

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings for the Meeting of June 25, 2024**

RESOLUTION NO. 24 –

**RESOLUTION TO CONFIRM HUMBOLDT COUNTY CODE ENFORCEMENT PROPOSED
NUISANCE ABATEMENT ASSESSMENT AGAINST JON JAPPORT PURSUANT TO
HUMBOLDT COUNTY CODE SECTION 351-1 ET SEQ**

WHEREAS, California Government Code section 25845 authorizes the County of Humboldt to enact an ordinance to establish a procedure for the abatement of a public nuisance including recovery of abatement costs; and

WHEREAS, pursuant to this authority, the County enacted Humboldt County Code (“HCC”) sections 351-1 et seq., Uniform Housing Code (UHC) and Health and Safety Code (H&S) establishing certain public nuisance abatement and cost recovery procedures; and

WHEREAS, on August 15, 2022 a Notice to Abate Nuisance (“NTA”) was issued by Humboldt County to Jon Japport regarding the property located at 1989 Peninsula Dr, Arcata, CA 95521 (APN 506-102-001-000) for the following conditions constituting a public nuisance: (1) UHC 1001 and H&S 17920.3 - Unsanitary Conditions (2) HCC section 331-28 - Construction of Building/Structure in Violation of Building, Plumbing and/or Electrical Codes (3) HCC section 331-28 - Construction of Building/Structure in Violation of Zoning Codes (4) HCC section 521-4 - Improper Storage and Removal of Solid Waste (5) HCC section 354-1 - Junk and/or Inoperable Vehicles; and

WHEREAS, the NTA advised Mr. Japport that if an appeal of the NTA was not filed within ten (10) days after service, the County will acquire jurisdiction to abate the public nuisance; and
and

WHEREAS, in March, 2023, a fully executed Compliance Agreement was returned to the Planning and Building Department agreeing to correct the violations; and

WHEREAS, in October, 2023, an inspection was performed, and it was determined that the Compliance Agreement was in breach because no work was done to correct the violations; and

WHEREAS, on February 15, 2024, an inspection warrant and order of abatement issued by Humboldt County Superior Court was served and abatement of the property began; and

WHEREAS, on February 15, 2024, KH McKenny completed the abatement of the public nuisance on the Property; and

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WHEREAS, on May 2, 2024, CEU issued the Notice of Nuisance Abatement Assessment on Mr. Japport which included a statement that he may file a written objection to the proposed assessment pursuant to HCC sections 351-16 and 351-17.

WHEREAS, on May 10, 2024, Mr. Japport filed a written objection to the proposed assessment; and

WHEREAS, on May 21, 2024, pursuant to HCC section 352-18, the matter was for hearing before the Humboldt County Board of Supervisors for June 25, 2024; and

WHEREAS, on May 28, 2024, 2022, a Notice of Cost Recovery Hearing was served to Mr. Japport pursuant to HCC sections 351-18 and 351-19; and

WHEREAS, on June 25, 2024, a Cost Recovery Hearing was held to hear testimony and consider evidence concerning the validity of the proposed assessment and any other matters deemed pertinent pursuant to HCC section 351-20; and

NOW, THEREFORE, IT IS HEREBY PROCLAIMED

SECTION 1. The Board of Supervisors of the County of Humboldt finds that the proposed Nuisance Abatement Assessment in the amount of \$21,691.41 is reasonable and valid.

SECTION 2. The Board of Supervisors confirms that the proposed Nuisance Abatement Assessment of Twenty-One Thousand Six Hundred Ninety-One Dollars and Forty-One Cents (\$21,691.41) is the responsibility of the property owner Mr. Jon Japport.

SECTION 3. The Board of Supervisors' confirmation of the proposed assessment is final and conclusive as to all matters pertaining to the proposed assessment. The appeal of this Resolution shall be governed by California Code of Civil Procedure section 1094.6 including the time period to file the appeal.

SECTION 4. Pursuant to HCC sections 351-23 and 351-24, the Board of Supervisor's final assessment may become a lien against the Property on which the public nuisance existed which shall become a charge against the Property and may be collected at the same time and in the same manner, and shall be subject to the same penalties, interest and procedures of foreclosure and sale in the case of delinquency, as is provided for ordinary property taxes.

SECTION 5. CEU shall prepare and serve upon Mr. Jon Japport a Notice of Nuisance Abatement Assessment Lien pursuant to HCC sections 351-22 and 351-23; and

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Dated: _____

Supervisor Rex Bohn, Chair
Humboldt County Board of Supervisors

Adopted on motion by Supervisor _____, Seconded by Supervisor _____, and the following vote:

AYES: Supervisors: --

NAYES: Supervisors: --

ABSENT: Supervisors: --

ABSTAIN: Supervisors: --

STATE OF CALIFORNIA

County of Humboldt

I, Tracy Damico, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

NIKKI TURNER
Deputy Clerk of the Board of Supervisors of the
County of Humboldt, State of California