

September 9, 2014

~Sent via U.S. Mail and Email~

David M. Yorton, Jr.
Senior Deputy County Counsel
County of Shasta
1450 Court Street - Room 332
Redding, CA 96001
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Institute for
Administrative Justice

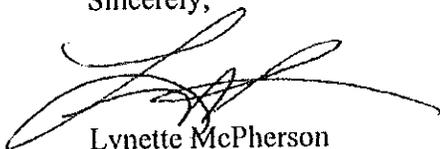
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Sacramento, CA 95817
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Tel 916.739.7049
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**RE: Administrative Hearing Order
Nuisance Abatement
Property of Christopher Cordes
Violation No.: V14-180**

Dear Mr. Yorton:

Enclosed please find the Administrative Hearing Decision from Hearing Officer Kamardeep Athwal. This administrative hearing was held on August 27, 2014. An invoice will follow shortly.

Sincerely,



Lynette McPherson
Paralegal 916.739.7052

Enclosure

INSTITUTE FOR ADMINISTRATIVE JUSTICE
 UNIVERSITY OF THE PACIFIC
 MCGEORGE SCHOOL OF LAW
 3200 Fifth Avenue
 Sacramento, CA 95817
 Telephone: 916-739-7049

**COUNTY OF SHASTA
 NUISANCE ABATEMENT OFFICE**

In the matter of:)	
Baker Ridge Road)	
Igo, California)	Case Number: V14-180
)	
(APN 041-300-035))	ADMINISTRATIVE HEARING
)	ORDER
Property of)	
Christopher Cordes)	Nuisance Abatement
_____)	

I. INTRODUCTION

This matter was heard on August 27, 2014, in Redding, California, before Kamardeep Athwal, Hearing Officer for the Institute for Administrative Justice, University of the Pacific, McGeorge School of Law.¹ The purpose of this hearing was to decide whether to uphold the Notice to Abate issued by the County of Shasta (County) on July 31, 2014, that states conditions at Baker Ridge Road, Igo, California (Property), constitute a public nuisance and to order that the nuisance be abated. Prior to the hearing, the property owner and the County came to an agreement regarding an order they desired the Hearing Officer to issue.

II. APPEARANCES

David Yorton, Senior Deputy County Counsel, and Dale Fletcher, County Code Enforcement Manager, appeared on behalf of the County. Christopher Cordes, property owner, and Barbara Normal, attorney for Mr. Cordes, were also present. The Hearing Officer received documentary evidence from Mr. Yorton and Mr. Fletcher, and testimony from Mr. Fletcher and Mr. Cordes. The County submitted the Memorandum of Points and Authorities in Support of the Order to Abate the Nuisance, and Exhibits 1-75, all of which were admitted as evidence.

¹ Shasta County Code Chapter 2.49 establishes the Office of County Hearing Officer, under the authority of and pursuant to California Government Code section 27720, to which the county administrative officer shall appoint one or more hearing officers.

III. FACTUAL BACKGROUND

According to the Notice to Abate dated July 31, 2014, the County alleged multiple violations of the Shasta County Code (SCC) on the Property, including: SCC section 16.04.160, permits required for the stair/deck structure; SCC section 12.12.040, grading without a permit; SCC section 17.64.020, non-permitted use of a junkyard in a U zone; SCC section 17.88.320(D)(3), cultivation of marijuana without a legal primary residence; SCC section 8.40.030, sewage disposal without a permit; SCC section 8.32.120, refuse disposal without a permit; SCC section 17.88.280(B), illegal habitation of an RV on private property; and SCC section 8.28.010, any violation of any County code is declared to be a public nuisance.

IV. ORDERS

The Hearing Officer has memorialized the conditions agreed upon by the parties below.

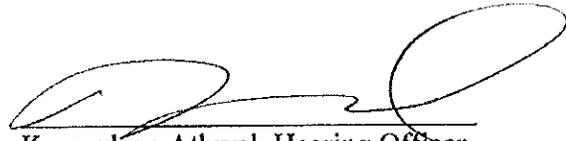
1. Property owner is to apply for all necessary permits and complete all required plans by October 15, 2014.
2. Property owner is to remove all tanks and personal property from the Property within one week of service of this Order.
3. Property owner is to complete all necessary work required by permit, State Water Resource Control Board requirements, California Environmental Quality Act requirements, and any other requirements within six months, unless additional time is required to comply with any requirements set by a governmental entity.
4. Property owner is required to pay the following to the County: County costs: \$300; Attorney fees: \$500; Hearing Officer fees: \$360; and Penalty: \$5,000. The total amount due is \$6,160, payable \$1,232 per month beginning October 1, 2014². If full payment is not made, the remaining balance will become a lien on the Property.
5. The \$5,000 Penalty will double if all work is not completed within six months, unless additional time is required to comply with any requirements set by a governmental entity.
6. If the County is required to abate any items on the Property, the County is authorized to destroy the items, deposit the items at a landfill, or sell the items to help offset the County's abatement costs.
7. If the property owner fails to comply with this Order and the County takes action to abate the Property, the County is authorized to recover further abatement action

² At the hearing, the County incorrectly calculated the total amount due; their calculation was \$6,120, when the total amount is actually \$6,160.

costs, including additional attorney fees and administrative costs associated with this Order.

8. The County may, at its discretion, immediately record a notice of violation or notice of the administrative abatement order on the Property, and it will be a lien filed with the Shasta County Recorder.
9. Property owner must disclose this abatement proceeding and any findings and orders made by the Hearing Officer to any prospective purchaser of the Property, as well as any realtor or broker that may list, or otherwise sell, attempt to sell, or transfer the Property.

Dated: September 9, 2014



Kamandeep Athwal, Hearing Officer
Institute for Administrative Justice
Pacific McGeorge School of Law

PROOF OF SERVICE VIA EMAIL & U.S. MAIL

I, Lynette McPherson, declare as follows:

I am employed in the County of Sacramento, California, the county where the mailing took place; I am over the age of 18 years and not a party to the within action. My business address is 3455 Fifth Avenue, Sacramento, California 95817. I am readily familiar with my employer's business practice for collection and processing of correspondence for mailing with the United States Postal Service.

On September 9, 2014, I served a copy of the following document:

**Administrative Hearing Order
Nuisance Abatement
Property of Christopher Cordes
Violation No.: V14-180**

on the person named below by following ordinary business practice, placing a true copy thereof enclosed in a sealed envelope for collection and mailing with the United States Postal Service where it would be deposited for first class delivery, postage fully prepaid, that same day in the ordinary course of business, addressed as follows and via email:

**David M. Yorton, Jr.
Senior Deputy County Counsel
County of Shasta
1450 Court Street - Room 332
Redding, CA 96001**

dyorton@co.shasta.ca.us

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on September 9, 2014, in Sacramento, California.



Lynette McPherson, Paralegal
Institute for Administrative Justice
McGeorge School of Law