

ATTACHMENT E

Bruce Merideth APN: 016-232-003

Case: CE21-1041

Notice of Proposed Administrative Civil Penalty Assessment



COUNTY OF HUMBOLDT
CODE ENFORCEMENT
UNIT
3015 H Street
Eureka, California 95501
(707) 476-2429

NOTICE OF ADMINISTRATIVE CIVIL PENALTY ASSESSMENT

[Humboldt County Code §352-15]

Address of Affected Property:

2919 Harris St, Eureka, CA 95503

Assessor's Parcel Number:

016-232-003-000

Owner:

Bruce E Merideth
2919 Harris St
Eureka, CA 95503

NOTICE IS HEREBY GIVEN that a final administrative civil penalty in the amount of **Eleven Thousand Two Hundred Fifty Dollars (\$11,250.00)** has been imposed based on the Humboldt County Code Enforcement Unit's determination that a violation, as defined by Humboldt County Code Section 352-3(t), has occurred or exists on the above-referenced property situated in the County of Humboldt, State of California, as described in "Attachment A – Legal Description."

NOTICE IS FURTHER GIVEN that the Code Enforcement Unit will seek to levy an administrative civil penalty assessment against the property on which the violation occurred or exists in the amount of **Eleven Thousand Six Hundred Thirty-Five Dollars and Two Cents (\$11,635.02)** in order to collect the administrative civil penalty and recover the administrative costs and/or attorney's fees, as described in "Attachment B – Account of Costs Incurred," associated with the actions taken by the Code Enforcement Unit to impose the administrative civil penalty, as described in "Attachment C – Actions Required to Impose Administrative Civil Penalty."

NOTICE IS FURTHER GIVEN that you may file with the Code Enforcement Unit an objection to the proposed assessment that is limited to the amount of the administrative civil penalty, and/or the amount of the administrative costs and/or attorney's fees associated therewith, within ten (10) calendar days after service of this Notice of Administrative Civil Penalty Assessment.

APN: 016-232-003-000

NOTICE IS FURTHER GIVEN that an objection to the proposed assessment, must be prepared using the form attached hereto as "Attachment D – Administrative Civil Penalty Assessment Appeal Hearing Request Form," and signed under penalty of perjury.

NOTICE IS FURTHER GIVEN that, upon receipt of an objection to the proposed assessment, the Code Enforcement Unit shall set the matter for hearing before the Humboldt County Board of Supervisors and issue a Notice of Administrative Civil Penalty Assessment Appeal Hearing as set forth in Humboldt County Code Section 352-17.

NOTICE IS FURTHER GIVEN that the date of the Administrative Civil Penalty Assessment Appeal Hearing shall be no sooner than fifteen (15) calendar days after the date on which the Notice of Administrative Civil Penalty Assessment Appeal Hearing is served.

NOTICE IS FURTHER GIVEN that the proposed assessment shall be deemed final and summarily approved by the Humboldt County Board of Supervisors without holding an Administrative Civil Penalty Assessment Appeal Hearing, if an objection to the proposed assessment is not filed within ten (10) calendar days after service of this Notice of Administrative Civil Penalty Assessment.

NOTICE IS FURTHER GIVEN that the final administrative civil penalty assessment, as approved by the Humboldt County Board of Supervisors, may become a lien against the property on which the violation occurred or exists that has the same force, effect and priority of a judgment lien governed by the provisions of California Code of Civil Procedure Sections 697.310, et seq., and may be extended as provided in California Code of Civil Procedure Sections 683.110, et seq.

NOTICE IS FURTHER GIVEN that an additional Notice of Violation and Proposed Administrative Civil Penalty can be served upon you, if the violation occurs, continues or exists after ninety (90) days from the date on which the initial civil administrative penalty is imposed.

Humboldt County Code Enforcement Unit, Planning & Building Dept:

Signature:  _____

Title: Director, Planning & Building Dept.

Name: John Ford

Date: 2/23/23

ATTACHMENT A

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA IN COUNTY OF HUMBOLDT, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

Beginning on the North Line of County Road (or extension of Harris Street) at a point 20 feet North of a point 19.64 chains South 89 degrees 26 minutes West from the Quarter Section corner on South Line of Section 25, in Township 5 North, Range 1 West, Humboldt Meridian; and running
thence East along the North line of Harris Street, 40 feet;
thence at right angle North, 120 feet;
thence at a right angle west, 40 feet, more or less, to a point due North of the place of beginning; and thence South, 120 feet to the point of beginning.

ATTACHMENT B ACCOUNT OF COSTS INCURRED

ADMINISTRATIVE COSTS			
Violation(s)	Nature of Cost Incurred	Amount	
§354-1 §521-4	Initial Investigation and Research <div style="text-align: right;"> 1.54 Staff Hours Driving Mileage Cost </div>	\$ 162.40	
	Preparation and Service of Notice to Abate Nuisance & Notice of Violation by Posting, and by Mail <div style="text-align: right;"> 0.5 Staff Hours Grant Deed Cost Certified Mailing Cost Driving Mileage Cost </div>	\$ 63.62	
	Follow up Research and Case Meeting for Next Action <div style="text-align: right;"> 1 Staff Hour </div>	\$ 106	
	Draft Notice of Administrative Civil Penalty Assessment <div style="text-align: right;"> 0.5 Staff Hours </div>	\$ 53	
		Total Cost	\$ 385.02
			\$ 385.02

**ATTACHMENT C
ACTIONS REQUIRED TO IMPOSE
ADMINISTRATIVE CIVIL PENALTY**

Violation(s)	Nature of Actions Taken To Impose Administrative Civil Penalty	Date
§354-1 §521-4	Initial Investigation & Research	May 7, 2021- March 25, 2022
	Posted & Mailed Notices	April 14, 2022
	Follow up Research and Case Meeting for Next Action	February 6, 2023
	Drafted Notice of Administrative Civil Penalty Assessment	February 7, 2023

ATTACHMENT D
ADMINISTRATIVE CIVIL PENALTY ASSESSMENT APPEAL
HEARING REQUEST FORM

Address of Affected Property: 2919 Harris St, Eureka, CA 95503

Assessor's Parcel Number: 016-232-003-000

To: Humboldt County Code Enforcement Unit
3015 H Street
Eureka California, 95501

Pursuant to Humboldt County Code Section 352-17, I am requesting a hearing to contest the amount of the administrative civil penalty assessment proposed to be levied against the property on which the violation occurred or exists in order to collect the final administrative civil penalty and recover the administrative costs and/or attorney's fees associated with the actions taken by the Humboldt County Code Enforcement Unit to impose the administrative civil penalty.

[Brief statement of the material facts that the requesting party claims support the contention that the amount of the administrative penalty, and/or the administrative costs and/or attorney's fees associated therewith, are inappropriate under the circumstances of this case]:

[Address at which the requesting party agrees to accept service of any additional notices or documents relating to the Code Enforcement Unit's determination of the amount of the proposed administrative civil penalty for the above-referenced property.]:

Name: _____ Telephone Number: _____

Address: _____ City, State: _____

I hereby declare under the penalty of perjury, under the laws of the State of California, that the foregoing is true and correct to the best of my knowledge.

Signature: _____

Date: _____

Name: _____

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF HUMBOLDT)

I, Tim Nicoll, 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 Planning and Building Department, 3015 H Street, Eureka, California; that on February 28th, 2023, I served a true copy of **NOTICE OF ADMINISTRATIVE CIVIL PENALTY ASSESSMENT.**

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 (First Class & Certified Mail):

Bruce E. Merideth
2919 Harris St.
Eureka, CA 95503

Certified Mailing Number: 9171 9690 0935 0255 5305 26

_____ by personally hand delivering a true copy thereof to the occupant who resides at the premises located at:

_____ by personally posting a true copy thereof on the premises located at:

_____ by placing a true copy thereof in the designated place at Court Operations to the attorney/parties named below:

_____ by placing a true copy in the County's Mailroom designated to the attorney named below:

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

Executed on this 28th day of February 2023 in the City of Eureka, County of Humboldt, State of California.



Tim Nicoll --- Legal Office Assistant

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF HUMBOLDT)

I, Brady Wylie, 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 County of Humboldt Planning & Building Dept.; 3015 H Street, Eureka, California; that on February 24, 2023, I served a true copy of a **NOTICE OF ADMINISTRATIVE CIVIL PENALTY ASSESSMENT.**

_____ by placing a true copy thereof enclosed in a sealed envelope and depositing the envelope at my place of business for same-day collection and mailing with the United States mail, following our ordinary business practices with which I am readily familiar, addressed as set forth below:

_____ by personally hand delivering a true copy thereof to the occupant who resides at the premises located at:

 X by personally posting a true copy thereof on the residence located on the property:
APN: 016-232-003-000; Address: 2919 Harris Street, Eureka, CA 95503

_____ by placing a true copy thereof in the designated place at Court Operations to the attorney/parties named below:


_____ by placing a true copy in the County’s Mailroom designated to the attorney named below:

_____ by fax as set forth below:

_____ by electronic service as set forth below:

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

Executed on this 27th day of February, 2023, in the City of Eureka, County of Humboldt,
State of California.



Brady Wylie, Code Compliance Officer