

NOTICE OF EXTENSION



Code Enforcement Bureau
14050 Olympic Drive
Clearlake, CA 95422
Office: (707) 994-8251 x 309
Fax: (707) 994-8918

Violation Address: 14525 LAKESHORE DR NULL
CLEARLAKE, CA 95422

Case Number: 18-4115
Notice Date: 1/19/2022

Responsible Party:

CHERLOPALLE, VASUDEV AND SHEKAR, ROOPA
18290 DAVES AVENUE
MONTE SERENO CA 95030-

The above mentioned case has been open since 12/27/2018, of which you have been the property owner since 7/15/2021. You previously submitted a plan of action on 7/27/2021 to correct all of the violations with a final completion date of 11/30/2021. The structure has remained in a boarded up state. On 1/6/2022, you submitted a revised plan of action. At this time, the City will not accept the plan of action submitted on 1/6/2022. **Prior to any additional extensions being granted**, building permits must be applied for and obtained, prior to **2/28/2022**.

If you have any questions, please contact me by phone at (707) 994-8251x 309 or via email at llambert@clearlakepd.org

Best Regards,

Lee Lambert
Code Enforcement Supervisor

WARNING: Failure to correct all violations listed before the compliance date listed may result in daily administrative penalties for each violation until compliance is achieved. Violations may also result in criminal prosecution. If the nuisance is not abated, you will be subject to nuisance abatement enforcement procedures, which may include abatement action by the City. If the City abates any portion of the above-described nuisance(s), the City may charge the property owner for costs incurred by the City in its efforts to abate said nuisance. This includes all related staff time associated with the nuisance abatement action.



City of Clearlake

14050 Olympic Drive, Clearlake, California 95422

Phone: (916) 771-0635

Office of the City Attorney

FINAL NOTICE OF VIOLATION

March 23, 2022

VIA OVERNIGHT DELIVERY

Vasudev Cherlopalle
Roopa Shekar
18290 Daves Avenue
Monte Sereno, CA 95030

VIA OVERNIGHT DELIVERY

Vasudev Cherlopalle
Roopa Shekar
14525 Lakeshore Drive
Clearlake, CA 95422

**Re: 14525 Lakeshore Drive, Clearlake, CA
APN: 040-183-220**

Attention Vasudev Cherlopalle & Roopa Shekar:

This letter shall serve as **FINAL NOTICE OF VIOLATION** regarding the ongoing and pervasive code violations at your property described in multiple notices of violation and administrative citations. In those notices and citations, you were advised of these violations repeatedly, which include the following:

- Secure all entry points to structure.
- Repair all electrical connections, exposed wiring, electrical panel(s), missing covers, etc.
- Repair/replace roof drains.
- Repair/replace damaged or deteriorated roofing. Repair all areas where water has penetrated walls causing damage.
- Make all necessary repairs and sanitize "bar" area.
- Mold/spore growth was observed in restrooms. All affected sheetrock and coverings must be removed. Mold testing is required. Upon the results of the mold testing, a remediation plan may be required.
- Add on storage room at rear of structure and adjacent to rear deck is deteriorated and footings, piers and/or support beams are failing. Make all necessary repairs or demolish add on.
- Install windows/doors at all locations where such are damaged, missing or wrong size.
- Install sheetrock or other approved ceiling material where ceiling is missing.
- Remove all commercial kitchen equipment or install operative and legal kitchen equipment and Ansul system.
- Clean and sanitize interior of structure.
- Replace all deteriorated flooring.

- Deck at rear of structure is deteriorated and missing guard rails/pickets. Repair existing deck.
- Swamp cooler at rear of building is deteriorated. Remove and/or replace.
- Remove all old signage at front of structure.
- Pressure wash exterior of building. As needed, weatherproof and paint exterior of building.

These violations including all violations listed in the attached Notice to Abate pose significant health and safety risks that have resulted in blight within the community, interfering with other residences' and businesses use and enjoyment of their properties.

Your failure to abate the nuisances, unlawful property conditions has resulted in the City forwarding this matter to my office for further handling and legal action. Please be advised, we are reviewing and considering all code enforcement remedies available under the City of Clearlake Municipal Code and the California Health & Safety Code, including but not limited to having your property declared a public nuisance, summary abatement of the conditions via warrant or emergency action, the filing of criminal charges against you for said violations, civil nuisance complaint, further administrative citations and/or any other civil/criminal remedies that may be available to the City.

You have ten (10) days from the date of this notice to abate the conditions at your property prior to the initiation of legal action against you for failure to comply with these ordinances.

Thank you for your attention to this matter.



Dean J. Pucci, Esq.
Assistant City Attorney
City of Clearlake

Enc. NOTICE TO ABATE

NOTICE TO ABATE

[California Health & Safety Code §17980.6]

Notice to Abate Property Located at: **14525 Lakeshore Drive, Clearlake, CA**
Assessor's Parcel Number: **040-183-220**

The conditions currently existing on this property constitute a public nuisance that pose an immediate threat to the public health, safety and general welfare to the occupants and surrounding community. Said conditions violate multiple adopted provisions of law including, but not limited to Section 10-1.6; 10-1.7; 10-1.8 of the City of Clearlake's Municipal Code; and Sections 113953; 113953.2; 114047; 114049; 114099; 114130; 114149.1; 114149.2; 114163; 114252; 114252.1; 114257; 114257.1; 114259; 114259.2; 114268; 114271; 114276; 114381; 114387; Section 17920.3 of the California Health and Safety Code. Specifically, the violations identified at property, **14525 Lakeshore Drive, Clearlake, CA**, are as follows:

Clearlake Municipal Codes

10-1.6 Declaration of Public Nuisance Conditions.

It is a public nuisance for any person owning, leasing, renting, occupying or having charge of any property within the City to allow or maintain any one or more of the following conditions or activities on such property:

- b. Buildings or other structures which are abandoned, partially destroyed, partially constructed or allowed to remain unreasonably in a state of partial construction;
- c. The failure to close, by means acceptable to the Code Enforcement Officer, all doorways, windows and other openings into vacant structures;
- d. Buildings, wall, fences, driveways, sidewalks, walkways, parking areas or other improvements to real property which are so defective, unsightly, deteriorated or in disrepair that the same causes depreciation of the values of surrounding property or is materially detrimental to nearby properties and improvements;
- e. Broken windows constituting hazardous conditions or inviting trespassers and malicious mischief;
- w. Any condition recognized in law or in equity as constituting a public nuisance, or any condition existing on property which constitutes visual blight.

10-1.7 Responsibility for Proper Property Maintenance.

- a. Every owner of real property within the City is required to maintain such property in a manner so as not to violate the provisions of this Chapter and such owner remains liable for violations thereof regardless of any contract or agreement with any third-party regarding such property.
- b. Every occupant, lessee, or holder of any interest in real property, other than as owner of that real property, is required to maintain such property in the same manner as is required of the owner by subsection 10-1.7a., and the duty imposed by subsection 10-1.7a. on the owner of that property shall in no instance relieve those persons herein referred to from that duty.
(Ord. #159-2012)

10-1.8 Declaration of Public Nuisance.

Each condition described in subsection 10-1.6 is hereby declared to be a public nuisance, subject to abatement pursuant to the procedures set forth in this Chapter, including, without limitation by rehabilitation, demolition or repair. The procedures for abatement set forth in this Chapter shall not be exclusive and shall not in any manner limit or restrict the City from abating public nuisances in any other manner authorized by law. (Ord. #159-2012)

California Health and Safety Code

Section 17920.3

Section 17920.3 of the California Health and Safety Code declares a *public nuisance* to be a substandard building, and states, in relevant part, the following:

Any building or portion thereof including any dwelling, unit, guestroom or suite of rooms, or the premises on which the same is located, in which there exists any of the following listed conditions to an extent that endangers the life, limb, health, property, safety, or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a substandard building:

- (a) Inadequate sanitation shall include, but not be limited to, the following:
 - (14) General dilapidation or improper maintenance.
- (b) Structural hazards shall include, but not be limited to, the following:
 - (2) Defective or deteriorated flooring or floor supports.
- (d) All wiring, except that which conformed with all applicable laws in effect at the time of installation if it is currently in good and safe condition and working properly.
- (g) Faulty weather protection, which shall include, but not be limited to, the following:

- (1) Deteriorated, crumbling, or loose plaster.
 - (2) Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations, or floors, including broken windows or doors.
 - (3) Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering.
 - (4) Broken, rotted, split, or buckled exterior wall coverings or roof coverings.
- (k) Any building or portion thereof that is determined to be an unsafe building due to inadequate maintenance, in accordance with the latest edition of the Uniform Building Code.

“Substandard building” includes a building not in compliance with Section 13143.2.

However, a condition that would require displacement of sound walls or ceilings to meet height, length, or width requirements for ceilings, rooms, and dwelling units shall not by itself be considered sufficient existence of dangerous conditions making a building a substandard building, unless the building was constructed, altered, or converted in violation of those requirements in effect at the time of construction, alteration, or conversion.

Pursuant to Section 17980(a) *et. seq.* of the Health and Safety Code, the conditions on your property constitute a nuisance and substandard building. It has been determined that the circumstances present at the property constitute an immediate threat to health and safety. As such, pursuant to Health & Safety Code Section 17980.6, you are hereby ordered to abate all violations cited herein within **TEN (10) DAYS** (from the date of this posting). Landlords are prohibited from retaliating against tenants who seek to enforce this Health & Safety Code and/or any other code violations cited within this notice pursuant to Section 1942.5 of the Civil Code.

Failure to rectify these conditions on your property by 5:00 p.m. on April 3, 2022 will result in further legal proceedings up to and including an inspection and abatement warrant being executed to *prevent, restrain, correct, or abate* the violations with costs of abatement, including attorney's fees, payable by you. (Clearlake Municipal Code §§ 10-2.2(b)3 & 10-2.2(b)4 & 10-2.7 & 10-2.8).

This notice is being generated by the City of Clearlake located at 14050 Olympic Drive., Clearlake, CA 95422. If you have any questions, please contact Code Enforcement Supervisor, Lee Lambert at 707-994-8251.