

HL

From: Life IsAwesome
To: COB; Life IsAwesome
Cc: Eugene Denson; S Ny
Subject: Agenda H: Planning and Building CEU
Date: Tuesday, July 14, 2020 7:20:09 AM

Dear Honorable Board Members.

Hello and thanks for taking the time to read this email. I am writing you to voice my concern against the CEU.

The Planning and Building department should not have been selected to enforce cannabis laws for the county.

They have zero training and they have never been sworn in under oath to tell the truth when pursuing a case violation.

I have personally witnessed several members of the Planning and Building department misrepresent the truth during a planning commission hearing because they are not under oath nor obligated to tell the truth. They even went as far as violating the Brown Act by not publishing the case publicly after a postponement.

My personal story is appalling to say the least. The planning department was given the responsibility of Code Enforcement in 2017. Instead of properly processing applications in a timely manner according to your own strategic plan for Humboldt County they split there focus in half.

The same people processing applications also became watch dogs for illegal cannabis overnight with zero training.

The Stanford experience took over immediately. The Planning and Building department was now responsible for safe guarding Humboldt County against illegal grows and they became bullies overnight.

In 2017 the Planning and Building department should have conducted all the CAV (cultivation area verification) for pre-existing growers.

Instead the Department waited for it's satellite Imagery contract to start before doing CAV reports.

March 2018 when the county got access to the satellite Imagery it did my CAV report on March 12, 2018. That was 451 days after I submitted an application.

What went wrong?

The planner didn't notice that they were looking at two APN #'s both in the application process. They combined the two properties and moved the application into the violation pile. Instead of continuing to process my application in a timely manner my application sat dormant for another six months before the department decided to send a violation letter for expansion of cultivation. The violation letter was removed immediately when their mistake was made aware six months after they did their report.

So in conclusion because of the CEU being assigned to the Planning and Building department

without any training what so ever. My business suffered a complete loss of income for the 2018 year because they are not trained nor staffed to take on the added responsibility of enforcement.

The Planning and Building department has assigned planners working longer hours on abatement cases than on processing applications submitted four years ago.

Thank you

Brian Roberts

To: Humboldt County Board of Supervisors
From: Bonnie Blackberry
Civil Liberties Monitoring Project
Date: July 13, 2020
For: July 14, 2020 Board of Supervisors Meeting

HI

RE: CODE ENFORCEMENT UNIT ANNUAL REPORT

Members, of the Board,

I have read the staff report and have the following comments and concerns.

The Staff Report says "this first report being provided in response to a community request". It has been my understanding that the Code Enforcement Unit (CEU) Annual Reports were part of the responsibility of the CEU.

Since there appears to be a question about the responsibility to provide CEU Annual Reports, I request that the Board direct that the CEU; "within the first three months of each new calendar year, the Humboldt County Code Enforcement Unit ("CEU") present an annual report to the Board of Supervisors ("Board") describing the CEU's activities during the proceeding year".

This "annual report" is totally inadequate. It does contain general information for past three years, but I don't consider this as an annual report. There is no specific information indicating what happened, where, and when in each year, it's all lumped together.

There is no information provided about the cases where property owners were served cannabis abatement notices where there was no marijuana. John Ford said he was aware of 2 or 3 "false positives", when actually there have been many more.

There is no mention of the 470 property owners that received abatement warning letters, of which many were wrongly accused of growing commercial marijuana.

There is no information regarding the property owners that were abated and forced to remove their greenhouse and garden beds that were used for growing food.

On April 8th of this year, on KMUD radio John Ford said a small (20x30) greenhouse should not be the focus of enforcement, and that "last year's direction was nothing under 6000 sq. ft." Unfortunately it appears that that direction was not adhered to, as I have heard about many property owners receiving cannabis abatement warning letters for small greenhouses.

This report also states, when aerial evidence suggests a commercial cannabis operation is a CCLUO violation the HEIR Team will serve a notice to abate with penalties of \$10,000 per day per violation. The key word is "suggests". Unfortunately having a greenhouse has been used to suggest a commercial cannabis operation when in fact many greenhouses are used to grow food.

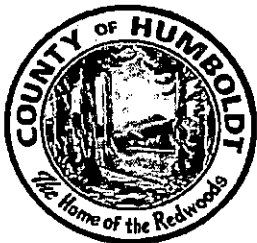
I don't know how the Supervisors can make informed realistic evaluations of a program with so little information concerning what has been and is happening to the property owners and communities in our county in each Supervisorial District.

I hope the Board will direct the CEU to prepare reports annually and that they be presented in a similar format as the previous annual reports, with attachments showing spreadsheets with useful information, instead of a general overview with photos of a few cases. I am attaching a copy of the last CEU annual report presented to the Board on March 21, 2017 so you can see the amount of information provided compared to the lack of information provided in this report covering the last three years.

I strongly urge the Board to direct the CEU to return to the Board with more detailed information concerning these past three years.

The Humboldt County CCLUO ordinances and abatement program has greatly impacted the county on a multitude of levels including causing an economic recession effecting our citizens, our local schools, businesses and non profit organizations. We were told this program was going after the egregious grows. How did we get from egregious grows to greenhouses for food?

Respectfully submitted,
Bonnie Blackberry
bonnie@civilliberties.org



COUNTY OF HUMBOLDT

AGENDA ITEM NO.

I-2

For the meeting of: **March 21, 2017**

Date: **March 3, 2017**

To: **BOARD OF SUPERVISORS**

From: **Senior Deputy County Counsel Scott Miles** *Sm*
Code Enforcement Unit

Subject: **2016 Humboldt County Code Enforcement Unit Annual Report**

RECOMMENDATION(S):

That the Board of Supervisors receive the Humboldt County Code Enforcement Unit's 2016 annual report.

SOURCE OF FUNDING:

General Fund

DISCUSSION:

Within the first three months of each new calendar year, the Humboldt County Code Enforcement Unit ("CEU") presents an annual report to the Board of Supervisors ("Board") describing the CEU's activities during the preceding year. This report covers the CEU's activities for the 2016 calendar year..

Staffing

Historically, CEU staff has consisted of a deputy county counsel, a code enforcement investigator, and the office manager of the County Counsel's Office. Both the attorney and the office manager have numerous other assignments and spend less than 25% of their time working on code enforcement issues. The CEU applied for, and received, monies from the Measure Z fund in the 2015/2016 fiscal year. The intention of

Prepared by Jeff Conner/Bernadette Arwood

CAO Approval *Elishia Hef*

REVIEW:

Auditor

County Counsel *Sm*

Personnel

Risk Manager

Other

TYPE OF ITEM:

☐ Consent

☒ Departmental

☐ Public Hearing

☐ Other

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor *Fennell*

Seconded by Supervisor *Sundberg*

And unanimously carried by those members present,

The Board hereby adopts the recommended action

contained in this report.

PREVIOUS ACTION/REFERRAL:

Board Order No. _____

Meeting of: _____

Dated: *Mar 21, 2017*

Kathy Hayes, Clerk of the Board

By: *Jim Stewart*

this application was to increase the number of CEU staff in order to provide additional services to the community. In December of 2015, the CEU hired a code compliance officer and a part-time legal office assistant. 2016 was the first full calendar year that these new staff members have been employed by the CEU, and consequently there is a section devoted to their contributions to the CEU's workload.

Types of Cases

One of the assignments given to the new legal office assistant was to go through the CEU's historical cases and scan the pertinent documents so that they could be added to the cloud-based, case management system. This review found six cases that had not been entered into the database when the case management system was adopted. A new classification was added that allowed the entry of these cases. As the review of old cases is completed, there should not be a need for this case type in the future. There are currently seven other types of cases within the CEU's database: enforcement; assistance; vehicle abatement; criminal; illegal dumping; personal use, medical marijuana; and complaint referral. Enforcement cases are those in which the CEU attempts to gain compliance with County Codes. The primary goal is to obtain voluntary compliance, but the CEU has numerous tools with which to abate violations if the property owner is unable and/or unwilling to comply. Assistance cases provide information to other County departments. This annual report is an example of an assistance case. The CEU has historically assisted in the disposal of unwanted, junk vehicles on both public and private lands. This process is documented in the vehicle abatement reports. The CEU occasionally submits criminal complaints to the District Attorney's Office for egregious violations of County Code or State Law. Illegal dumping cases are treated slightly different than other enforcement cases as the focus is on making the perpetrator accountable rather than the property owner. The CEU is the primary enforcing agency for the County's small parcel, personal use, medical marijuana ordinance. As these cases have an expedited abatement procedure, they are tracked separately from other enforcement cases. In 2015, your Board directed that the CEU be a clearinghouse for receiving complaints from the public. The CEU uses referral cases to track these complaints and to provide information to the public about the status of the case as well as who to contact for further information.

Caseload

On January 1, 2016, the CEU had 148 open cases of all types. During 2016, the CEU opened 149 new cases and closed 133 cases. On December 31, 2016, there were 164 open cases. The new cases are broken down by type as follows:

Enforcement Cases	58
Assistance Cases	2
Vehicle Abatement Cases	13
Criminal Cases	0
Illegal Dumping Cases	1
Small Parcel Medical Marijuana Cases	13
Referral Cases	56
Old Case Addition	6

The new enforcement cases are broken down by supervisorial district as follows:

District I	12
District II	20
District III	8
District IV	2
District V	16

The new enforcement cases have also been broken down by primary violation as follows (note that most cases have multiple violations):

Commercial Medical Marijuana Ordinance	4
Construction and/or Grading Without Permits	20
Development in a Streamside Management Area	2
Development in the Coastal Zone	1
Junk Vehicles	2
Maintaining a Junkyard	8
Maintaining an Unsafe Structure	1
Residential Vehicles Used as a Residence	3
Solid Waste	10
Substandard Housing	3
Unapproved Sewage Disposal System	1
Unpermitted Secondary Unit(s)	2
Violation of a Zoning Ordinance	1

Enforcement cases are generally referred to the CEU by other County departments. However, the CEU can re-open enforcement cases on repeat offenders with the same or similar violations as a previous, referred case. The last breakdown is by initial referring agency and is as follows:

Board of Supervisors	2
Building and Planning Divisions	38
Code Enforcement Unit	2
Division of Environmental Health	16

See Attachment "A" for additional information on new enforcement cases.

The CEU closed the following number of cases by type:

Enforcement Cases	44
Assistance Cases	3
Vehicle Abatement Cases	12
Criminal	2
Illegal Dumping Cases	0
Small Parcel Medical Marijuana Cases	15
Complaint Referral Cases	51
Old Case Addition	6

The enforcement cases were closed by the following means:

Administratively	11
Returned to Referring Department	1
Unfounded	8
Violations Abated by County	1
Violations Abated by Property Owner	23

The CEU closes cases administratively when only minor violations remain and a notice of nuisance has been recorded against the property. Cases are occasionally returned to the referring department so that additional attempts at compliance can be made. Also, violations are occasionally cleared by the property

owner after the case is referred, but before the CEU can inspect the property. Such cases are determined to be unfounded. Four of the cases closed in this manner last year were violations of the new commercial medical marijuana ordinance. Due to the time of the year that these cases were received by the CEU, the offending marijuana plants had already been harvested. However, in three of those four cases, there are other violations that are still under investigation. Additional information on closed enforcement cases can be found in Attachment "B."

Small Parcel, Personal Use, Medical Marijuana Cases

2016 was the second full year that the CEU was responsible for enforcing the County's small parcel, personal use, medical marijuana ordinance. There were 13 complaints made, the majority being in the Willow Creek area. This compares to 30 complaints in 2015, with 17 of those complaints being in District II. The cases are listed below by District:

I District	1
II District	3
V District	9

All of the violations have been resolved. The cases were closed for the following reasons:

Marijuana Abated by County	0
Marijuana Abated by Property Owner	7
Other	1
Unfounded	5

In four of the five cases where the allegation was deemed to be unfounded, there were implements of cultivation present, but there were no marijuana plants on the property at the time of the inspection or the amount of marijuana was less than the maximum allowed by the Humboldt County Code. In addition to these cases, two cases from 2015 were closed after cost recovery hearings were held. There is more information in the Cost Recovery Section of this report on those two cases. See Attachment "C" for more information on the small parcel, personal use, medicinal marijuana cases opened in 2016.

Administrative Penalties

The CEU issued 16 administrative penalties totaling \$31,000 in 2016 (see Attachment "D" for information on these penalties). Three of the penalty recipients requested a hearing to appeal their administrative penalty. The Hearing Officer upheld the penalty in two of those cases. The third was eventually dismissed before the hearing was held. One other penalty was dismissed after significant progress was made in abating the violations. Seven of the penalties have been at least partially paid. The remaining penalties have become final. Special resolutions have been approved by your Board that allows unpaid administrative penalties to be placed on the secure tax rolls on three of the unpaid penalties.

As detailed above, the CEU issues penalties every year, but often does not receive payment until some time in the future. In the 2016 calendar year, the CEU collected a total of \$33,548.39 in administrative penalties. A portion of these funds was deposited into the County's General Fund to help cover the costs associated with operating the CEU. The remainder was deposited into the Code Enforcement Trust Fund and will be used to pay for future clean-ups and similar expenses as approved by your Board.

Nuisance Abatement Hearings

In 2016, the CEU brought seven cases before your Board for a Nuisance Abatement Hearing. This compares with two the previous year and two in 2014. The seven hearings held in 2016 are detailed below (See Attachment "E" for photos of the nuisance properties).

Garberville

This case was referred to the CEU by the Planning and Building Department for violations of Humboldt County Code involving unsafe building conditions that could endanger the life, health and safety of the public. There was an abandoned, unfinished, unsecured structure, as well as several junk vehicles on the property. The CEU conducted an initial site inspection and confirmed these violations. The CEU recorded a Notice of Nuisance against the property. Upon further investigation the CEU learned that there was a civil suit between two parties over the ownership of this parcel. After monitoring the conditions of the property and finding no improvements, the CEU brought this case before your Board for an abatement hearing. Your Board found the property to be a nuisance and ordered the violations to be abated. However, after the CEU served the findings of nuisance and order to abate, one of the interested parties removed three of the junk vehicles and partially boarded up the unsecured structure. Because there was significant improvement to the conditions of the property, the CEU agreed to give the property owner more time to complete the abatement.

Stafford

The CEU received a referral from the Division of Environmental Health for violations of the Humboldt County Code involving the improper storage and removal of solid waste. The CEU served an inspection warrant which confirmed the presence of trash, solid waste and junk vehicles. Multiple attempts were made to contact the property owners and/or locate where they live to no avail. The CEU continued to monitor the conditions of the property which unfortunately continued to deteriorate. Consequently, the CEU brought this matter before your Board for an abatement hearing. Your Board found the property to be a nuisance and ordered the violations to be abated. However, due to the wet weather and the presence of running water on the property, the CEU has elected to wait until spring for the ground to dry before completing the abatement.

Indianola

In April of 2013, the CEU received a referral from the Division of Environmental Health concerning a parcel located in the Indianola area. The owner of the property was an elderly widow. One of her adult sons had taken control of the property and there were numerous violations present, including junk vehicles, solid waste and recreational vehicles being used as a residence. A Notice of Nuisance was recorded in October of 2013. The CEU monitored the property as the owner's family worked on cleaning it up. In May of 2015, additional recreational vehicles were moved onto the property and the conditions began to deteriorate rapidly. The CEU learned through discussions with the owner's family that the property was in the process of being sold. As part of that process, the owner's son and several other persons were evicted from the property, however, the violations remained. On February 23, 2016, the CEU brought this matter before your Board for an abatement hearing. Members of the owner's family along with the potential purchasers were present. Your Board found the property to be a nuisance and ordered the violations abated within sixty days. The sale of the property was completed shortly after the hearing and the new owners have worked diligently to clear the violations. The conditions on the property are such that the CEU is no longer considering doing an abatement.

Humboldt Hill

This case was referred to the CEU by the Planning and Building Department for violations of the Humboldt County Code involving the improper storage and removal of solid waste. The CEU conducted a site inspection which confirmed large concentrations of solid waste, garbage and junk vehicles. Furthermore, one of the residential vehicles located on the parcel was also being inhabited by the property owner's adult son. Due to the property owner being elderly and intimidated by her adult son, the CEU prepared a referral for elder abuse which was sent to Adult Protective Services. It was also discovered after reviewing the CEU case file, that the CEU previously conducted an abatement on this parcel for similar violations of the Humboldt County Code. After multiple failed attempts to bring this property into compliance the CEU brought this matter before your Board for an abatement hearing. Your Board found the property to be a nuisance and ordered the violations to be abated. The CEU, with the assistance of a licensed contractor conducted the abatement and was able to close out the case.

Ridgewood

The CEU received a referral from the Division of Environmental Health on a parcel that contained a substantial amount of solid waste, scrap metal, spilt wood products and junk vehicles. The owners of the property stated that due to financial hardships they were unable to become compliant. The CEU worked with the owners and tried to obtain voluntary compliance by granting them time to clear up the violations and assistance in disposing of junk vehicles and solid waste. However, during a follow-up site inspection it was discovered that the conditions on the property had continued to deteriorate. As a result, the CEU brought this matter before your Board for an abatement hearing. Your Board found the property to be a nuisance and ordered the violations to be abated. The CEU, with the assistance of a licensed contractor, conducted the abatement and was able to bring the property into compliance.

Carlotta

In April of 2016, the CEU received a referral from the Division of Environmental Health concerning a parcel in the Carlotta area. The owner of the property was an elderly widow. The property did not have a residence on it and was located adjacent to the Van Duzen River. The CEU served an inspection warrant on the property and found that one of the owner's sons was living on the property in a tent. There were numerous other violations present, including junk vehicles, solid waste, construction without permits and maintaining a junkyard. More than twenty members of the community presented the CEU with a letter requesting that the County take action. On August 23, 2016, the CEU brought this property before your Board for an abatement hearing. Your Board found the property to be a nuisance and ordered the violations cleared within thirty days. At the end of the deadline, it appeared that the owner's family had made a small, but noticeable effort to clear the violations. On October 18, 2016, the CEU requested funding from your Board to complete the abatement. One of the owner's sons was present and stated that he would have the property cleaned up within sixty days. Consequently, your Board continued the hearing. The junk vehicles were promptly removed from the property, but little additional work was observed. In December of 2016, the CEU prepared for a second request for funding. At about the same time, the owner's family removed the remaining solid waste and debris leaving four metal storage containers that were placed without permits as the only remaining violation. Consequently, the CEU is no longer considering conducting an abatement.

Eureka

In January of 2016, a concentrated marijuana operation using butane extraction exploded on this property just to the south of the Eureka city limits. The house on the property was seriously damaged. The owners

of the property live out of the area. Their insurance company paid to remove the debris caused by the explosion and to secure the house. However, the owners made no attempt to address the issue of the unsafe structure or the construction that was done without permits. On August 9, 2016, the CEU brought this property before your Board for an abatement hearing. Your Board found the property to be a nuisance and ordered the violations cleared within thirty days. This did not prompt any further action by the owners. At the time that this report is being written, the CEU has obtained an abatement warrant to remove the damaged structure and is waiting for PG&E to terminate the natural gas connection. The abatement should be completed in the first half of April, 2017 and will be covered in next year's annual report.

Abatements

The CEU conducted three abatements related to enforcement cases in 2016 (See Attachment "F" for before and after pictures of the abatements).

Pine Hill

The CEU conducted an abatement on a parcel in the Pine Hill area that had been declared a nuisance by your Board in 2015. The cleanup was conducted between February 29, 2016 and March 3, 2016. A work crew from the Sheriff's Work Alternative Program ("SWAP") was used to load three dumpsters with solid waste and trash. In addition, four junk vehicles were removed from the property, including an SUV that had been reported as stolen.

Ridgewood

This abatement was conducted over a four day period in which CEU employees, with assistance from a licensed contractor, loaded six 40-yard dumpsters with solid waste, garbage and scrap metal. In addition, a second contractor removed and disposed of four junk vehicles that were found on the property. Cost recovery was conducted before your Board and the Findings and Order confirming the assessment were approved.

Humboldt Hill

This abatement consisted of two junk vehicles that were broken down and removed, along with a large amount of scrap metal and tires. Furthermore, CEU employees with the assistance of a licensed contractor loaded a 40-yard dumpster with garbage and solid waste. Cost recovery was also conducted before your Board and the Findings and Order confirming the assessment were approved.

Cost Recovery

The CEU brought five cost recovery items before your Board in 2016 including two from abatements related to the enforcement of the small parcel, personal use, medical marijuana ordinance. The remaining three cost recovery hearings were held to recover the costs of three abatements described in the previous section. The hearings for the marijuana garden abatements as well as the Pine Hill abatement were held in June of 2016. They were uncontested and your Board approved the assessments in all three hearings; \$5,320.33 for the Pine Hill cleanup, \$951.07 for the Shelter Cove abatement and \$1,677.40 for the Willow Creek abatement. The two cost recovery hearings for the other two abatements that took place in 2016 were held in December. They were also uncontested and your Board approved the assessments in both hearings; \$23,480.75 for the cleanup in Ridgewood and \$2,168.35 for the cleanup on Humboldt Hill.

None of these assessments were paid initially and a lien has been recorded and the amounts have been added to the secure tax rolls. The CEU has received a partial payment for the cleanup conducted in Pine Hill during the 2016/2017 tax year and it is expected that the lien will be completely paid off when the second property tax installment is paid. In addition to this partial payment, the CEU collected \$10,396.36 through the tax lien sale which took place in April of 2016. This was from cost recovery for an abatement that took place in McKinleyville in 2015.

Junk Vehicle Program

The CEU has worked in the past with property owners and the local vehicle dismantlers in the rapid disposal of unwanted junk vehicles. The loss of resources and an increasing workload made this a lower priority in 2015. In 2016, with the increase in staff, the CEU was able to begin abating vehicles again. This resulted in 12 vehicle abatement cases involving the disposal of 25 vehicles. The CEU will continue to assist the public, when resources and funds allow, in the disposal of problem junk vehicles.

Community Outreach

CEU staff met with a neighborhood watch group in McKinleyville to discuss a house where it was suspected that marijuana cultivation was taking place. In addition, CEU staff members routinely provide information pertaining to the Humboldt County Code to the public and have begun to take complaints directly from the public as directed by your Board.

Inspection Warrants

When a property owner or tenant refuses to consent to an inspection of property upon which violations of the Humboldt County Code are suspected, the CEU applies to the court for an inspection warrant. An inspection warrant may be obtained upon a showing that there is reason to believe a condition of non-conformity exists as to a particular parcel. An inspection warrant permits the inspection of the parcel and the conditions upon it, as well as the taking of pictures and measurements. An inspection warrant will specify whether the interior of a structure used for habitation may be inspected.

The CEU applied for, and obtained, seventeen inspection warrants from judges of the Humboldt County Superior Court during the course of 2016. Five of these warrants were for inspections related to enforcement of the County's Small Parcel Medical Marijuana Ordinance and additional information about them can be seen in Attachment "C." The other twelve inspection warrants were for enforcement cases. The primary violation in five of these was solid waste/maintaining a junkyard and three were for parcels where construction and/or grading had taken place without permits. The four remaining warrants were served on properties where the primary violations were substandard housing, maintaining an unsafe structure and zoning violations (two warrants). Wardens from the California Department of Fish and Wildlife accompanied CEU staff on one of the inspections related to grading where there was overlapping jurisdiction. The other inspections were conducted solely by CEU staff.

Abatement Warrants

An abatement warrant is an inspection warrant that is used to obtain access to property in order to conduct an abatement of a non-conforming condition on the property. The law governing inspection warrants applies equally to abatement warrants.

In addition to the inspection warrants mentioned above, the CEU applied for and obtained three abatement warrants in 2016. These warrants were obtained to allow the cleanups described previously in this report.

Sheriff's Department deputies were present during a portion of one of the abatements to help keep the peace.

Search Warrants

The CEU applied for and received a single search warrant in 2016. The purpose of the warrant was to assist the Sheriff's Department in the investigation of marijuana cultivation taking place on a small parcel in Shelter Cove. The parcel had been the subject of two prior CEU cases. CEU staff assisted the Sheriff's Department in the service of the warrant and eradication of the marijuana garden found on the property.

Measure Z

2016 was the first full year of increased staffing due to Measure Z funding. As mentioned previously, the CEU added a half-time legal office assistant and a full-time code compliance officer in December of 2015. After completing some basic training, both new employees are active and valued members of the CEU. The first major assignment given to the legal office assistant was to go through the CEU's historical cases and scan the essential documents so that they could be added to the case management system. Being able to rapidly access those documents saves CEU staff a considerable amount of time when requests for information are received from title companies and the public. In addition, the paper of files of those cases that met the requirements of the County Counsel's record retention policy were destroyed which created a considerable amount of additional storage space for other documents.

The code compliance officer did not have any previous experience in the code enforcement field, but has shown an innate ability to communicate with those she comes into contact with. This has allowed her to be more successful than most employees with her experience level. She has had more than 85 cases assigned to her of which she has closed more than half in the short time she has worked with the CEU.

In addition to the increased staffing, the CEU received a one-time allocation of \$40,000 to the Code Enforcement Trust Fund. This fund is used to pay for abatements as well as some of the costs of running the CEU. The Measure Z funds were to be used for the abatement of three "legacy" cases that have been ongoing for a number of years. However, with the influx of numerous other cases that are likely to require an abatement in 2017, it is likely that these funds will be used on other properties. However, as the money is returned to the trust fund through cost recovery, it will be possible to once again address some of the problem parcels that have not had any sign of improvement in years.

FINANCIAL IMPACT

As described in the Administrative Penalty section, the CEU collected \$33,548.39 in 2016 from administrative penalties issued in 2016 and previously. A portion of those funds will be used for future abatements and related expenses. The CEU also recouped \$10,396.36 from cost recovery on an abatement that took place that in 2015. The portion of these funds that paid for staff time and expenses will be returned to the General Fund, while the remainder will be returned to the Code Enforcement Trust Fund to pay for future abatements.

A number of bins were provided at County expense to area residents to assist them in abating solid waste violations on their parcels. County funds were also used to tow and dispose of several junk vehicles. These monies will not be recouped.

Today's recommended action supports the Board's Strategic Framework by reporting on CEU's efforts to enforce laws and regulations and the opportunities created for improved health and safety.

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose to not receive the Code Enforcement Unit's 2016 annual report.

ATTACHMENTS:

Attachment "A" – New Case Spreadsheet
Attachment "B" – Closed Case Spreadsheet
Attachment "C" – Small Parcel Medical Marijuana Case Spreadsheet
Attachment "D" – Administrative Penalty Spreadsheet
Attachment "E" – Photos of Nuisance Properties
Attachment "F" – Before and After Photos of Abatements

Attachment A

New Enforcement Cases Opened in 2016

Location	District	Department	Primary Violation
Garberville	II	DEH	Solid Waste
McKinleyville	V	DEH	Solid Waste
Cutten	I	DEH	Solid Waste
Cutten	I	BoS	Junk Vehicles
Freshwater	III	Planning	Construction/Grading Without Permits
Freshwater	III	DEH	Substandard Housing
McKinleyville	V	Planning	Junkyard
Cutten	I	DEH	Solid Waste
Fortuna	II	Planning	Junkyard
Petrolia	I	Planning	Unpermitted Secondary Unit
Mitchell Heights	III	CEU	RVs Used As a Residence
Pine Hill	I	DEH	Junkyard
Shelter Cove	II	Planning	Construction/Grading Without Permits
McKinleyville	V	Planning	Construction/Grading Without Permits
Garberville	II	Planning	Violation of Commercial Marijuana Ordinance
Garberville	II	Planning	Construction/Grading Without Permits
Weott	II	Planning	Junkyard
Orleans	V	Planning	Violation of Commercial Marijuana Ordinance
Orleans	V	Planning	Construction/Grading Without Permits
Jacoby Creek	III	CEU	Construction/Grading Without Permits
Brannon Mountain	V	Planning	Construction/Grading Without Permits
Shelter Cove	II	Planning	Junk Vehicles
Berry Summit	V	Planning	Development in a Streamside Management Area
Manila	III	Planning	Construction/Grading Without Permits
Whitethorn	II	Planning	Development in a Streamside Management Area
Whitethorn	II	Planning	Violation of Commercial Marijuana Ordinance
Weott	II	Planning	Violation of Commercial Marijuana Ordinance
Weott	II	Planning	Construction/Grading Without Permits
Pine Hill	I	Planning	Construction/Grading Without Permits

Attachment A

New Enforcement Cases Opened in 2016

Location	District	Department	Primary Violation
Patricks Point	V	Planning	Substandard Housing
Fairhaven	IV	BoS	Solid Waste
Fickle Hill	III	Planning	Construction/Grading Without Permits
New Harris	II	Planning	Construction/Grading Without Permits
Orick	V	DEH	Unapproved Sewage Disposal System
Ettersburg	II	Planning	Construction/Grading Without Permits
Fields Landing	I	DEH	Junkyard
Cutten	I	Planning	Unpermitted Secondary Unit
Holmes	II	Planning	Construction/Grading Without Permits
Shelter Cove	II	Planning	Development in the Coastal Zone
Grizzly Bluff	I	Planning	Construction/Grading Without Permits
Willow Creek	V	Planning	RVs Used As a Residence
Willow Creek	V	Planning	Solid Waste
Fruitland Ridge	II	Planning	Construction/Grading Without Permits
Arcata	III	DEH	Solid Waste
Petrolia	I	Planning	Construction/Grading Without Permits
Weitchpec	V	Planning	Construction/Grading Without Permits
Fruitland Ridge	II	Planning	Construction/Grading Without Permits
Miranda	II	Planning	Construction/Grading Without Permits
Redway	II	Planning	Junkyard
Carlotta	II	DEH	Junkyard
McKinleyville	V	DEH	Solid Waste
Myrtletown	IV	DEH	Solid Waste
Pine Hill	I	DEH	Solid Waste
Eureka	I	DEH	Maintaining a Dangerous Structure
McKinleyville	V	Planning	Junkyard
McKinleyville	V	DEH	RVs Used As a Residence
Manila	III	Planning	Violation of a Zoning Ordinance
Orick	V	DEH	Substandard Housing

Attachment B

Enforcement Cases Closed in 2016

Location	Year Case Opened	Primary Violation	Type of Closure	District
Cutten	2016	Junk Vehicles	Unfounded	I
Freshwater	2016	Secondary Unit without Permits	Unfounded	III
McKinleyville	2016	Secondary Unit without Permits	Returned	V
Garberville	2016	Commercial Marijuana Cultivation	Unfounded	II
Orleans	2016	Commercial Marijuana Cultivation	Unfounded	V
Whitethorn	2016	Commercial Marijuana Cultivation	Unfounded	II
Weott	2016	Commercial Marijuana Cultivation	Unfounded	II
Orick	2016	Unapproved Sewage Disposal System	Abated by Owner	V
Cutten	2016	Construction/Grading w/o Permits	Abated by Owner	I
Willow Creek	2016	RV Used as a Residence	Unfounded	V
Willow Creek	2016	Solid Waste	Abated by Owner	V
McKinleyville	2016	Solid Waste	Abated by Owner	V
Manila	2016	Zoning Violation	Abated by Owner	III
Pine Hill	2015	Substandard Housing	Abated by Owner	I
Myrtletown	2015	Solid Waste	Abated by Owner	IV
Humboldt Hill	2015	Construction/Grading w/o Permits	Unfounded	I
Humboldt Hill	2015	Solid Waste	Abated by Owner	I
Shelter Cove	2015	Construction/Grading w/o Permits	Abated by Owner	II
Shelter Cove	2015	Construction/Grading w/o Permits	Administratively	II
Redway	2014	Solid Waste	Abated by Owner	II
Myrtletown	2014	Solid Waste	Abated by Owner	IV
Shelter Cove	2014	Solid Waste	Abated by Owner	II
Mitchell Heights	2014	Development in the Coastal Zone	Abated by Owner	IV
Fairhaven	2014	Junkyard	Abated by Owner	IV
Ferndale	2013	Junkyard	Abated by Owner	I
Shelter Cove	2013	Construction/Grading w/o Permits	Administratively	II
Manila	2013	Solid Waste	Abated by Owner	III
Petrolia	2013	Construction/Grading w/o Permits	Abated by Owner	I
Willow Creek	2013	Construction/Grading w/o Permits	Abated by Owner	V

Attachment B

Enforcement Cases Closed in 2016

Location	Year Case Opened	Primary Violation	Type of Closure	District
SF Trinity River	2013	SMA Violation	Abated by Owner	V
Willow Creek	2007	RV Used as a Residence	Administratively	V
McKinleyville	2008	Junkyard	Abated by County	V
Mitchell Heights	2006	Solid Waste	Administratively	IV
Phillipsville	2009	Unapproved Sewage Disposal System	Administratively	II
Holmes Flat	2010	Construction/Grading w/o Permits	Administratively	II
Carlotta	2005	Construction/Grading w/o Permits	Administratively	II
Shelter Cove	2011	Construction/Grading w/o Permits	Administratively	II
Shelter Cove	2011	Construction/Grading w/o Permits	Administratively	II
Shelter Cove	2008	Junkyard	Administratively	II
Pine Hill	2010	Solid Waste	Abated by Owner	I
Carlotta	2012	Construction/Grading w/o Permits	Abated by Owner	II
SF Trinity River	2012	Construction/Grading w/o Permits	Abated by Owner	V
Shelter Cove	2012	Construction/Grading w/o Permits	Administratively	II
SF Trinity River	2012	Construction/Grading w/o Permits	Abated by Owner	V

Attachment "C"

Small Parcel Medical Marijuana Cases

Location	Warrant Required	LE Present During Inspection	Type of Closure	District
Shelter Cove	Y	N	Abated by Owner	II
Willow Creek	Y	N	Abated by Owner	V
Shelter Cove	N	N	Unfounded	II
Willow Creek	Y	N	Abated by Owner	V
Willow Creek	Y	N	Abated by Owner	V
Willow Creek	N	N	Unfounded	V
Willow Creek	N	N	Unfounded	V
Willow Creek	N	N	Unfounded	V
Willow Creek	N	N	Abated by Owner	V
Willow Creek	Y	Y	Abated by Owner	V
Phillipsville	N	N	Abated by Owner	II
Petrolia	N	N	Unfounded	I
Willow Creek	N	N	Other	V

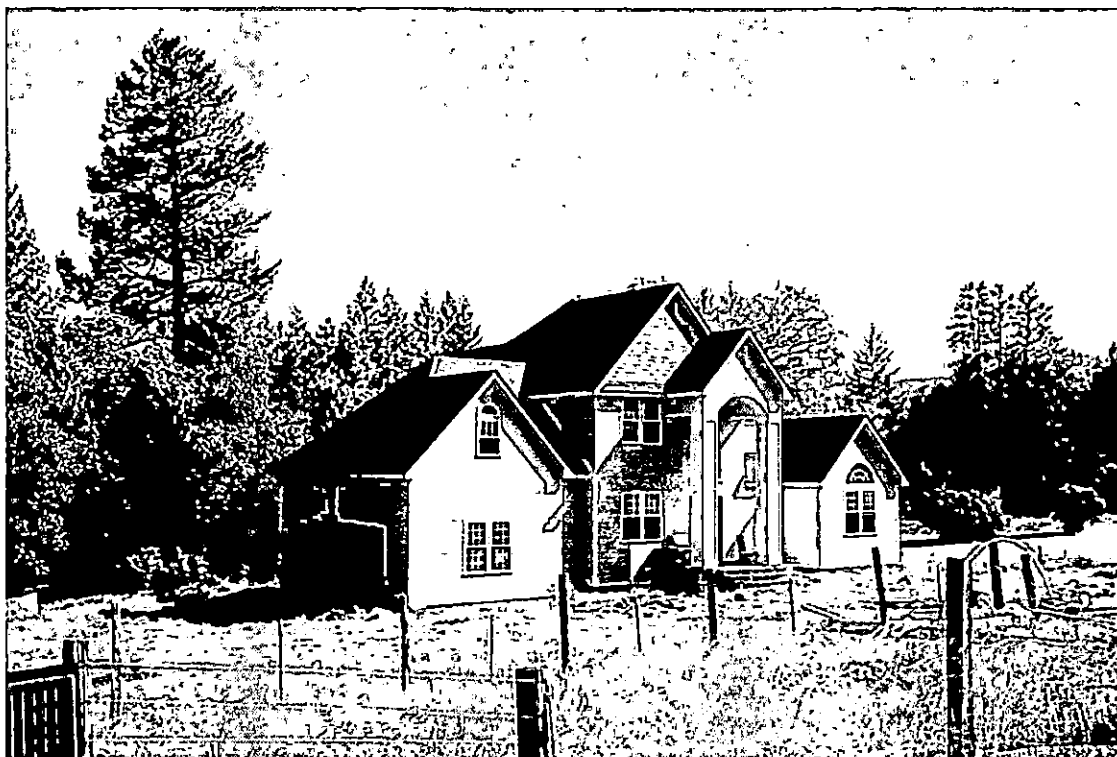
Attachment "D"

Administrative Penalties Issued in 2016

Amount	Location of Violation	District	Primary Violation
\$1,000.00	Willow Creek	V	Public Swimming Pool Violation
\$2,500.00	Shelter Cove	II	Construction/Grading Without Permits
\$1,000.00	Bayside	III	Junkyard
\$250.00	Shelter Cove	II	Junk Vehicles
\$2,500.00	Stafford	I	Junkyard
\$1,500.00	Shelter Cove	II	Construction/Grading Without Permits
\$3,750.00	Ettersburg	II	Construction/Grading Without Permits
\$3,750.00	Loleta	I	Junkyard
\$1,000.00	Greenwood Heights	III	Zoning Violation
\$1,500.00	Manila	III	Solid Waste
\$750.00	Arcata	III	RV Used as a Residence
\$1,500.00	Pine Hill	I	Solid Waste
\$1,500.00	Blue Lake	V	Solid Waste
\$1,000.00	Manila	III	Construction/Grading Without Permits
\$3,750.00	McKinleyville	V	Junkyard
\$3,750.00	Mitchell Heights	III	Zoning Violation

\$31,000.00

Attachment E



Garberville



Attachment E



Stafford



Attachment E



Indianola



Attachment E



Humboldt Hill



Attachment E



Ridgewood



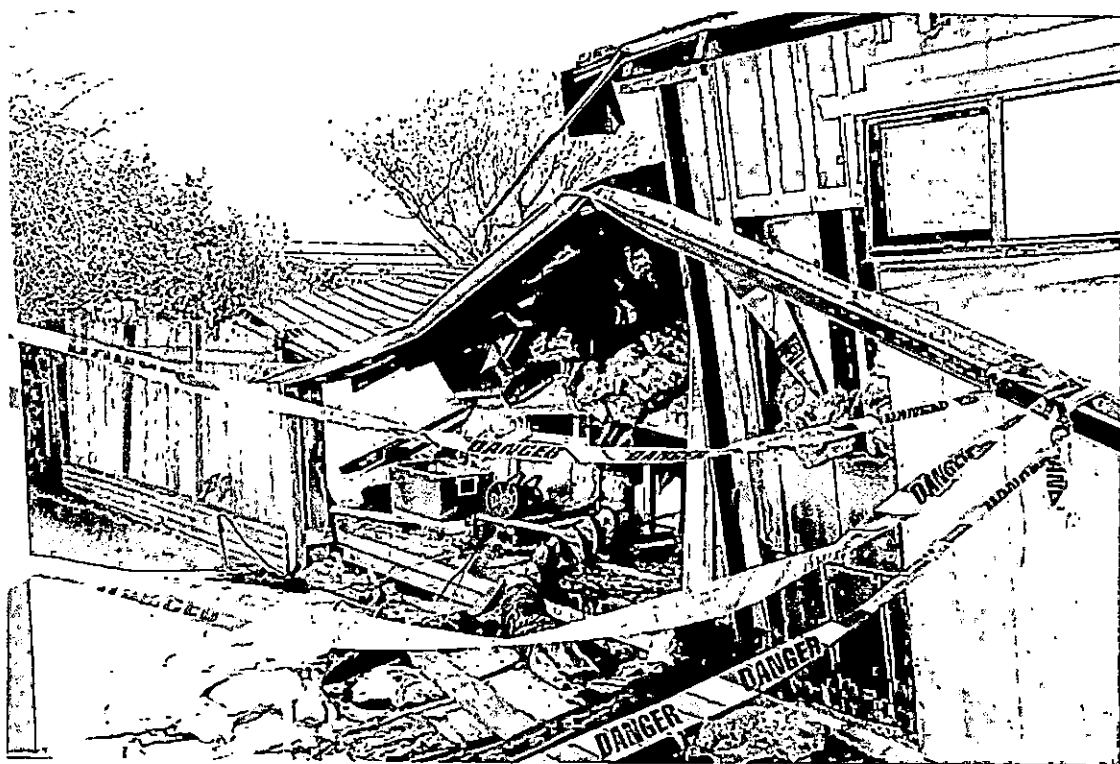
Attachment E



Carlotta



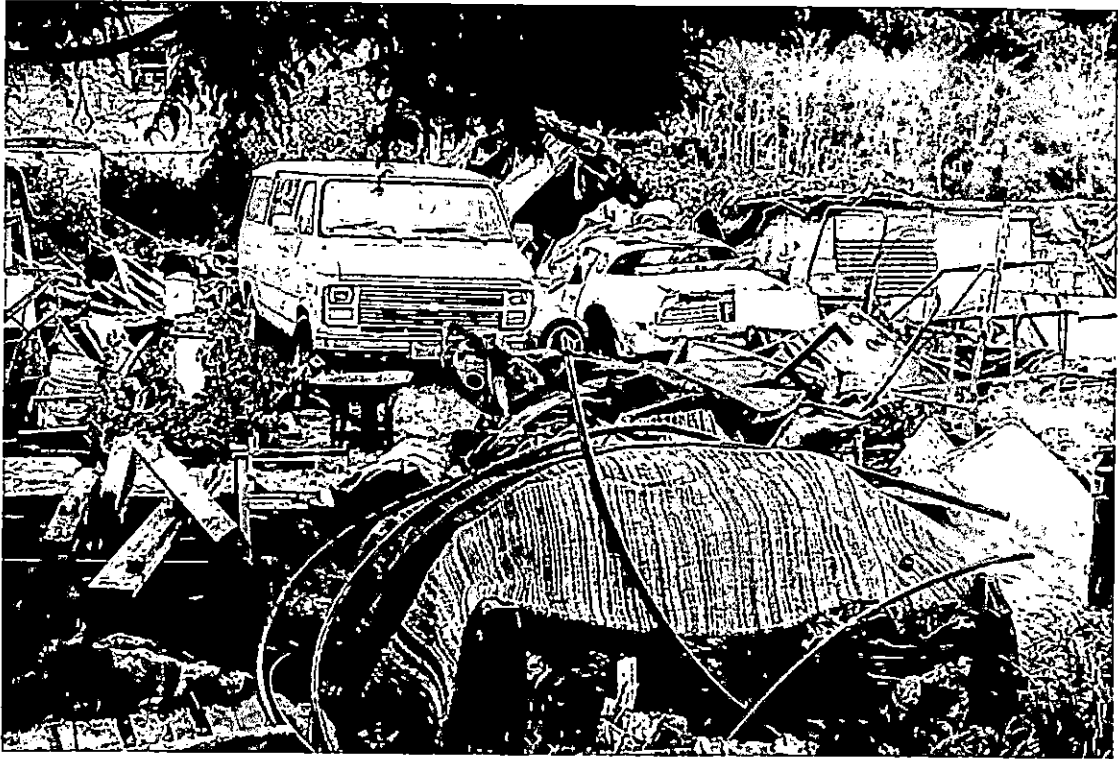
Attachment E



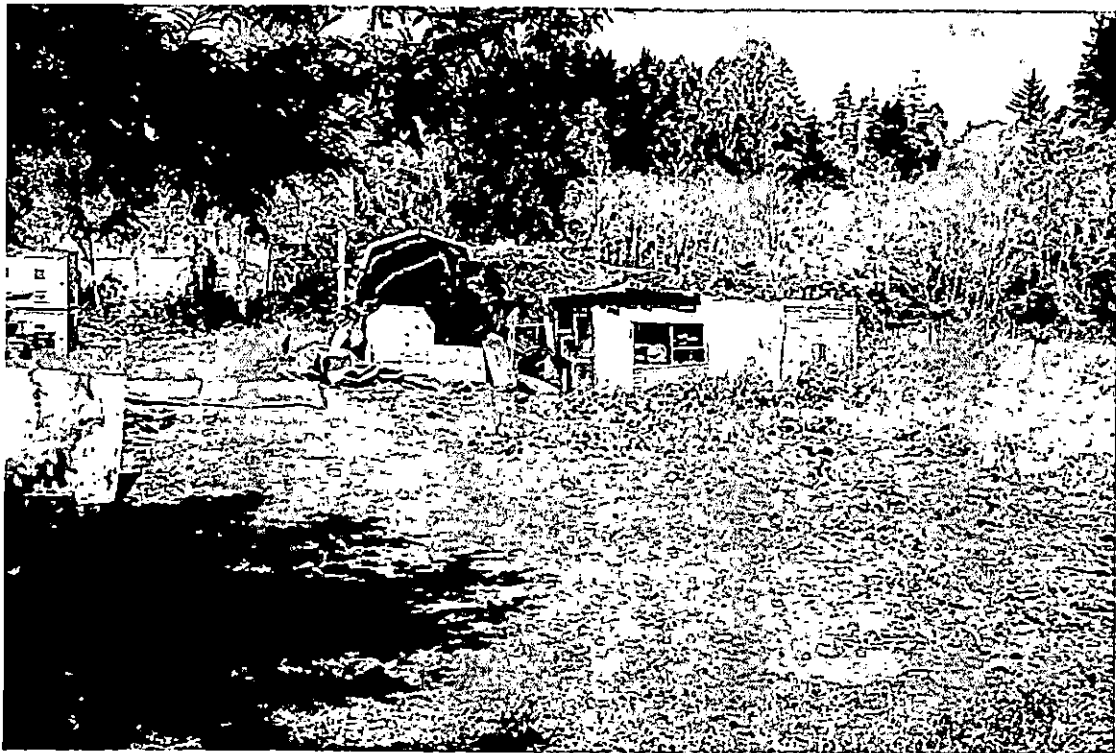
Eureka



Attachment F



Pine Hill



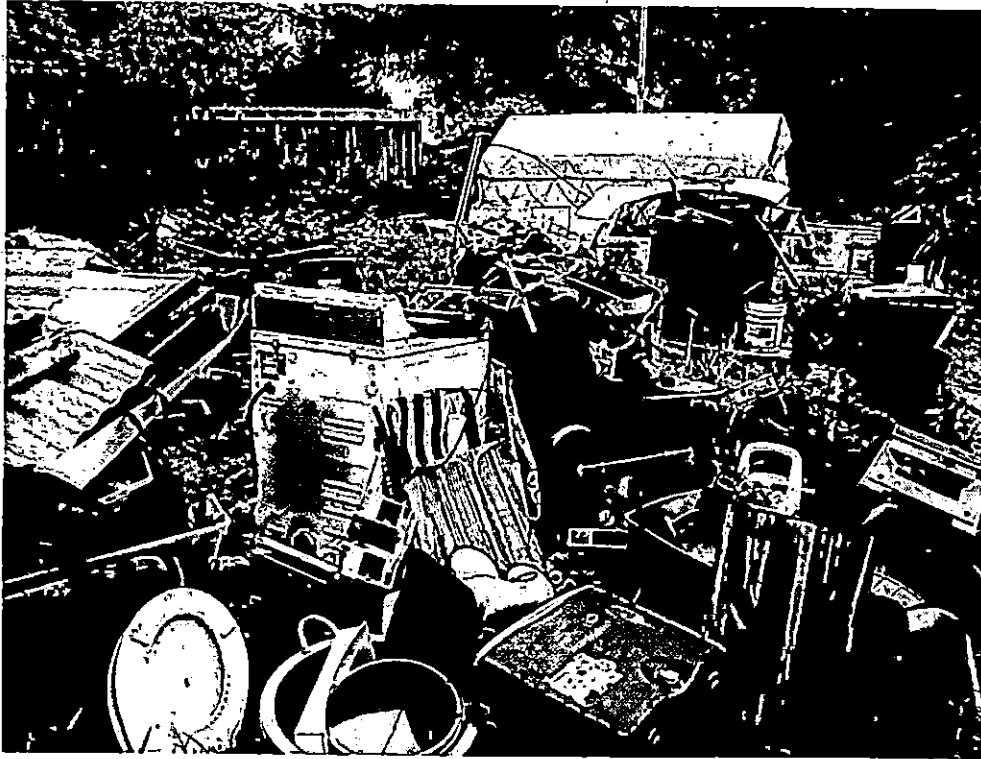
Attachment F



Ridgewood



Attachment F



Humboldt Hill



HL

From: Hayes, Kathy
To: Sharp, Ryan
Cc: Damico, Tracy; Eberhardt, Brooke
Subject: FW: Public Input For BOS meeting 7-14-2020
Date: Monday, July 13, 2020 10:25:48 AM
Attachments: image001.png

Ryan: correspondence for tomorrow's agenda item. Thanks

Kathy Hayes, Clerk of the Board
County of Humboldt
(707) 476-2396
khayes@co.humboldt.ca.us



From: Maureen Konieczny <fern24k@gmail.com>
Sent: Monday, July 13, 2020 10:21 AM
To: Hayes, Kathy <KHayes@co.humboldt.ca.us>
Subject: Public Input For BOS meeting 7-14-2020

Kathy, this is for AGENDA ITEM Departmental , Planning Department
CODE ENFORCEMENT ANNUAL REPORT....

Dear Supervisors,

This is a long over due report. So little information. Not transparent and accountable.
John Ford has not studied up on how we came to be to this point. He seemed like it was such a
bother. Like he was not obligated. Although provided with the previous document, he chose a short
and sweet version.

I will close with two words,
woefully inadequate.

Please seek deeper wisdom than John Ford.

Regards, Fern Konieczny