair Angus, Assistant County Counsel**

Subject: **Administrative Abatement Hearing  
Jessica Adams  
7210 Summit Ridge Drive, Eureka, California; AP# 306-291-018**

RECOMMENDATION(S):

That the Board of Supervisors, pursuant to Humboldt County Code sections 351-21 and 351-22

- (1) Open the hearing.
- (2) Hold an administrative hearing to determine whether a public nuisance exists on the subject property.
- (3) Adopt the attached Findings of Nuisance and Order of Abatement consistent with the evidence presented at the hearing.
- (4) Close the hearing.

SOURCE OF FUNDING:

General funds as well as Measure Z funds were used to prepare this agenda item.

Prepared by Katherine Baca and Bernadette Arwood CAO Approval *Cheryl Dillingham*

REVIEW:	Auditor _____	County Counsel <u><i>BA</i></u>	Personnel _____	Risk Manager _____	Other _____
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TYPE OF ITEM:

Consent

Departmental

Public Hearing

Other \_\_\_\_\_

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT**

Upon motion of Supervisor *Bohn* Seconded by Supervisor *Sundberg*

Ayes *Sundberg, Fennell, Lovelace, Bohn, Bass*

Nays \_\_\_\_\_

Abstain \_\_\_\_\_

Absent \_\_\_\_\_

PREVIOUS ACTION/REFERRAL:

Board Order No. \_\_\_\_\_

Meeting of: \_\_\_\_\_

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: *May 31, 2016*

By: *Blair Angus*

Kathy Hayes, Clerk of the Board

DISCUSSION:

This matter is before your Board sitting as a quasi-judicial tribunal to make a finding that a nuisance does or does not exist on the property.

H.C.C. §351-2 defines a “nuisance” as including:

- “(a) Any condition declared by any statute of the State of California or ordinance of the County of Humboldt to be a nuisance....
- (c) Any condition, act, or failure to act, which is dangerous to human life, or unsafe or detrimental to the public health or safety.....
- (f) Any establishment, use or operation of buildings, land or property contrary to the provisions of the ordinances of the county.”

On August 26<sup>th</sup>, 2010, the Code Enforcement Unit (CEU) received a referral from the Planning and Building Divisions regarding property location 7210 Summit Ridge Drive, Eureka. The referral alleged that there were violations of Humboldt County Code dealing with improper storage and removal of solid waste. The CEU opened their investigation by conducting an initial site inspection which confirmed concentrations of solid waste, garbage and junk vehicles. Consequently, a Notice of Nuisance was recorded against the property on February 6<sup>th</sup>, 2013. The CEU continued to monitor the conditions of the property and on March 6<sup>th</sup>, 2013, a second site inspection was conducted. While the amount of solid waste was greatly reduced, the number of junk vehicles had not changed significantly. On March 8<sup>th</sup>, 2013, an administrative penalty was issued to the owner in the amount of \$750. Further site inspections were conducted during 2014 and 2015. It appeared that the conditions were continuously improving. However, during a routine site inspection on February 26<sup>th</sup>, 2015, the CEU observed a motorhome that was believed to be inhabited as a residence. The CEU continued to monitor and try to obtain voluntary compliance to no avail. On April 27<sup>th</sup>, 2016, a complete walk through inspection was conducted with consent from the property owner. The violations were significantly worse than previous inspections. Several photographs were taken during the inspection and were included in the exhibit package. On May 6<sup>th</sup>, 2016, a Notice to Abate Nuisance was posted on the premises.

Due to the conditions of the property worsening the CEU believes an Order of Abatement is necessary to ensure timely corrective action of the violations. The Order of Abatement is based on the following:

1. The violations observed on the subject property include conditions that violate local law.
2. The violations include: Humboldt County Code §352-26, junk vehicles; and Humboldt County Code §521-4, storage and removal of solid waste.
3. The violations have created conditions that are unsafe and detrimental to public health and safety, and constitute a public nuisance, which should be abated.

Therefore, the CEU kindly requests that your Board find that a nuisance exists on the subject property and order the property owner to abate the nuisance within thirty days of the service of the attached Findings of Nuisance and Order of Abatement.

FINANCIAL IMPACT:

Costs to prepare this agenda item and address the nuisances described are from the General Fund and the Measure Z fund. The costs are included in the fiscal year 2015-16 budgets for both funds.

The recommended action supports the Board's Strategic Framework by enforcing laws and regulations and creating opportunities for improved health and safety.

OTHER AGENCY INVOLVEMENT:

None at this time

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Find that a public nuisance does not exist, and terminate the abatement proceeding. This alternative is not recommended as there are serious violations of County code on this property that are impacting the health, safety and welfare of the public. In addition, it does not appear that the owners of the property have any means to improve the condition of the property on their own.

ATTACHMENTS:

- A. Proposed Findings and Order
- B. Exhibit Packet – to be provided no later than May 20th, 2016

# **ATTACHMENT “A”**

## **Findings of Nuisance & Order of Abatement**

In Re: Abatement Hearing

Jessica Adams

7210 Summit Ridge Drive, Eureka, California; AP# 306-291-018

**BOARD OF SUPERVISORS  
COUNTY OF HUMBOLDT  
825 FIFTH STREET  
EUREKA, CALIFORNIA 95501    PHONE (707) 445-7471**

**FINDINGS OF NUISANCE & ORDER OF ABATEMENT**

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In Re: Abatement Hearing

Jessica Adams  
7210 Summit Ridge Drive, Eureka, California; AP# 306-291-018

May 31<sup>st</sup>, 2016

WHEREAS, Humboldt County Board of Supervisors (Board) considered the evidence concerning conditions on the subject property, including relevant documents, writings, codes, ordinances and oral testimony; and

WHEREAS, the Board declares that the conditions on the property are public nuisances in that the conditions are detrimental to the health, safety, comfort and general welfare of the public and persons residing in the neighborhood

***Now therefore the Board Finds:***

1. The property located at 7210 Summit Ridge Drive, Eureka, California is located in a Residential One-Family zone, in the unincorporated area of Eureka, Humboldt County, California, referred to as Assessor's Parcel No. 306-291-018; and

2. The staff of the Code Enforcement Unit for the County of Humboldt confirmed the existence of violations on the property; and

3. The property owner was served with a Notice of Nuisance pursuant to Humboldt County Code §351-12 & 13, describing the conditions constituting the violations and ordering abatement of those conditions and that the Notice of Nuisance was posted on the property pursuant to said County Code; and

4. The property owner has had significant and reasonable time to correct all violations but has refused and/or failed to meet the deadlines prescribed by the Notice; and

5. The property owner was served with a Notice to Abate Nuisance pursuant to Humboldt County Code §351-15; to wit, the Notice to Abate Nuisance was posted on the property pursuant to said County Code and the property owner was sent a certified letter containing the Notice to Abatement Nuisance with the date and time of the hearing; and

6. The property owner has the legal responsibility for maintenance of the property, including abatement of all violations and compliance with all orders of the County; and

7. The violations still exist at the property and the property remains in violation of Humboldt County Code Section 352-26, junk vehicles; and Humboldt County Code Section 521-4, storage and removal of solid waste; and

8. The conditions on the property are public nuisances in that the conditions are detrimental to the health, safety, comfort and general welfare of the public and persons residing in the neighborhood.

*NOW, THEREFORE, IT IS HEREBY:*

**ORDERED:**

1. The forgoing findings, including the findings of conditions constituting a public nuisance on the subject property, are incorporated herein by reference and made a part hereof;
2. That the property owner abate all violations of the Humboldt County Code as described above. The property owner shall take the following actions:  

H.C.C. §352-26	Junk vehicles <i>Corrective Actions:</i> <ol style="list-style-type: none"><li>a) Restore vehicle(s) to operative condition, and/or</li><li>b) Remove inoperable vehicles, and/or</li><li>c) Store inoperable vehicles within enclosed structure</li></ol>
H.C.C. §521-4	Storage and removal of solid waste <i>Corrective Actions:</i> <ol style="list-style-type: none"><li>a) Contain and dispose of all solid waste properly</li></ol>
3. That the abatement of all violations be completed within 30 days of the service of these Findings of Nuisance and Order of Abatement, including a final inspection by the Code Enforcement Unit;

Findings of Nuisance and  
Order of Abatement  
May 31<sup>st</sup>, 2016  
Page 3

4. That the Code Enforcement Unit is directed to take all necessary steps to assure the abatement is completed as ordered. If the property owner fails to comply with this order the Code Enforcement Unit shall be empowered and authorized to abate said nuisance and shall return to the Board for authorization for a transfer of funds to abate such nuisance, and that the costs of abatement shall become a lien on the subject property.

Dated: 5-31-16



Chair, Humboldt County Board of Supervisors



CODE ENFORCEMENT UNIT  
**COUNTY OF HUMBOLDT**  
825 Fifth Street, Eureka, California 95501  
Telephone (707) 476-2429 - - Telecopier (707) 445-6297

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In Re: ADMINISTRATIVE PENALTY HEARING

Case No. 10CEU-015

COUNTY v. JESSICA ADAMS

A.P. No. 306-291-018

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May 31, 2016  
1:30 p.m.

**EXHIBIT PACKET**

The following exhibits are submitted on behalf of the Code Enforcement Unit in the above-referenced matter:

EXHIBIT A-- Location map (2 pages)

EXHIBIT B-- Interspousal Grant Deed (2 pages)

EXHIBIT C-- Notice of Nuisance dated January 30, 2013 with Proof of Service (6 pages)

EXHIBIT D-- Notice to Abate Nuisance dated May 6, 2016 (4 pages)

EXHIBIT E - Copies of relevant sections of Humboldt County Code [§§ 352-26 and 521-4]  
(5 pages)

EXHIBIT F-- Photographs of subject property; February 26, 2016

EXHIBIT G- Photographs of subject property; April 27, 2016

Dated: 5-19-16 CODE ENFORCEMENT UNIT

*Blair Angus* *JA*  
Blair Angus  
Assistant County Counsel

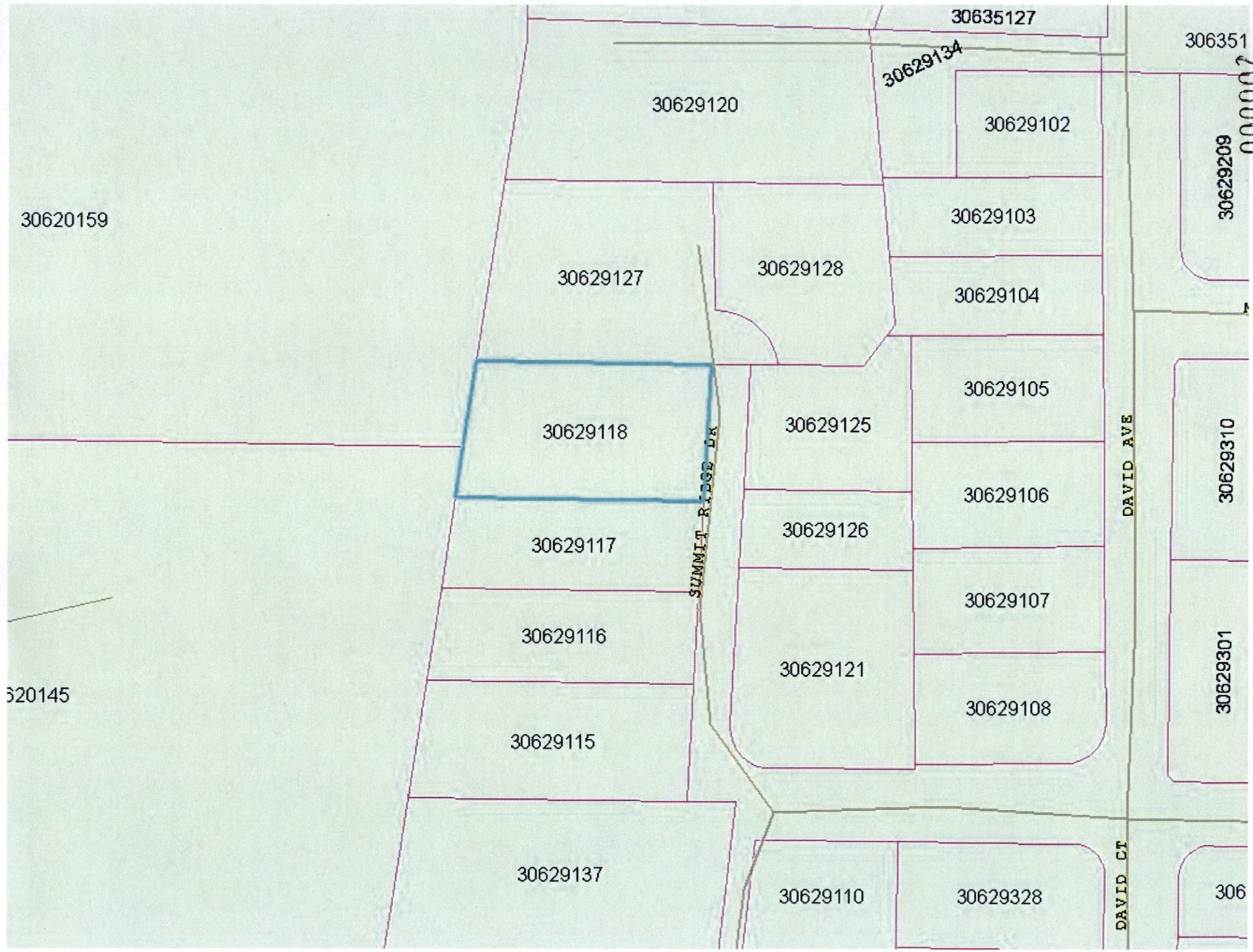


Location Maps

**EXHIBIT "A"**

A.P. No. 306-291-018

Administrative Abatement Hearing, County v. Jessica Adams



30620159

30635127

306351

30629134

30629120

30629102

30629209

000002

30629103

30629127

30629128

30629104

30629118

30629125

30629105

DAVID AVE

30629310

30629117

30629126

30629106

SUMMIT RIDGE DR

30629116

30629121

30629107

30629301

30629115

30629108

320145

30629137

30629110

30629328

DAVID CT

306

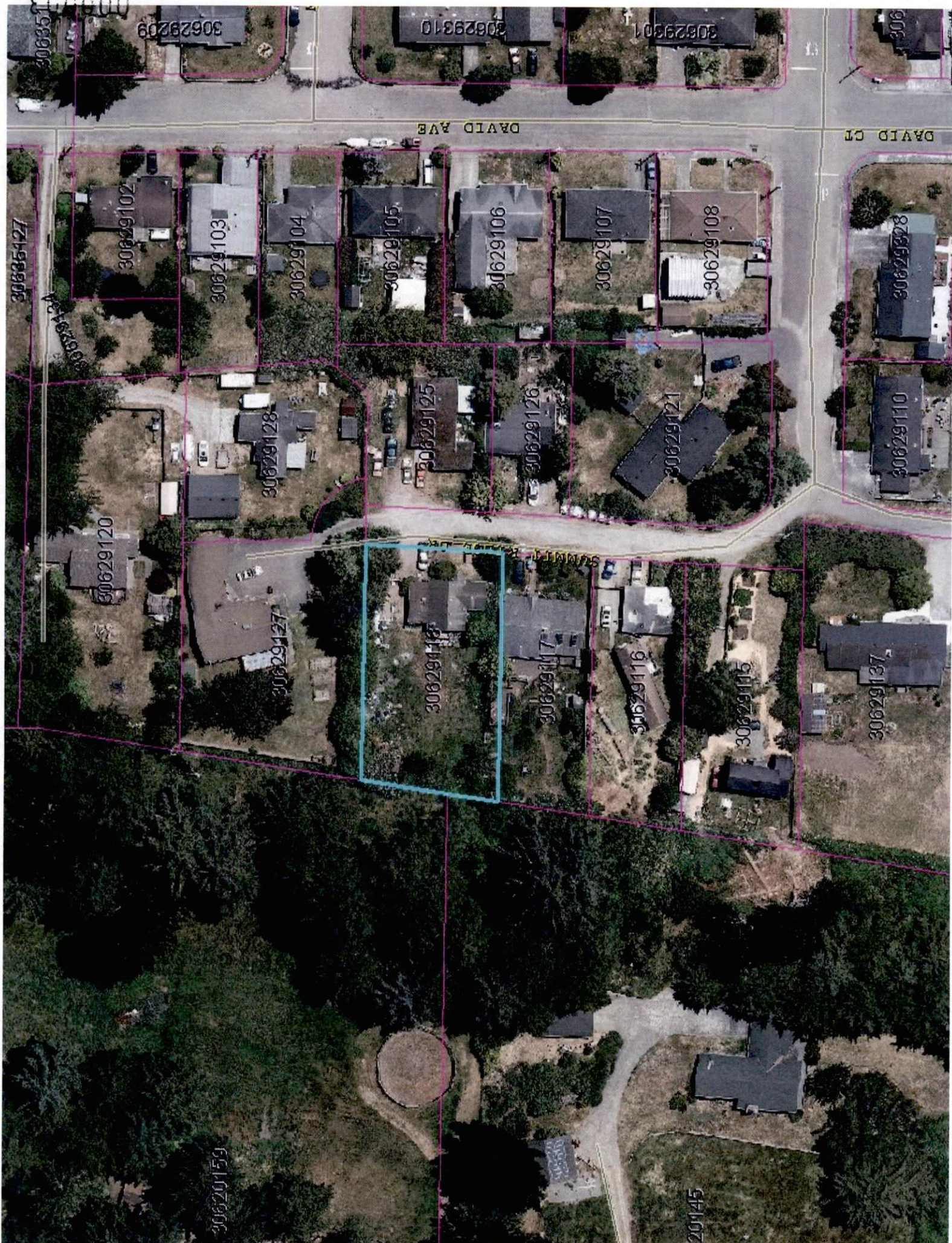
# **ATTACHMENT “B”**

## **Exhibit Packet**

In Re: Abatement Hearing

Jessica Adams

7210 Summit Ridge Drive, Eureka, California; AP# 306-291-018



Administrative Abatement Hearing, County v. Jessica Adams  
A.P. No. 306-291-018

**EXHIBIT "B"**

Interspousal Grant Deed

RECORDING REQUESTED to

2002-36315-2  
Recorded — Official Records  
Humboldt County, California  
Carolyn Crnich, Recorder  
Recorded by ADAMS  
Rec Fee 10.00  
Clerk: KJ Total: 10.00  
Oct 31, 2002 at 11:35

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENT TO:

Name: JESSICA ANN Adams  
Street Address: 7218 Summit Ridge Rd.  
City & State: EUREKA, CA. 95503  
Zip

Order No. \_\_\_\_\_

SPACE ABOVE THIS LINE FOR RECORDER'S USE



# Grant Deed INTER Spousal

DOCUMENTARY TRANSFER TAX IS \$ \_\_\_\_\_ Parcel No. 306-291-18

computed on full value less value of liens or encumbrances remaining at time of sale, or

computed on full value of property conveyed,

SIGNATURE OF DECLARANT OR AGENT DETERMINING TAX, FIRM NAME

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

CARL MORGAN ADAMS

hereby GRANT(S) to

JESSICA ANN ADAMS

the following described real property in the  
County of Humboldt county, State of California:

UNICORPERATED AREA OF

SEE SCHEDULE "A" Attached

Dated 10-31-02

*Carl M Adams*

STATE OF CALIFORNIA Humboldt COUNTY OF S.S.

On Oct 31 - 2002 before me,

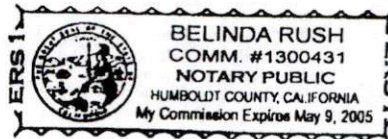
BELINDA RUSH  
a Notary Public in and for said County and State, personally appeared  
CARL MORGAN ADAMS

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature *Belinda Rush*

My Commission Expires MAY 9-2005



(This area for official notarial seal)

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE: IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE

GD1

Name

Street Address

City & State

1

000005

SCHEDULE "A"

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

Those portions of the Southwest Quarter of the Northeast Quarter of Section 20, Township 4 North, Range 1 West, Humboldt Meridian, described as follows:

PARCEL ONE:

BEGINNING at a point 2359.76 feet West and 1753.04 feet South of the Northeast corner of said Section, said point being the Northeast corner of the land conveyed to Fred J. Sepic and Shirley A. Sepic, his wife, by deed recorded November 7, 1952 under Recorder's File No. 13512, in the office of the County Recorder of Humboldt County;

thence South 4 degrees 22 minutes 20 seconds East 89 feet;

thence South 37 degrees 55 minutes 10 seconds West 33.62 feet;

thence North 89 degrees 30 minutes West 232.46 feet to a point on the West line of the land conveyed to Kristen J. Jensen and wife by deed recorded July 30, 1945 in Book 275 of Deeds page 152 in the office of the County Recorder of said county, said point being the true point of beginning;

thence along said West line South 7 degrees 00 minutes West 87.43 feet;

thence South 89 degrees 30 minutes East 153.72 feet;

thence North 3 degrees 41 minutes East 87 feet to the South line of said Sepic Land;

and thence along said South line North 89 degrees 30 minutes West 148.66 feet to the true point of beginning.

PARCEL TWO:

A non-exclusive easement for ingress and egress and public utility purposes over a strip of land, 20 feet in width, the West and South lines of which are described as follows:

BEGINNING at the Northeast corner of the parcel of land first above described;

thence South 3 degrees 41 minutes West 275 feet, more or less, to the North line of land conveyed to William F. Briody and wife by deed recorded July 20, 1950 under Recorder's Serial No. 7401 in the Office of the County Recorder of said County;

and thence South 89 degrees 30 minutes East 850 feet, more or less to the County Road.

Being the same easement as conveyed to Pearl Mangum and husband by deed recorded June 1, 1960 in Book 588 of Official Records page 643. y

2002-36315-2

000006

(2)

Administrative Abatement Hearing, County v. Jessica Adams  
A.P. No. 306-291-018

**EXHIBIT "C"**

Notice of Nuisance





## "Attachment A"

Code Section	Nature of Violation	Corrective action required
<input type="checkbox"/> § 311-10.1	Building/property use or operation in violation of zoning code	Apply for permits from Planning & Building Dept.
<input type="checkbox"/> § 312-3	Development within coastal zone without permit(s)	Cease use and/or development & apply for permits
<input type="checkbox"/> § 314-45.1	Cottage industry violation	Apply for/obtain permits from Planning Dept. or cease use
<input type="checkbox"/> § 314-81.1	Use of mobile homes or trailers as place of habitation	Disconnect utilities and cease use as residence
<input type="checkbox"/> § 314-87.1	Secondary dwelling unit without permits	Apply for/obtain permits from Planning & Building Dept.
<input type="checkbox"/> § 331-II	Building conditions endanger life, health, safety or welfare of public [H&S§17920.3]	Apply for permit for repair, securement or demolition
<input type="checkbox"/> § 331-II.5	Non-approved water supply system	Apply for permits for system or removal
<input type="checkbox"/> § 331-14	Grading without permits	Apply for and obtain permits
<input type="checkbox"/> § 331-28	Construction of building/structure in violation of building, plumbing and/or electrical codes	Apply for and obtain permits
<input checked="" type="checkbox"/> § 352-26	Junk vehicles	a) Restore vehicle(s) to operative condition, and/or b) Remove inoperable vehicles, and/or c) Store inoperative vehicles within enclosed structure
<input type="checkbox"/> § 371--2	Maintaining a junkyard	a) Contain all debris within 200 square-foot area, and/or b) Contain all debris within an enclosed structure, and/or c) Remove all debris
<input type="checkbox"/> § 511-1	Failure to obtain permit for food establishment	Apply for and obtain permit
<input checked="" type="checkbox"/> § 521-4	Storage & removal of solid waste	Contain & dispose of all solid waste properly
<input type="checkbox"/> § 521-10	Improper disposal of solid waste	Properly remove solid waste. No burning or burying of solid waste.
<input type="checkbox"/> § 611-3	Unapproved sewage disposal system	Apply for & receive permit from Environmental Health Department for sewage disposal system
<input type="checkbox"/> § 612-6	Sewage/sewage system creating nuisance	Cease use & contact Environmental Health Dept.
Remarks:		

A.P. No. 306-291-018

ATTACHMENT B

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

Those portions of the Southwest Quarter of the Northeast Quarter of Section 20, Township 4 North, Range 1 West, Humboldt Meridian, described as follows:

PARCEL ONE:

BEGINNING at a point 2359.76 feet West and 1753.04 feet South of the Northeast corner of said Section, said point being the Northeast corner of the land conveyed to Fred J. Sepic and Shirley A. Sepic, his wife, by deed recorded November 7, 1952 under Recorder's File No. 13512, in the office of the County Recorder of Humboldt County;

thence South 4 degrees 22 minutes 20 seconds East 89 feet;

thence South 37 degrees 55 minutes 10 seconds West 33.62 feet;

thence North 89 degrees 30 minutes West 232.46 feet to a point on the West line of the land conveyed to Kristen J. Jensen and wife by deed recorded July 30, 1945 in Book 275 of Deeds page 152 in the office of the County Recorder of said county, said point being the true point of beginning;

thence along said West line South 7 degrees 00 minutes West 87.43 feet;

thence South 89 degrees 30 minutes East 153.72 feet;

thence North 3 degrees 41 minutes East 87 feet to the South line of said Sepic Land;

and thence along said South line North 89 degrees 30 minutes West 148.66 feet to the true point of beginning.

PARCEL TWO:

A non-exclusive easement for ingress and egress and public utility purposes over a strip of land, 20 feet in width, the West and South lines of which are described as follows:

BEGINNING at the Northeast corner of the parcel of land first above described;

thence South 3 degrees 41 minutes West 275 feet, more or less, to the North line of land conveyed to William F. Briody and wife by deed recorded July 20, 1950 under Recorder's Serial No. 7401 in the Office of the County Recorder of said County;

and thence South 89 degrees 30 minutes East 850 feet, more or less to the County Road.

Being the same easement as conveyed to Pearl Mangum and husband by deed recorded June 1, 1960 in Book 588 of Official Records page 643. y

PROOF OF SERVICE

STATE OF CALIFORNIA    )  
  ) ss.  
COUNTY OF HUMBOLDT    )

I, TERI GRIDLEY, 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 Humboldt County Courthouse, Eureka, California; that on **February 1, 2013**, I served a true copy **NOTICE OF NUISANCE; AND NOTICE OF INTENT TO RECOVER COSTS**

XX 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:    **\*via Certified Mail**

**\*Jessica Adams  
7210 Summit Ridge Road  
Eureka, CA 95503**

\_\_\_\_\_ by personally delivering a true copy thereof to the person as forth below.

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

\_\_\_\_\_ by fax

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

Executed on the 1st day of February, 2013, at the City of Eureka, County of Humboldt, State of California.

  
Teri Gridley, Legal Office Services Manager

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>CODE ENFORCEMENT UNIT</b> <b>COUNTY OF HUMBOLDT</b> <b>825 FIFTH STREET, ROOM 110</b> <b>EUREKA, CA 95501</b> TELEPHONE NO.: (707) 476-2429      FAX NO. (Optional): (707) 445-6297 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		FOR COURT USE ONLY     
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF HUMBOLDT</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
PLAINTIFF/PETITIONER: <b>CODE ENFORCEMENT UNIT</b>  DEFENDANT/RESPONDENT: <b>JESSILA ADAMS</b>	CASE NUMBER:  	
<b>PROOF OF SERVICE OF SUMMONS</b>		Ref. No. or File No.: <b>10CEJ015</b>

(Separate proof of service is required for each party served.)

- At the time of service I was at least 18 years of age and not a party to this action.
- I served copies of:
  - summons
  - complaint
  - Alternative Dispute Resolution (ADR) package
  - Civil Case Cover Sheet (served in complex cases only)
  - cross-complaint
  - other (specify documents): **NOTICE OF NUISANCE**
- Party served (specify name of party as shown on documents served):  
**JESSILA ADAMS**
  - Person served:  party in item 3a       other (specify name and relationship to the party named in item 3a):
- Address where the party was served:  
**7210 SUMMIT RIDGE ROAD, EUREKA**
- I served the party (check proper box)
  - by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): \_\_\_\_\_ (2) at (time): \_\_\_\_\_
  - by substituted service. On (date): \_\_\_\_\_ at (time): \_\_\_\_\_ I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3b): \_\_\_\_\_
  - (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
  - (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
  - (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
  - I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): \_\_\_\_\_ from (city): \_\_\_\_\_ or  a declaration of mailing is attached.
  - I attach a declaration of diligence stating actions taken first to attempt personal service.

PLAINTIFF/PETITIONER: CODE ENFORCEMENT UNIT	CASE NUMBER:
DEFENDANT/RESPONDENT: <u>JESSICA ADAMS</u>	

- c.  by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
- (1) on (date): \_\_\_\_\_ (2) from (city): \_\_\_\_\_
- (3)  with two copies of the Notice and Acknowledgment of Receipt and a postage-paid return envelope addressed to me. (Attach completed Notice and Acknowledgement of Receipt.) (Code Civ. Proc., § 415.30.)
- (4)  to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d.  by other means (specify means of service and authorizing code section):  
POSTED PROPERTY 2/1/2013 1400

Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a.  as an individual defendant.
- b.  as the person sued under the fictitious name of (specify): \_\_\_\_\_
- c.  as occupant.
- d.  On behalf of (specify): \_\_\_\_\_  
under the following Code of Civil Procedure section:
- |   |   |
|---|---|
| <input type="checkbox"/> 416.10 (corporation)                     | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation)             | <input type="checkbox"/> 416.60 (minor)                               |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee)                 |
| <input type="checkbox"/> 416.40 (association or partnership)      | <input type="checkbox"/> 416.90 (authorized person)                   |
| <input type="checkbox"/> 416.50 (public entity)                   | <input type="checkbox"/> 415.46 (occupant)                            |
|   | <input type="checkbox"/> other: _____                                 |

7. Person who served papers

- a. Name: Jeff Conner
- b. Address: 825 Fifth Street
- c. Telephone number: 476-2429
- d. The fee for service was: \$ 0.00
- e. I am:
- (1)  not a registered California process server.
- (2)  exempt from registration under Business and Professions Code section 22350(b).
- (3)  registered California process server:
- (i)  owner  employee  independent contractor.
- (ii) Registration No.: \_\_\_\_\_
- (iii) County: \_\_\_\_\_

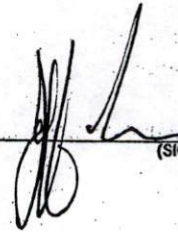
8.  I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

or

9.  I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: 2/1/2013

Jeff Conner  
(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

  
(SIGNATURE)

Administrative Abatement Hearing, County v. Jessica Adams  
A.P. No. 306-291-018

**EXHIBIT "D"**

Notice to Abate Nuisance



Recording Requested By & For Benefit  
Of:  
**COUNTY OF HUMBOLDT**

When Recorded, Mail To:  
**CODE ENFORCEMENT UNIT**  
Courthouse Bldg., 825 Fifth Street  
Eureka, California 95501  
(707) 476-2429

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# NOTICE TO ABATE NUISANCE

[Humboldt County Code § 351-12]

Address of Premises: 7210 Summit Ridge Drive, Eureka; AP# 306-291-018  
To: Jessica Adams

NOTICE IS HEREBY GIVEN TO APPEAR before the Board of Supervisors of the County of Humboldt, on **May 31<sup>st</sup>, 2016, at the hour of 1:30 p.m.**, or as soon thereafter as the matter can be heard, in the Supervisor's Chambers, located at 825 5th Street, Eureka, California,

TO SHOW CAUSE, if any there be, why such conditions listed on "Attachment A" should not be condemned as a nuisance and why such nuisance should not be abated by the undersigned enforcement official.

[Continued on next page]

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At the time and place specified in this notice, the Board shall proceed to hear the testimony of the undersigned enforcement official, his/her assistants or deputies, the testimony of the owner or his/her representatives, and the testimony of other competent persons concerning the conditions constituting such nuisance, the estimated cost of abatement, and other matters which the Board may deem pertinent.

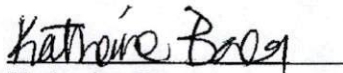
You may appear at the hearing with an attorney or other representative, call and cross-examine witnesses and present evidence on your behalf.

Upon the conclusion of the hearing, the Board may terminate the abatement proceedings, or it may order you to abate the nuisance, prescribing the requirements of such abatement and prescribing a reasonable time, not less than thirty (30) days, for the completion of such abatement.

Such order may further provide that, in the event such abatement is not commenced, prosecuted and completed within the terms set by the Board, the undersigned enforcement official shall be empowered and authorized to abate said nuisance. Upon the expiration of the time limits set by the Board, the undersigned enforcement official shall abate said nuisance. The materials contained in any nuisance abated by the enforcement official may be sold in the same manner as surplus County personal property is sold, and the proceeds from such sale shall be paid to the County into a revolving fund.

The order may further provide that the cost of such abatement shall become a charge against the premises and shall be made a special assessment against the premises; and that said special assessment may be collected at the same time and in the same manner as is provided for the collection of ordinary county taxes and shall be subject to the same penalties, interest, under the same procedure of foreclosure and sale in the case of delinquency as is provided for in ordinary county taxes.

Dated: May 6<sup>th</sup>, 2016

  
Katherine Baca  
Deputy County Counsel

**"Attachment A"**

Code Section	Nature of Violation	Corrective action required
<input type="checkbox"/> § 311-10.1	Building/property use or operation in violation of zoning code	Apply for permits from Planning & Building Dept.
<input type="checkbox"/> § 312-3	Development within coastal zone without permit(s)	Cease use and/or development & apply for permits
<input type="checkbox"/> § 314-45.1	Cottage industry violation	Apply for/obtain permits from Planning Dept. or cease use
<input type="checkbox"/> § 314-81.1	Use of mobile homes or trailers as place of habitation	Disconnect utilities and cease use as residence
<input type="checkbox"/> § 314-87.1	Secondary dwelling unit without permits	Apply for/obtain permits from Planning & Building Dept.
<input type="checkbox"/> § 331-11	Building conditions endanger life, health, safety or welfare of public [H&S§17920.3]	Apply for permit for repair, securement or demolition
<input type="checkbox"/> § 331-11.5	Non-approved water supply system	Apply for permits for system or removal
<input type="checkbox"/> § 331-14	Grading without permits	Apply for and obtain permits
<input type="checkbox"/> § 331-28	Construction of building/structure in violation of building, plumbing and/or electrical codes	Apply for and obtain permits
<input checked="" type="checkbox"/> § 352-26	Junk vehicles	a) Restore vehicle(s) to operative condition, and/or b) Remove inoperable vehicles, and/or c) Store inoperative vehicles within enclosed structure
<input type="checkbox"/> § 371--2	Maintaining a junkyard	a) Contain all debris within 200 square-foot area, and/or b) Contain all debris within an enclosed structure, and/or c) Remove all debris
<input type="checkbox"/> § 511-1	Failure to obtain permit for food establishment	Apply for and obtain permit
<input checked="" type="checkbox"/> § 521-4	Storage & removal of solid waste	Contain & dispose of all solid waste properly
<input type="checkbox"/> § 521-10	Improper disposal of solid waste	Properly remove solid waste. No burning or burying of solid waste.
<input type="checkbox"/> § 611-3	Unapproved sewage disposal system	Apply for & receive permit from Environmental Health Department for sewage disposal system
<input type="checkbox"/> § 612-6	Sewage/sewage system creating nuisance	Cease use & contact Environmental Health Dept.
Remarks:		

A.P. No. 306-291-018

PROOF OF SERVICE

STATE OF CALIFORNIA     )  
   ) ss.  
COUNTY OF HUMBOLDT    )

I, LACY MITCHELL, 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 Humboldt County Courthouse, Eureka, California; that on May 6, 2016, I served a true copy of **NOTICE TO ABATE NUISANCE**:

XX     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: ( Certified Mail )

**Jessica Adams**  
**7218 Summit Ridge Drive**  
**Eureka, CA 95503**

\_\_\_\_\_ by personally delivering a true copy thereof to the person as forth below.

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

\_\_\_\_\_ by fax

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

Executed on the 6th day of May, 2016, at the City of Eureka, County of Humboldt, State of California.

*Lacy Mitchell*  
\_\_\_\_\_  
Lacy Mitchell, Legal Office Assistant

Administrative Abatement Hearing, County v. Jessica Adams  
A.P. No. 306-291-018

**EXHIBIT "E"**  
Sections of Humboldt County Code

**Humboldt County Code § 352-26**

**[Junk Vehicles]**

or registration available, including but not limited to registration certificates of title or license plates. (Ord. 746, § 12, 1/12/71; Ord. 2093, § 1, 10/17/95)

**352-23. NOTICE OF LIEN.**

If assessment is ordered against the land on which the vehicle is located, the Enforcement Official shall cause a Notice of Lien to be prepared and recorded in the office of the County Recorder of the County of Humboldt. Said notice shall contain the following:

(a) An address, legal description or other description sufficient to identify the premises.

(b) A description of the proceedings under which the special assessment was made.

(c) The claim of lien upon the described premises. (Ord. 746, § 13, 1/12/71)

**352-24. PRIORITY OF LIEN.**

Upon the recordation of such Notice of Lien, the amount claimed shall constitute a lien upon the described premises. Such lien shall be on a parity with the liens of State and County taxes. (Ord. 746, § 13, 1/12/71)

**352-25. COLLECTION BY AUDITOR.**

The Notice of Lien, after recordation, shall be delivered to the County Auditor who shall enter the amount of lien on the assessment roll as a special assessment. Thereafter, the amount set forth shall be collected at the same time and in the same manner as ordinary County taxes are collected and shall be subject to the same penalties and interest, and to the same procedure for foreclosure and sale in case of delinquency as is provided for ordinary County taxes, and all laws applicable to the levy, collection and enforcement of County taxes are hereby made applicable to such assessment. (Ord. 746, § 15, 1/12/71)

**352-26. PENAL PROVISIONS.**

(a) It shall be unlawful and a misdemeanor for any person to abandon, park, store or leave, or permit the abandonment, parking, storing or leaving of any licensed or unlicensed junk vehicle upon any private property or public property not including highways for a period in excess of five (5) days unless such junk vehicle is completely enclosed within a building in a lawful manner where it is not plainly visible from the street or other public or private property, or unless such vehicle is parked in a lawful manner on private property in connection with the business of a licensed dismantler, licensed vehicle dealer or a junk yard. (Ord 746, § 16, 1/12/71; Ord. 2332, § 1, 11/02/2004)

(b) Any person violating any provision of this chapter shall be punished by a mandatory fine not exceeding one thousand dollars (\$1,000), or by imprisonment in the County jail for a period not to exceed six months, or by both such fine and imprisonment, and shall provide proof that the costs of removal and lawful disposition of the vehicle have been paid. Proof that the costs of removal and disposition of the vehicle have been paid shall not be required if proof is provided to the court that the vehicle was stolen prior to abandonment. That proof may consist of a police report or other evidence acceptable to the court. No part of any fine imposed shall be suspended. The fine may be paid in installments if the court determines that the defendant is unable to pay the entire amount in one payment. (Ord. 2332, § 1, 11/02/2004)

(c) The abandonment of any motor vehicle in any manner that violates this section shall constitute a rebuttable presumption affecting the burden of producing evidence that the last registered owner of record, not having complied with Section 5900 of the Vehicle Code, is responsible for such abandonment and is thereby liable for the cost of removal and disposition of the vehicle. The filing of a report of sale or transfer of the vehicle by a transferee pursuant to Section 5602, the filing of a vehicle theft report with a law enforcement agency, or the filing of a form or notice with the department pursuant to subdivision (b) of Section 4456 or Section 5900 or 5901 relieves the registered owner of liability under this subdivision. (Ord. 2332, § 1, 11/02/2004)

(d) An owner who has made a bona fide sale or transfer of a vehicle and has delivered possession of the vehicle to a purchaser may overcome the presumption appearing in subdivision (c) by demonstrating that he or she has complied with vehicle Code sections 5900 or 5602 or providing other proof satisfactory to the court. (Ord. 2332, § 1, 11/02/2004)

Humboldt County Code § 521-4

[Storage & removal of solid waste]



521-4. **STANDARDS FOR STORAGE AND REMOVAL OF SOLID WASTE AND SOURCE-SEPARATED MATERIALS.**

(a) General Prohibition. It shall be unlawful for any person to store or remove solid waste or source-separated materials except as provided herein. (Repealed and Re-Enacted by Ord. 2063, § 1, 02/14/1995)

(b) Storage.

(1) Solid waste shall be contained in the following manner:

It shall be the duty of every person in possession of or having charge of any boarding house, eating place, lodging house, restaurant, store, apartment house, flat or dwelling house, or any other establishment of human habitation, or where food is served or sold, to provide and keep at all times one (1) or more suitable watertight receptacles with tight fitting covers, in which all solid waste from such premises shall be placed and kept until removed. Any person may occasionally store excess non-putrescible solid waste in appropriate receptacles adjacent to the regular solid waste container while waiting for a regularly scheduled collection. (Repealed and Re-Enacted by Ord. 2063, § 1, 02/14/1995)

(2) Source separated materials may be accumulated for recycling and composting but must be stored in a clean, sanitary manner, separate from the storage of solid waste. (Repealed and Re-Enacted by Ord. 2063, § 1, 02/14/1995)

(3) It is unlawful for any person to utilize a solid waste container not belonging to that person without the express approval of the owner. (Repealed and Re-Enacted by Ord. 2063, § 1, 02/14/1995)

(c) Removal of Solid Waste.

(1) All putrescible solid waste from any boarding house, lodging house, restaurant, hotel, hospital or store shall be removed from said premises at least twice each week, and from dwellings and apartments at least once each week. All non-putrescible solid waste shall be removed at least once each week unless volume of waste produced in that period of time is less than the minimum amount of waste provided for by franchise collection service rates and user fee structures. In any case, removal frequency shall be such as to prevent the propagation of vectors or creation of a nuisance. (Repealed and Re-Enacted by Ord. 2063, § 1, 02/14/1995)

(d) Removal of Source-Separated Materials. Except for on-site composting and properly permitted burning as specified in Section 521-10, all segregated recyclable and compostable materials shall be removed from said premises with sufficient frequency to ensure the maintenance of said premises in a neat, sanitary manner. In any case, removal frequency shall be such as to prevent the propagation of vectors or creation of a nuisance. (Repealed and Re-Enacted by Ord. 2063, § 1, 02/14/1995)

(e) Removal of Unseparated Recyclable and Compostable Materials. Materials not separated by the generator for diversion from disposal will be considered solid waste, unless and until the point at which such materials are separated from such solid waste. (Repealed and Re-Enacted by Ord. 2063, § 1, 02/14/1995)

Administrative Abatement Hearing, County v. Jessica Adams  
A.P. No. 306-291-018

**EXHIBIT "F"**

Photographs; February 26, 2016

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Administrative Abatement Hearing, County v. Jessica Adams  
A.P. No. 306-291-018

**EXHIBIT "G"**

Photographs; April 27, 2016





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