



City of Grass Valley City Council Agenda Action Sheet

Title: Public hearing to consider a cost report for both administrative fines and abatement costs and placement of those costs and unpaid administrative fines on the tax roll for 905 W. Main Street.

Recommendation: Adopt Resolution 2022-67 that imposes a special assessment on the tax roll for Assessor's Parcel Number 029-010-009 for abatement costs and unpaid administrative fines and requests the Nevada County Auditor-Controller collect that assessment for the City.

Prepared by: Thomas Last, Community Development Director

Council Meeting Date: 8/9/2022

Date Prepared: 7/28/2022

Agenda: Public Hearing

Background Information: In June 2021, the Grass Valley Police Department (GVPD) requested the Community Development Department staff to accompany them to the property at 905 W. Main Street. During the site inspection, staff noted several people were illegally living in the garage and an outbuilding. Additionally, the property owner was conducting a scrap and recycling operation on the property. Since the property is zoned R-1(Single Family Residential), staff informed the owner that the scrap and recycling operation was not an allowed use and therefore was in violation of the City zoning regulations. On June 21, 2021, the City sent the first letter documenting the code violations. The City sent a second notice of violation to the property owner, Mr. Munds, on August 3, 2021. These letters informed Mr. Munds that if the violations continued, the City could impose a fine of up to \$1,000 per day per violation. After additional site visits and conversations with the owner, and multiple time extensions to obtain compliance, the scrap metal operations still did not cease, so the City imposed its first administrative fine on September 22, 2021. A second set of fines were imposed on November 19, 2021. Then, over the next few months the property owner showed some progress to obtain compliance, but in early 2022, began to bring more scrap metal to the property. Staff also received numerous complaints from neighbors about the scrap and recycling activities. Therefore, the City imposed additional fines on April 11, 15, 19, and 28, 2022. Several of the letters included daily fines that covered multiple days of violations. Hence the larger fines listed in some of the dates. The property was cleared of the code violations and the scrap business ceased shortly after the April 28th letter was provided to Mr. Munds.

Then, on May 3, 2022, the GVPD requested staff visit the property because people were again living in the garage and shed, and there were multiple construction activities taking place within both houses on the property. Staff then posted both homes as

being unsafe to occupy because of hazardous conditions that existed in the buildings which posed life safety threats to anyone living in the buildings.

Since July 1, 2021, the GVPD has been to this address for 73 calls for service. The Community Development Director has conducted at least 20 site visits since June 2021 to try to work with the owner to obtain compliance with these the code violations.

All the letters which imposed a fine also informed Mr. Munds that he had a right to an appeal, pursuant to section 1.14.090 of the Grass Valley Municipal Code. No timely appeal was requested. As of the date of this report, the fines remain unpaid. These fines are past due and may now be collected by special assessment pursuant to section 38773.5 of the Government Code and Grass Valley Municipal Code sections 1.14.080 (B), 1.14.150 and 1.14.160.

The attached cost report lists the fines imposed for each date and the additional costs from the City Attorney's office. The Municipal Code requires the Council consider and approve the Cost Report at a noticed public hearing prior to imposing those costs as a special assessment. This hearing has been noticed both by publication and by notice sent via certified mail to Mr. Munds at the address of record, the subject property.

Staff proposes to place the \$9,500 in unpaid administrative fines as well as the \$3,630 in costs to the City for abatement of the nuisances at 905 W. Main Street on the tax roll as a special assessment. To place the unpaid administrative fines and abatement costs on the tax roll, the Council must adopt the attached resolution. Staff will be prepared to discuss any of the specific violations and the abatement process at the Council meeting.

Council Goals/Objectives: This action promotes the goals of maintaining a high quality of life and sense of community.

Fiscal Impact: None, this action represents an effort to collect fines and costs associated with code enforcement activities on a property.

Funds Available: N/A

Account #: N/A

Reviewed by: ___ City Manager

Attachments: Resolution # 2022-67
Cost Report