



AGENDA

Dr. Carey Hawkins Ash, Chair
L. Alexander Matias, Vice-Chair

CODE ENFORCEMENT APPEALS BOARD REGULAR MEETING VIA TELECONFERENCE

Board Members
Fred Cavalli, Jr.
Loretta Gaddies
Wanda Madeiros
Edward Taylor
Garrett Toles

www.cityofvallejo.net

OCTOBER 28, 2021

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

PUBLIC COMMENT: Members of the Public may provide public comments during the Code Enforcement Appeals Board Meeting via ZOOM (<https://ZoomRegular.Cityofvallejo.net>), or via phone, by dialing (669) 900-6833.

For additional instructions on how to speak during public comment, please visit, www.cityofvallejo.net/publiccomment

VIEW THE MEETING:

How to view this public meeting:

- Join the Zoom webinar: <https://zoomregular.cityofvallejo.net>

Notice of Availability of Public Records: All public records relating to an open session item, which are not exempt from disclosure pursuant to the Public Records Act, that are distributed to a majority of the City Council will be available for public inspection at the City Clerk's Office, 555 Santa Clara Street, Vallejo, CA at the same time that the public records are distributed or made available to the City Council. Such documents may also be available on the City of Vallejo website subject to staff's ability to post the documents prior to the meeting. Information may be obtained by calling (707) 648-4527, TDD (707) 649-3562.

Want more City Information - Members of the public can:

Like us on Facebook (www.facebook.com/cityofvallejo)

Sign up to receive City Communications via e-mail (www.cityofvallejo.net/living/connect)

Sign up to receive City updates and get connected with your neighbors on Nextdoor (www.nextdoor.com)

Due to the Coronavirus emergency, all board and commission meetings will be held via teleconference. Members of the public may provide public comments during the Code Enforcement Appeals Board Meeting via ZOOM. Members of the public interested in participating or observing the meeting may either click the link above or type the link into an internet browser. You will be taken to the internet platform where the meeting is being held.

CODE ENFORCEMENT
Code Enforcement Appeals Board (CEAB)
AGENDA
VIA TELECONFERENCE

October 28, 2021
6:00 p.m.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **ROLL CALL**
4. **APPROVAL OF AGENDA**
5. **APPROVAL OF MINUTES**
 - A. August 26, 2021 – Regular Meeting

6. **CORRESPONDENCE:** None

7. **FIRST COMMUNITY FORUM**

In conformance with the Governor's Executive Order N29 30, the City of Vallejo has opted to hold board/commission meetings via teleconference. Any interested members of the public desiring to communicate with the Code Enforcement Appeals Board as part of the First Community Forum may do so via ZOOM:

<https://zoomregular.cityofvallejo.net>

or via phone, by dialing (669) 900-6833

Meeting ID 914 0075 0676#

Press *9 to digitally raise your hand from the phone.

For additional instructions on how to speak during public comment, please visit www.cityofvallejo.net/publiccomment. The conduct of the community forum shall be limited to a maximum of fifteen (15) minutes, with each speaker limited to three minutes pursuant to Vallejo Municipal Code Section 2.20.300.

8. **GUEST SPEAKER:** None

9. **PRESENTATIONS:**

- A. Study Session – Board Authority and Jurisdiction: Distinguishing the Jurisdiction over Cases to be Heard by Other Bodies (Commissions, Boards, Hearing Officers, etc.)

10. **OLD BUSINESS:** None

11. **NEW BUSINESS:**

- A. **Code Enforcement Appeals Hearing**

Hearing on Notice of Violation for Vacant Lot on Marin Street (APN 0051190180) – Staff

Recommendation: Uphold the Notice of Violation for the salvaged lumber, pallets, trash, junk and debris on the property.

Contact: Dong Yoo, Senior Code Enforcement Officer 707-648-4389 dong.yoo@cityofvallejo.net

12. **SECOND COMMUNITY FORUM**

13. **STAFF COMMENTS:** None

14. **ANNOUNCEMENTS:**

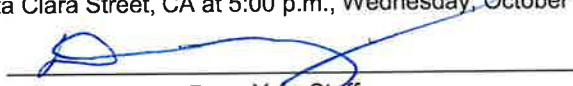
- A. REMINDER – Due to the holidays, the next Regular Meeting is scheduled for **Thursday, January 27th, 2022 @6:00 PM**

15. **BOARD MEMBER COMMENTS AND DISCUSSION**

16. **ADJOURNMENT**

I, Dong Yoo, Staff, do hereby certify that I have caused a true copy of the above notice and agenda to be delivered to each of the members of the Code Enforcement Appeals Board, at the time and in the manner prescribed by law and that this agenda was posted at City Hall, 555 Santa Clara Street, CA at 5:00 p.m., Wednesday, October 20, 2021.

Dated: Wednesday, October 20, 2021


Dong Yoo, Staff

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



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

1. **CALL TO ORDER:** Chairperson Carey Hawkins Ash (Chairperson Ash) at 6:03 p.m.
2. **PLEDGE OF ALLEGIANCE TO THE FLAG :** Chairperson Ash
3. **ROLL CALL:**
 - Present: Chairperson Ash
Vice-Chairperson L. Alexander Matias
Board Members: Fred Cavalli, Jr., Wanda Madeiros, Edward Taylor, Garrett Toles
 - Absent: Loretta Gaddies (Excused)
 - Staff: Police Sergeant (Sgt) Richard Wanzie, Senior Code Enforcement Officer (SCEO) Dong Yoo, Code Enforcement Officer (CEO) Angela Hodgins, Code Enforcement Officer (CEO) James Nielsen, Secretary Karen Ang, IT Director Naveed Ashraf, Assistant City Attorney and CEAB Counsel Laura Zagaroli, Police Clerk Pamela Gallardo, Public Works Director Terrence Davis
4. **APPROVAL OF AGENDA:** Board Member Madeiros motioned to remove Items #10A and #10B from the agenda; seconded by Board Member Cavalli, and the Board voted as follows: zero AYES, two NOES, and four ABSTAIN. The Board was advised by their counsel, Assistant City Attorney Laura Zagaroli to refrain from discussing #10A due to their lack of subject matter jurisdiction; Item #10B was too vague or an inadequate/inaccurate of a description or title. Vice Mayor Rozzana Verder-Aliga also advised the Board, through Chairperson Ash, to adhere to ACA Zagaroli's advice.
5. **APPROVAL OF MINUTES:** Vice Chairperson Matias motioned to approve the July 22, 2021 CEAB Regular Meeting Minutes; seconded by Board Member Taylor. The motion carried unanimously.
6. **CORRESPONDENCE:** None
7. **FIRST COMMUNITY FORUM:** Bill Aboudi, Georgia Street property owner
Due to the current Shelter at Home Order and in conformance with the Governor's Executive Order N29 30, the City of Vallejo has opted to hold board/committee meetings via teleconference. Any interested members of the public desiring to communicate with the Code Enforcement Appeals Board as part of the Community Forum may do so via ZOOM:
<https://zoomregular.cityofvallejo.net>
or via phone, by dialing (669) 900-6833
Meeting ID 914 0075 0676#
*Press *9 to digitally raise your hand from the phone.*

For additional instructions on how to speak during public comment, please visit www.cityofvallejo.net/publiccomment. The conduct of the community forum shall be limited to a maximum of fifteen (15) minutes, with each speaker limited to three (3) minutes pursuant to Vallejo Municipal Code Section 2.20.300.
8. **GUEST SPEAKER:** None.
9. **PRESENTATIONS:** None.
10. **OLD BUSINESS:** Although these items were kept on the agenda, the Board chose not to discuss them, following ACA Zagaroli's advice.
 - A. Public Works/Landscape Maintenance District Permit Enforcement & Appeals
 - B. Renewal of Joint CEAB and Beautification Sub-Committee
11. **NEW BUSINESS:**
 - A. Discussion – Board Policies and Regulations – The Board will discuss this during their subcommittee meetings
 - B. Renewal of CEAB Policies Sub-committee – Members will be kept as is: Chairperson Ash, Board Members Taylor and Madeiros,
12. **SECOND COMMUNITY FORUM:** None.
13. **STAFF COMMENTS:** None.
14. **ANNOUNCEMENTS:**
 - A. **REMINDER:** The next **Regular Meeting** is scheduled for **October 28th, 2021 @6:00 PM.**
15. **BOARD MEMBER COMMENTS AND DISCUSSION:** The Board requested a study session regarding CEAB jurisdiction for an upcoming meeting.
16. **ADJOURNMENT:** Chairperson Ash adjourned the meeting at 7:02 pm.



CITY OF VALLEJO

POLICE DEPARTMENT

CODE ENFORCEMENT DIVISION



2 Florida Street, Vallejo, CA 94590 • (707) 648-4469 • Code.Enforcement@cityofvallejo.net

LAST DAY TO SUBMIT
THIS FORM
CASE #:

9/20/2021
CE21-1019

HEARING REQUEST APPLICATION FORM

(ONLY THE PERSON CITED OR NOTICED MAY APPEAL)

PLEASE PRINT OR TYPE

CITATION #

DATE OF NOTICE

- ☐ VEHICLE CITATION (VMC CHAPTER 7.64)
- ☒ PMO NOTICE OF VIOLATION (VMC CHAPTER 7.54)
- ☐ PMO ADMINISTRATIVE CITATION (VMC CHAPTER 1.15)
- ☐ PR NOTICE OF VIOLATION (VMC CHAPTER 7.62)
- ☐ PR ADMINISTRATIVE CITATION (VMC CHAPTER 1.15)
- ☐ OTHER: _____

CE21-1019

7/9/2021

(PMO = Property Maintenance Ordinance = City of Vallejo Municipal Code 7.54)
(PR = Property Registration Ordinance = City of Vallejo Municipal Code 7.62)
(VMC = Vallejo Municipal Code)

BEFORE THE CODE ENFORCEMENT APPEALS BOARD, THE APPEALS OF:

NAME(S): KEMPER C. STONE

VIOLATION ADDRESS:

2103 MARIN (NO FIRST STREET ADDRESS)

CONTACT MAILING ADDRESS:

725 MARIN ST
VALLEJO, CA 94590

CONTACT PHONE NUMBER(S)

510-773-8200

- ☐ I HAVE SUBMITTED THE REQUIRED FEE.
(\$450 NON-REFUNDABLE = NOV APPEAL FEE, DEPOSIT OF CITATION = CITATION APPEAL FEE)
- ☒ I HAVE SUBMITTED A FEE WAIVER FORM.

-- FORM CONTINUES ON REVERSE --

TO BE FILLED OUT BY OFFICE STAFF ONLY

- ☐ THIS HAS BEEN REVIEWED BY CLERICAL
- ☐ THIS HAS BEEN REVIEWED BY DIVISION MANAGER

REVIEWED BY
WHO

Kareem

REVIEWED
DATE

9/28/2021
9-21-21

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

MY SISTER IS THE OWNER, ABSENTEE.
I AM TRYING TO INSTALL FENCES, RETAINING
WALLS, ACCESSORY BOUNDWALLS, GARDEN +
LANDSCAPING, AIRAUXE PUMP & WATER,
HIRING ARCHITECT OR FINDER PLANS, ACQUITTANCE
BUILDING MATERIALS, GETTING FLOOD INFO, PLANNING
APPROVAL, BLUEPRINTS, ZONING PERMISSIONS,
ETC. I HOPE TO LIVE IN THE PROPERTY IN THE

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

FINDING
PRIMARY ISSUE IS STUCKING OF BOUNDWALL
MATERIALS, ALMOST ALL OF WHICH ARE NOW
STORAGE OF LUMBER W/O BOUNDWALL PERMITS IS
A VIOLATION, BUT ZONING APPROVAL, BOUNDWALL
PERMITS, POWER CONNECTIONS, ARCHITECTURAL
PLANS, EVEN PLANS FOR KIT CONSTRUCTION
TAKE MANY WEEKS OR MONTHS. I'D LIKE TO
STOP THE CLOCK ON FINES/CONTINUOUS WORK THESE

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

FINES EXCEED COST OF A GENERALIST
OR OTHER TYPES OF RESOURCES THAT
NEEDED TO MITIGATE CODE ISSUES
GETTING CLEAR, ACCURATE INFO FROM
ZONING, BOUNDWALL, FLOOD CONTROL, PEGS,
ETC. TAKES SO LONG & IS SO UNCLEAR
THAT BEST SOLUTIONS AREN'T POSSIBLE WORKING

4) ALL APPELLANTS MUST SIGN THE FOLLOWING DECLARATION:

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

9/20/2021 KEMPER C. STONE Kemper C Stone

DATE

PRINT NAME

SIGNATURE

DATE

PRINT NAME

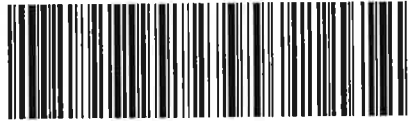
SIGNATURE

(ATTACH ADDITIONAL PAGES IF NEEDED)

-- END OF FORM --

Code Enforcement Division
555 SANTA CLARA STREET
VALLEJO CA 94590

RHN CE21 1019 VLOT MARI
N ST APN 0051190180 DY

USPS CERTIFIED MAIL™

9407 1368 9784 6415 3243 64



KEMPER C STONE
725 MARIN ST
VALLEJO CA 94590-5912

US POSTAGE AND FEES PAID

2021-09-30

94590

C363112

Retail

1.0 OZLTR

easypost.
easypost.com/signup

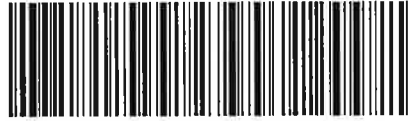
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FOLD ALONG THIS LINE

Code Enforcement Division
555 SANTA CLARA STREET
VALLEJO CA 94590

RHN CE21 1019 VLOT MARI
N ST APN 0051190180 DY

USPS CERTIFIED MAIL™



9407 1368 9784 6415 3083 95



PEARSALL ANTHONY / PEARSALL PAULINE
2423 MAGNOLIA ST STE A100
OAKLAND CA 94607-2459

US POSTAGE AND FEES PAID

2021-09-29
94590
C363112
Retail
1.0 OZLTR

easypost.
easypost.com/signup



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FOLD ALONG THIS LINE



CITY OF VALLEJO
POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION

HEARING DATE: October 28, 2021
TO: Code Enforcement Appeals Board
FROM: Dong M. Yoo, Sr. Code Enforcement Officer
SUBJECT: HEARING ON NOTICE OF VIOLATION FOR VACANT LOT ON MARIN STREET

Subject Property Address: Marin Street Vacant Lot
Parcel Number: 0051-190-180
Owner of Record: Pearsall Anthony/Pearsall Pauline
Case Number: CE21-1019
Violation(s): Vallejo Municipal Code (VMC) Section 7.54.030 .54.030 F (lumber, junk, salvage/household materials, etc.) and VMC Section 7.54.030 S (public nuisance).

This is an appeal on a First Administrative Citation for the storage of inoperative and/or unregistered vehicles and storage of bricks, lumber, and parts of old gazebo structure at 344 Florida Street.

BACKGROUND

- 1) 7-8-21 A complaint received stating there were large amount of lumber, trash, and debris on this vacant lot.
- 2) 7-9-21 I performed an inspection of this property and met the complainant on the adjoining lot. There were large amount of old pallets, lumber, junk and debris on the vacant lot. Photos were taken. I contacted Kemper Stone on the lot. He said his sister owned the vacant lot and has been bringing the lumber to build a shed. Mr. Kemper requested I come back next week and don't send the notice to his sister until next week. I advised him I will send a Warning Notice to the owner but will provide more than a week to correct the violations.
- 3) 7-9-21 A Warning Notice was sent to the property owner for the violation of VMC sections 7.54.030, via regular and certified mail. This Warning Notice advised the owner to correct the violations by 8-10-21, and to monitor and maintain the property to prevent it from becoming a public nuisance.
- 4) 8-18-21 An e-mail from the complainant with the photos of the violation. It appeared similar to the initial inspection.
- 5) 8-19-21 A Notice of Violation was sent to the property owner via regular and certified mail. This Notice of Violations advised the owner to correct the violations by 9-19-21.
- 6) 8-20-21 An inspection conducted and notice the lumber and pallets accumulation were greater that before. There was a wall built with old pallets and lumber as a make shift fortress. Photos taken.

-
- 7) 8-27-21 A copy of the Notice of Violation was posted on the gate. The make shift fortress was still the same, along with lumber and debris. Photos taken.
 - 8) 9-19-21 An e-mail from Mr. Stone stating he wanted to appeal the Notice of Violation.
 - 9) 9-20-21 Mr. Stone filed an appeal with a Fee Waiver.1
 - 10) 9-26-21 A phone call from the owner, Pauline Pearsall, (510) 406-0888 on the voicemail. She said they are the owner of the lot, and Kemper Stone, her brother, had the authority to be on the lot.

ATTACHMENTS

1. Photographs dated 7-9-21
2. Warning Notice dated 7-9-21
3. Complainant photos dated 8-18-21
4. Notice of Violation dated 8-19-21
5. Photographs dated 8-20-21
6. Photographs dated 8-27-21

RECOMMENDATION

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

1. Uphold the Notice of Violation
2. Within 30 days remove the old lumber, pallets and debris from the vacant lot.

CONTACT

Dong M. Yoo,
Senior Code Enforcement Officer
(707) 648-4389
dong.yoo@cityofvallejo.net

ATTACHMENT 1













ATTACHMENT 2



Code Enforcement - 121 Flamingo St - Vallejo, CA 94590 - 707/438-1469 code.enforcement@cityofvallejo.net

7/9/2021

PEARSALL ANTHONY / PEARSALL PAULINE
2423 MAGNOLIA ST
OAKLAND, CA 94607

WN / CE21-1019 / MARIN STREET VACANT LOT / DONG M. YOO

WARNING NOTICE

Sent via certified mail to the property owner at the address shown on the county's last property tax assessment rolls or to any other address known for the property owner pursuant to Section 7.54.070 (B) of the Vallejo Municipal Code (VMC). The failure of any property owner to receive this notice shall not affect the validity of any proceedings taken under Chapter 7.54 (Property Maintenance Ordinance) of the VMC. To review the Property Maintenance Ordinance, the Vallejo Municipal Code is available online at the City's website at www.cityofvallejo.net or a copy may be obtained from the Code Enforcement Division office.

CASE NO.: CE21-1019
PARCEL NO.: 0051190180
LOCATION: MARIN STREET VACANT LOT

We need your help! The property referenced, owned or controlled by you is in need of your immediate attention. **An inspection was made on 07/09/2021** and it was noted that the conditions that exist on the subject property constitute an unlawful public nuisance as defined in Vallejo Municipal Code Chapter 7.54 (Property Maintenance Ordinance). The following unlawful property violations, as stated in Section 7.54.030, are found to exist:

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

Section 7.54.030 F. Prohibits damaged lumber, junk, trash, salvage materials, household materials, etc. Remove all trash, lumber, pallets, bags, junk and debris on the entire lot.
Section 7.54.030 S. Prohibits maintenance of property in such a manner as to constitute a public nuisance. Correct above violations, monitor and maintain property free from blight and public safety issues.

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

CONSEQUENCES OF NOT ABATING

Failure to correct the noted violation(s) by 08/10/2021 will result in the issuance of a written Notice of Violation and imposition of an administrative charge of \$371.00, as established by resolution by the City Council, pursuant to Section 7.54.140 of the Vallejo Municipal

Warning Notice
CE21-1019 / MARIN STREET VACANT LOT / DONG M. YOO

1

Revised [10/22/2020]



Code Enforcement • 2 Florida St • Vallejo • CA • 94590 • (707) 648-4469 • code.enforcement@cityofvallejo.net

Code. If the Code Enforcement Supervisor or other city employees designated by the City Manager determines the violation(s) to be immediately dangerous to the general welfare, health and safety, the same may be summarily abated without compliance with the provisions of this code. If after a Notice of Violation is issued and the violation(s) are still not abated within the time limit specified, then you may be subject to administrative citations (1st Citation: \$257.00, 2nd Citation: \$514.00, 3rd and subsequent Citations: \$771.00 - *per violation, per day* that each violation continues to exist past the correction date), incurrence of City abatement costs, and/or other legal remedies available to the City. The amount of any unpaid administrative charges and/or abatement costs including incidental costs may be made a lien on the real property on which the violation occurred and may constitute as a special assessment added to the ordinary secured property taxes.

****Please be advised that if your property is found to be in violation again within twelve (12) months of compliance with this notice, you will receive an administrative fine of \$371.00 pursuant to Section 7.54.160 of the Vallejo Municipal Code.***

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

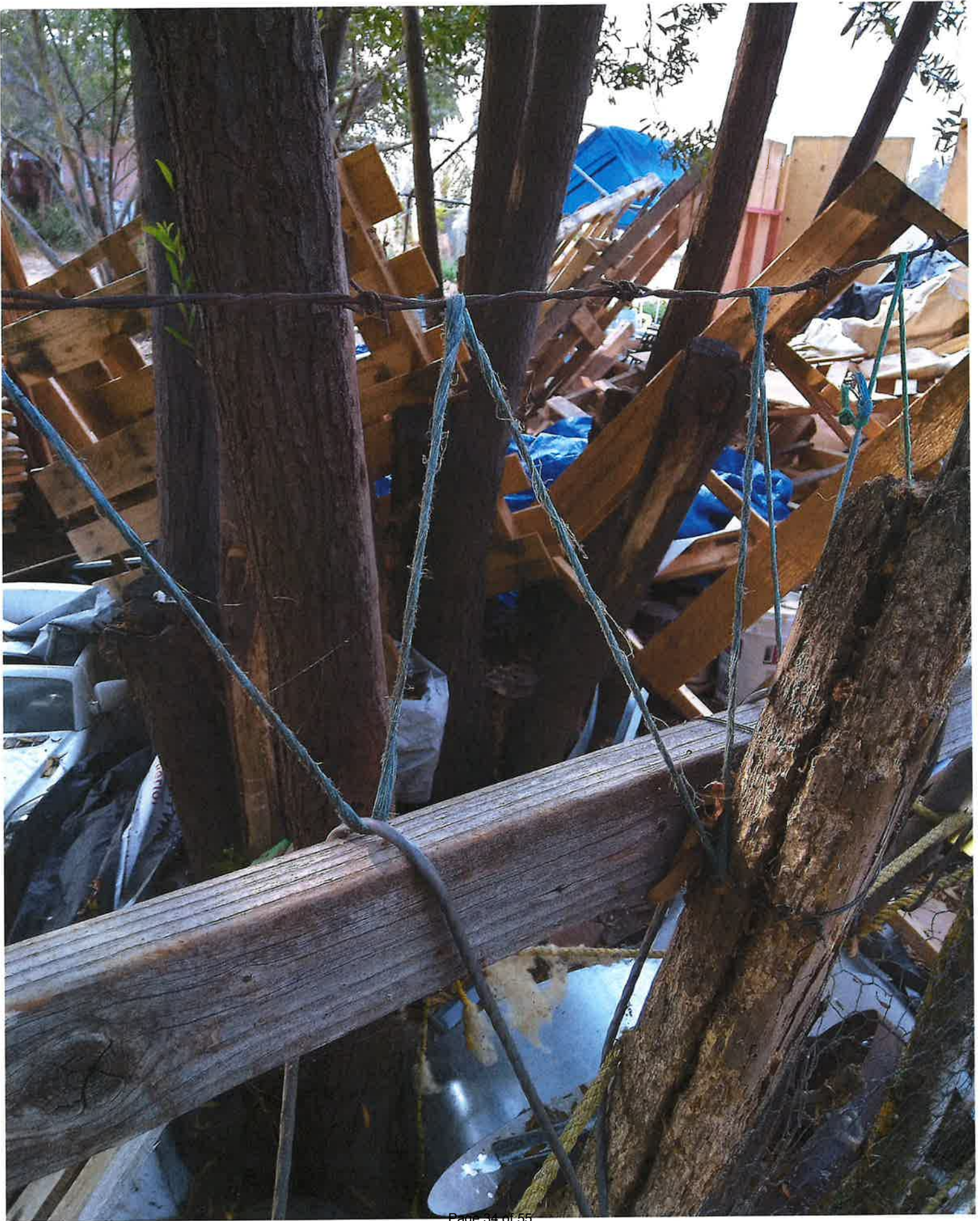
Sincerely,

Dong M. Yoo
Senior Code Enforcement Officer
(707) 648-4389
Dong.yoo@cityofvallejo.net

ATTACHMENT 3









ATTACHMENT 4



Code Enforcement • 2 Florida St • Vallejo • CA 94590 • 707.648.4469 • code.enforcement@cityofvallejo.net

8/19/2021

PEARSALL ANTHONY / PEARSALL PAULINE
2423 MAGNOLIA ST
OAKLAND, CA 94607

NOV/CE21-1019/MARIN STREET VACANT LOT/DONG M. YOO

NOTICE OF VIOLATION

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

CASE NO.: CE21-1019

PARCEL NO.: 0051190180

LOCATION: MARIN STREET VACANT LOT

You are hereby notified that a **reinspection was performed on 08/19/2021** and the violation(s) was not abated within the time limit specified in the Warning Notice and therefore a **\$386.00 charge** has been applied. The conditions that exist on the subject property owned or controlled by you constitute an unlawful public nuisance as defined in **Section 7.54.030** of the Vallejo Municipal Code (Property Maintenance Ordinance). The following violation(s) which were observed during my initial inspection on 07/09/2021 **must be corrected by 09/19/2021**.

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

Section 7.54.030 F. Prohibits damaged lumber, junk, trash, salvage materials, household materials, etc. Remove all trash, junk, pallets, bags and debris on the entire lot.

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

ADMINISTRATIVE CHARGE

A charge of \$371.00, as established by resolution by the City Council, is now owed to the City pursuant to Section 7.54.140 of the Vallejo Municipal Code payable thirty (30) days of the effective date of this notice. Any property owner who fails to pay the administrative charges or abatement costs including incidental costs owed to the City shall be liable in any action brought by the City for costs incurred in securing payment of the delinquent amount. Legal action may include costs and/or charges being lienied against the property and/or applied as a special assessment to the ordinary secured property taxes.

How to Pay the Fine: Payment may be made in person at the Vallejo City Hall, 1st Floor – Cashier (*please bring this notice to the cashier*) or by mail addressed to **Vallejo Police Department - Code Enforcement, 555 Santa Clara Street, Vallejo, CA 94590-5922**. Payment by mail should be made by personal check, cashier's check or money order, payable to the City of Vallejo. Make sure to

include the case number **CE21-1019** and account number **001-2412-310.36-13** on your check. If you have any questions or concerns, please contact our office. If you are unable to pay the fine amount in full, please contact Code Enforcement to discuss the option of a payment plan. **[CASHIER: Print TWO receipts and place duplicate receipt in Code Enforcement outbox for pick-up and recording]**

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

CONSEQUENCES OF NOT ABATING

Should these conditions not be corrected by 09/19/2021, the following action(s) may be taken:

Administrative Citation: 1st Citation \$257.00, 2nd Citation \$514.00, 3rd and subsequent Citations \$771.00 - *per violation*, per day that each violation continues to exist past the correction.

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

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

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

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

APPEALS PROCESS

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

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

Sincerely,


Dong M. Yoo
Senior Code Enforcement Officer
(707) 648-4389
Dong.yoo@cityofvallejo.net

NOTICE OF VIOLATION APPEALS PROCESS

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

1. An appeal form shall be obtained from the Vallejo Police Department's Code Enforcement Division office. **The completed appeal form shall be filed with the Code Enforcement Division Commander or designee via the Code Enforcement Division office within thirty (30) days of the effective date of the notice of violation together with a non-refundable appeal fee of \$462.00, as established by resolution by the City Council, or a request for an appeal fee waiver form.**
2. Only after the completed appeal form has been filed together with the appeal fee or with an *approved* appeal fee waiver shall the Code Enforcement Division Commander or designee set the date for a hearing. The hearing shall be set for a date not less than fifteen (15) days nor more than sixty (60) days after the Code Enforcement Division Commander or designee via the Code Enforcement Division office received the request.
3. The appellant may request one continuance, but in no event shall the hearing be continued more than thirty (30) days after the date of the originally scheduled hearing unless the Code Enforcement Division Commander or designee finds circumstances of hardship warrant a longer continuance not to exceed ninety (90) days after the date of the originally scheduled hearing.
4. The appellant shall be notified by certified mail of the date, time and place set for the hearing. Such notice shall be sent at least ten (10) days prior to the date of the hearing. The notice shall include a statement that if the violation is found to be a public nuisance and the violation is not substantially abated, then the city may pursue any and all legal and equitable remedies for the recovery of unpaid abatement costs and administrative charges. The notice shall be sent to the appellant at the address provided on the completed appeal form. Failure of the appellant to receive such notice shall not affect the validity of any proceedings taken under Chapter 7.54 of the Vallejo Municipal Code.
5. Any documentation, other than the notice of violation, which the Code Enforcement Division Commander or designee has submitted or will submit to the Code Enforcement Appeals Board, shall be served on the appellant at least three (3) days before the hearing.

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

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

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

ATTACHMENT 5







ATTACHMENT 6





