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### BOARD OF SUPERVISORS' MEETING (January 26, 2021)

FILE NUMBER:	CDEF2018-087
PROPERTY OWNER:	Fred Bragg
TYPE OF APPLICATION:	Recovery of Administrative Penalties

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County of Lassen  
Department of Planning and Building Services

• Planning • Building Permits • Code Enforcement • Surveyor • Surface Mining

C-1

January 12, 2021

Maurice L. Anderson, Director  
707 Nevada Street, Suite 5  
Susanville, CA 96130-3912  
Phone: 530 251-8269  
Fax: 530 251-8373  
email: landuse@co.lassen.ca.us  
website: www.co.lassen.ca.us

TO: Board of Supervisors  
Agenda Date: January 26, 2021

FROM: Maurice L. Anderson, Director

Zoning & Building  
Inspection Requests  
Phone: 530 257-5263

SUBJECT: Hearing to Consider Recordation of an Administrative Penalty Lien Pursuant to Lassen County Code Section 1.18.170 (i)

Recommendation

1. Receive the Enforcing Officer's Report; and
2. Conduct a public hearing and hearing on accounting;
3. Adopt a resolution ordering recordation of a lien against real property described herein, on which a public nuisance was identified in violation of Chapter 1.18 of the Lassen County Code, in order to recover administrative penalties as established by the Lassen County Hearing Officer;
4. If unpaid after ninety (90) days, amend the lien to recover physical cost of abatement.

Summary

The purpose of this public hearing is to determine whether or not the Board of Supervisors should order staff to record a lien against real property located in Lassen County, in order to recover administrative penalties established through enforcement of the Lassen County Public Nuisance Ordinance. As stipulated under Section §1.18.090(c) of County Code, the decision of the Hearing Officer, with regard to the existence of a public nuisance, is final. The property described herein (Exhibit A of Draft Resolution), is owned by Fred Bragg and was found to be in violation of Lassen County Code Chapter 1.18 as outlined in the Decision of Hearing Officer dated November 20, 2019.

In this case the identified nuisance was not abated as ordered by the Enforcing Officer and an Administrative Hearing was held on November 20, 2019. The Hearing Officer determined that the nuisance did exist as posted, and that the property owner failed to abate as ordered and subject to abatement in accordance with county code. In addition to affirming the Enforcing Officers Report, the Hearing Officer ordered administrative penalties to the property owner in the amount of \$14,000.00. The decision of the Administrative Hearing Officer is attached with this Board letter. Interest has accrued on the unpaid fines bringing the total requested lien amount to \$15,561.10.

The abatement was not completed by the property owner as ordered. As a result, On January 22, 2020, Staff from PBSO entered the property with the owners consent, with rented equipment and county equipment and completed the abatement by March 1, 2020. Photos of the completed abatement are enclosed. This packet also contains photographs taken prior to the abatement.

As stated above, the abatement has now been completed in full, and a resolution directing recordation of a lien is enclosed for consideration by the Board. This hearing also serves as the "Hearing on Accounting" to confirm the actual cost of abatement incurred by the county and determine if said lien will be recorded to recover administrative penalties and interest. If administrative penalties are unpaid after ninety (90) days,

amend the lien for the full cost of abatement incurred by Lassen County, in accordance with the procedure detailed at Lassen County Code Chapter 1.18 (Abatement of Civil Nuisances; attached).

#### Financial Impact

Lassen County Code Section 1.18.080 allows the County to recover the costs of abatement, including, but not limited to, the cost of prior time and expenses associated with preparing the matter for a hearing, attorneys' fees and the cost of workers and material necessary to physically abate the violation. As authorized by the Government Code Section 25845 and Lassen County Code Chapter 1.18, Lassen County is empowered to recover the costs through recordation of a lien.

As stated above, a proposed resolution is attached which orders the recordation of a lien to recover the administrative penalties plus interest, and amend the lien to recover the full costs to Lassen County in executing the ordered abatement. The proposed resolution orders the recordation of a lien for \$15,561.10 and if unpaid after ninety (90) days, amend the lien for \$20,371.55. In summary, this cost is broken down as follows:

- \$917.41, paid to Lassen Regional Solid Waste Management Authority for waste disposal charges.  
\$846.72, paid to Rental Guys for mini excavator rental.  
\$1051.28, paid to C&S Waste for roll-off dumpster rental.
- \$1995.04, in additional administrative and physical costs (Staff time, mileage, etc.) are reflected in Exhibit D of the resolution.
- \$15,561.10, would be the lien to reflect administrative penalties and interest, (as ordered by the Hearing Officer). The physical costs detailed above would be amended to the original lien if unpaid after 90 days, the original lien would be released.

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION  
ORDERING RECORDATION OF AN ADMINISTRATIVE PENALTY LIEN  
PURSUANT TO LASSEN COUNTY CODE 1.18.170(i) AND CONFIRMING  
ABATEMENT COST PURSUANT TO 1.18.150(d)**

**WHEREAS**, Assessor's Parcel Number: 139-270-01, as described in Exhibit A, is owned by Fred Bragg; and

**WHEREAS**, on February 26, 2020, the county completed an inspection to verify abatement of the public nuisance, as it related to the Notice served October 9, 2019; and

**WHEREAS**, on November 20, 2019, the Administrative Hearing Officer rendered a Decision ordering the abatement of a public nuisance pursuant Lassen County Code, Title 1, Chapter 1.18, and ordered a civil penalty against the property; and

**WHEREAS**, on January 26, 2021, the Board of Supervisors conducted a noticed public hearing whereat evidence was presented and consideration was made regarding administrative civil penalties and physical cost of abatement, attached as Exhibit B.

**NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. That the forgoing recitals are true and correct.
2. That notice of the hearing has been given as required by the Lassen County Code.
3. That the information provided in the Board packet for this hearing is true and correct.
4. That it is found and ordered that the administrative civil penalty sum of \$14,000 combined with interest at \$15,561.10, shall be assessed against real property as described in Exhibit A, also known as Assessor's Parcel Number 139-270-01. The Lassen County Board of Supervisors hereby orders that this amount be placed as a lien against the respective parcel of land in accordance with Lassen County Code subsection 19.170(i), and if unpaid after 90 days, amend the lien for the full cost of abatement incurred by Lassen County.
5. Notice of this resolution shall be given to Fred Bragg as follows:
  1. First class mail.
  2. Certified mail
  3. Posting this resolution on the property.



RESOLUTION NO. \_\_\_\_\_

The forgoing resolution was adopted at a regular meeting of the Board of Supervisors of the County of Lassen, State of California, held on the 26th day of January 2021, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Chairman of the Board of Supervisors,  
County of Lassen, State of California

ATTEST:  
JULIE BUSTAMANTE  
Clerk of the Board

BY \_\_\_\_\_  
MICHELE YDERRAGA, Deputy Clerk of the Board

I, MICHELE YDERRAGA, Deputy Clerk of the Board of the Board of Supervisors, County of Lassen, do hereby certify that the foregoing resolution was adopted by the said Board of Supervisors at a regular meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Deputy Clerk of the County of Lassen Board of Supervisors



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

All that certain real property situated in a portion of Section 27, Township 26 North, Range 16 East, Mount Diablo Base and Meridian, in the unincorporated territory of Lassen County, California, more particularly described as follows:

Lot 1, as shown on that certain map entitled "Park View No. 1", filed November 2, 1967, in the Office of the Lassen County Recorder in Book 6 of Maps at Page 43.

Excepting therefrom said Lot 1, that portion described as follows:

Beginning at a point on the South line of said Lot 1, distant thereon South 87° 40' East 35.00 feet from the Southwest corner of said Lot 1; thence along said South line North 87° 40' West 35.00 feet to said Southwest corner of said Lot 1; thence along the West line of said Lot 1, North 21° 41' West 277.42 feet; thence along the Northeast line of said Lot 1, North 45° 15' East 60.00 feet; and thence South 20° 14' 20" East 318.27 feet to the point of beginning.



*Don E. Willis*

## Exhibit "B"

## Administrative and Physical Costs of Abatement

Owner: BRAGG, FRED

Property Address: 741-925 Park Dr.

Print Date: 01/07/2021

APN: 139-270-01-11

Case Number: CDEF2018-087

Labor Date	Employee Name	Work Performed	Time/mileage	Rate	Total
10/15/2018	Robert Steen	FIELD INSPECTION #1	1.75	30.90	54.08
10/15/2018	Mileage rate	FIELD INSPECTION #1	76.00	0.58	44.08
11/29/2018	Jeanette Childress	NOCV	0.50	28.55	14.28
11/29/2018	Matthew May	NOCV	0.25	40.23	10.06
11/29/2018	Maurice Anderson	NOCV	0.25	65.16	16.29
11/29/2018	Brooke Suarez	NOCV	0.25	32.27	8.07
11/29/2018	Postage	NOCV	1.00	7.17	7.17
03/26/2019	Mileage rate	FIELD INSPECTION #2	76.00	0.58	44.08
03/26/2019	Jordan Guess	FIELD INSPECTION #2	1.75	27.70	48.48
03/26/2019	Robert Steen	FIELD INSPECTION #2	1.75	30.90	54.08
04/29/2019	Jordan Guess	FIELD INSPECTION #3	1.75	27.70	48.48
04/29/2019	Robert Steen	FIELD INSPECTION #3	1.75	30.90	54.08
04/29/2019	Mileage rate	FIELD INSPECTION #3	76.00	0.58	44.08
05/16/2019	Robert Steen	FIELD INSPECTION #4	1.75	30.90	54.08
05/16/2019	Jordan Guess	FIELD INSPECTION #4	1.75	27.70	48.48
05/16/2019	Mileage rate	FIELD INSPECTION #4	76.00	0.58	44.08
07/10/2019	Mileage rate	FIELD INSPECTION #5	76.00	0.575	43.70
07/10/2019	Jordan Guess	FIELD INSPECTION #5	1.75	28.82	50.44
07/10/2019	Robert Steen	FIELD INSPECTION #5	1.75	32.70	57.23
08/01/2019	Mileage rate	FIELD INSPECTION #6	76.00	0.575	43.70
08/01/2019	Jordan Guess	FIELD INSPECTION #6	1.75	28.82	50.44
08/01/2019	Robert Steen	FIELD INSPECTION #6	1.75	32.70	57.23
10/09/2019	Jordan Guess	FIELD INSPECTION #7	1.75	28.82	50.44
10/09/2019	Mileage rate	FIELD INSPECTION #7	76.00	0.575	43.70
10/09/2019	Robert Steen	FIELD INSPECTION #7	1.75	32.70	57.23
10/09/2019	Jordan Guess	NOTICE TO ABATE-PENALTY-ADMIN ORDER	1.50	28.82	43.23
01/22/2020	Jordan Guess	COUNTY ABATEMENT	4.00	28.82	115.28
01/22/2020	Robert Steen	COUNTY ABATEMENT	4.00	32.70	130.80
01/22/2020	Mileage rate	COUNTY ABATEMENT	76.00	0.575	43.70
01/31/2020	Lasson Regional Waste	COUNTY ABATEMENT	1.00	165.40	165.40
02/10/2020	Rental Guys	COUNTY ABATEMENT	1.00	846.72	846.72
02/11/2020	Mileage rate	COUNTY ABATEMENT	76.00	0.575	43.70
02/11/2020	Robert Steen	COUNTY ABATEMENT	4.00	32.70	130.80
02/11/2020	Jordan Guess	COUNTY ABATEMENT	4.00	28.82	115.28
02/11/2020	Lasson Regional Waste	COUNTY ABATEMENT	1.00	442.18	442.18
02/20/2020	Jordan Guess	COUNTY ABATEMENT	4.00	28.82	115.28
02/20/2020	Robert Steen	COUNTY ABATEMENT	4.00	32.70	130.80
02/20/2020	Mileage rate	COUNTY ABATEMENT	76.00	0.575	43.70
02/20/2020	Lasson Regional Waste	COUNTY ABATEMENT	1.00	309.83	309.83
03/01/2020	C&S Waste	COUNTY ABATEMENT	1.00	1,051.28	1,051.28
04/21/2020	Brooke Suarez	COST RECOVERY PROCESS	1.00	34.49	34.49
11/20/2019	Administrative Hearing date 11/20/2019	Administrative penalty set forth in Notice to Abate \$1,000/day for 14 days			15,561.10
Total					20,371.55





**LASSEN COUNTY**  
**NOTICE TO ABATE – NOTICE OF PROPOSED PENALTY**  
**NOTICE OF ADMINISTRATIVE ORDER TO SHOW CAUSE**

Property Owner Name and Last Known Address:

Fred Bragg

PO Box 218

Doyle, CA 96109

Occupant:

Site Address:

741-925 Park Drive

Doyle, CA

Assessor's Parcel Number: 139-270-01

Enforcing Officer: Steen/Guess

Inspection Date: 10-09-2019

TO OWNER AND RESIDENT: **YOU ARE HEREBY NOTIFIED** that conditions exist on the above premises, which constitute a **PUBLIC NUISANCE** under Title 1.18 of the Lassen County Code. Such condition(s) violate(s) the following specific provision(s) of the Lassen County Code:

Large accumulation of junk, house-hold trash, garbage and debris

You are required to abate the above violation(s) within **THIRTY (30) CALENDAR DAYS** of this notice by:

11-07-2019. To abate the nuisance, you must take the following action: Remove all garbage, junk, and debris in violation of the above provisions in title 1.18.

You may present yourself before a hearing officer to show good cause why this nuisance should not be abated by the enforcing officer. The date, time, and location of this hearing are listed below. You will be given an opportunity at this hearing to present testimony or other evidence why the conditions on the listed property do not constitute a nuisance and should not be abated. There is no fee for this hearing.

If you do not abate the nuisance yourself, or show good cause to the hearing officer why it should not be abated, the enforcing officer may come on your property and abate the nuisance him or herself. All abatement costs, including administrative costs, may be made a special assessment added to the tax roll and become a lien on this real property, or be placed on the unsecured tax roll (see back side for more information).

Also, if you do not abate this nuisance by the date set forth above, you will be charged an administrative penalty of \$1000.00 PER DAY beginning on 11-07-2019 and continuing until the nuisance is abated and the abatement is confirmed by an enforcement officer (see back side for more information).

**YOU** are responsible for reporting to the County that you have abated this nuisance. To do so, **YOU** must contact the Enforcement Officer at 530-251-8269 to report having corrected the problem.

**DATE: November 20, 2019**

**TIME: At or After 3:00 P.M.**

**ADDRESS: 707 Nevada St. Suite 5, Susanville, CA, 96130 (Conference Room)**

  
 \_\_\_\_\_  
 Attestation of Enforcing Officer

10-09-2019  
 \_\_\_\_\_  
 Date of Notice

(S/PLA/Building/CODE/000MASTER DOCS/NoticeToAbate-ProposedPenalty-AdminOrderPg1/Rev. 9/15/2017)



DUE PROCESS FOR ALLEGED VIOLATORS  
OF LASSEN COUNTY CODE

You have been notified of activity on land that you are associated with that allegedly constitutes a violation of Lassen County Code. You have two choices. You can either correct the problem by abating the nuisance by the date ordered (see front of notice) or you can challenge the order to abate and order proposing administrative penalties. If you voluntarily abate the nuisance by the date ordered on the front of this notice, you must still notify the enforcing officer of this fact and have them come and confirm that you have done so. The enforcing officer is available by phone at 530.251.8269.

If you choose to challenge the order to abate and order for proposed administrative penalties you must attend the administrative hearing at the date, time, and location identified on the front of this notice. If you do not show up, you lose your right to challenge the order to abate and any proposed penalties. Also, if you do not show up at that hearing, you will have failed to exhaust your administrative remedies and any order of the hearing officer will become final for all purposes.

At the administrative hearing, the alleged violator may present evidence to the hearing officer to show good cause why:

- (i) The identified public nuisance should not be abated;
- (ii) The proposed amount of administrative penalty set forth in this notice should not be imposed, in whole or in part; and
- (iii) The means of abatement set forth in this notice are not proper.

Once the hearing officer renders a decision, that decision will be sent to you at the address you receive your property tax bill. If the hearing officer upheld the order to abate the nuisance or any proposed penalties, you must immediately abate the nuisance and you have 20 days within which to pay any administrative penalties. Payment of administrative penalties shall be made to the Lassen County Tax Collector at 220 S. Lassen St., Susanville, CA 96130.

If you challenge the order to abate the nuisance or any proposed penalties at a hearing and lose your challenge, and you do not abate the nuisance, the enforcing officer may come onto your property without your permission and legally abate the nuisance him or herself. Likewise, if you challenge any proposed administrative penalties and lose that challenge and do not subsequently pay them to Lassen County, those penalties will continue to accrue per day until such time as the nuisance is abated and such abatement is confirmed by an enforcing officer. Moreover, these penalties will become a lien on the real property and can be a cause of forced sale of the real property at some time in the future.

If you have any questions about how this process works or about the Lassen County Code in general, contact Lassen County Planning and Building Services at 530.251.8269 or in person at 707 Nevada St., Susanville, CA 96130.



*County of Lassen*  
 Department of Planning and Building Services

• Planning • Building Permits • Code Enforcement • Surveyor • Surface Mining

**Maurice L. Anderson, Director**

707 Nevada Street, Suite 5

Susanville, CA 96130-3912

Phone: 530 251-8269

Fax: 530 251-8373

email: [landuse@co.lassen.ca.us](mailto:landuse@co.lassen.ca.us)

website: [www.co.lassen.ca.us](http://www.co.lassen.ca.us)

**NOTICE AND ORDER TO CORRECT VIOLATIONS**

CERTIFIED MAIL/RETURN RECEIPT

7017 0660 0000 6271 3967

October 11, 2019

Zoning & Building

Inspection Requests

Phone: 530 257-5263

Fred Bragg  
 PO Box 218  
 Doyle, CA 96109-0218

RE: Code Enforcement Case No. 2018-087  
 741-925 Park Drive  
 Doyle, CA 96109  
 Assessor's Parcel Number: 139-270-01

Dear Mr. Bragg:

This letter is in regard to the above referenced property, which is in violation of *Lassen County Code*, the *California Penal Code* and the *California Health and Safety Code*. This property is less than one acre in size and is zoned A-1 (General Agricultural District).

**PUBLIC NUISANCE**

During a site inspection on October 9, 2019, Code Enforcement staff determined that conditions on your property present a public nuisance. The specific conditions noted were a large amount of debris, a pile of garbage, junk, discarded lumber, scrap metal, tires, vehicles parts, dumped junk furniture, discarded junk appliances, multiple non-op vehicles, and a non-operable RV. These conditions are in violation of Lassen County Code §1.18.020, §1.19.020 and California Penal Code §370 and §372 and California Health and Safety Code §17920.3(j).

California Penal Code §370, declares a property in such condition to be a "Public Nuisance". California Penal Code §372 further states:

*Every person who maintains or commits any public nuisance, the punishment for which is not otherwise prescribed, or who willfully omits to perform any legal duty relating to the removal of a public nuisance, is guilty of a misdemeanor.*

Fred Bragg  
October 11, 2019  
Page 2

California Health and Safety Code §17920.3(j) states:

*Those premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rodent harborages, stagnant water, combustible materials, and similar materials or conditions constitute fire, health, or safety hazards.*

### **REMEDY**

To remedy these violations, you must remove and dispose of all remaining garbage, trash, tires, debris, appliances, pallets, furniture and junk vehicles and parts, (receipts will be required to verify proper disposal) from the property no later than thirty (30) days from the date of mailing of this letter.

### **ENFORCEMENT**

Failure to correct this violation within thirty (30) days of receipt of this letter may result in the issuance of an administrative citation, penalties to accrue at \$1000 per day the violation continues to exist after the thirty (30) day notification. A follow up inspection will be conducted to confirm or dismiss if the work has been completed. In addition, if you fail to contact this office within the 30 days, a "NOTICE OF NONCOMPLIANCE" may be filed against your property with the Lassen County Recorder pursuant to *Lassen County Code §12.24.035(a)*, and a hearing will be scheduled on November 20<sup>th</sup>, 2019 and administrative abatement may be ordered.

Additional enforcement actions such as administrative abatement, criminal prosecution, and/or civil injunction may also be utilized to correct the violation.

If you have any questions, contact Code Enforcement Officer Robert Steen or Officer Jorden Guess. (530) 251-8269.

Sincerely,



Maurice L. Anderson,  
Director, Acting Building Official

MLA: jpg JRG



Case No: CDEF2018-087
-----------------------

**DECLARATION OF SERVICE BY FIRST CLASS MAIL**

**I, THE UNDERSIGNED, DECLARE THAT:**

1. I am an employee of Lassen County, California, over the age of eighteen years and not a party to the within entitled cause or matter;
2. My business address is 707 Nevada Street, Room 236, Susanville, California 96130; and;
3. I served the foregoing **NOTICE TO ABATE – NOTICE OF PROPOSED PENALTY – NOTICE OF ADMINISTRATIVE ORDER TO SHOW CAUSE** on the interested parties in said cause by depositing a true copy thereof enclosed in a sealed envelope and placing the envelope for collection and mailing on the date and at the place shown below following our ordinary business practices. I am readily familiar with this business' practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with first class postage fully paid in Susanville, California, on October 16, 2019, addressed as follows:

FRED BRAGG  
P O BOX 218  
DOYLE, CA 96109

I declare under penalty of perjury that the foregoing is true and correct.  
Executed this October 16, 2019, at Susanville, California 96130.

  
\_\_\_\_\_  
Brooke Suarez





Decision of Administrative Hearing Officer  
(Lassen County Code Title: 1.18)

ADMINISTRATIVE HEARING #18-087

Code Enforcement Case No. 2018-087

DATE OF DECISION: 11-20-2019

Property Owner Name and Last Known Address:

Fred Bragg  
PO Box 218  
Doyle, CA 96109-0218

Occupant: *Victor Reynolds*  
*(lives in RV)*

Site Address:

741-925 Park Drive  
Doyle, CA

Assessor's Parcel Number:

139-270-01

Hearing Officer:

Lynn Strom

Date of Administrative Hearing:

11-20-2019

**WHEREAS**, the enforcing officer scheduled an Administrative Hearing on DATE: 11-20-2019, giving the owner(s) and/or occupant(s) of the Premises an opportunity to present evidence and elicit testimony regarding (i) whether the conditions existing on the Premises constitute a nuisance and/or whether there is any good cause why those conditions should not be abated, and (ii) whether the proposed amount of administrative penalty set forth in the Notice shall be imposed, modified, or disapproved, in whole or in part. The owner(s) and/or occupant(s):

☐ Failed to appear at the Administrative Hearing and failed to exhaust their administrative remedies.

**NOW, THEREFORE**, as the Hearing Officer for the County of Lassen and based upon the record before me, issue the following findings and declarations:

☒ The foregoing recitals are true and correct; and

☒ **I HEREBY FIND** that the alleged violation(s) ☒ **DID** ☐ **DID NOT** occur on the Premises and the owner/ occupants failed to abate the nuisance based upon the following evidence presented at this continuance of Hearing:

☒ The Staff Report, attached hereto and incorporated herein, which lists the date(s) of abatement, date(s) the photograph(s);

☒ Statements from the enforcing officer attesting that:

☒ The information contained in the Staff Report is true and accurate; and

☐ Other: \_\_\_\_\_; and

☒ Photograph(s) of the violation(s) taken and submitted as evidence at this Hearing by:

☒ Enforcing Officer: and

☐ Other: \_\_\_\_\_; and

☒ Other evidence submitted at this Hearing by:

☒ Enforcing Officer: and

☐ Other: A1, A-2, B-1, B-2, C, D-1, D2; and

F, G1, G2, H1, H2

Owner testified.

☒ I HEREBY FIND, based on the foregoing evidence presented at this Hearing, the alleged violation(s):

☒ Continued to exist unabated on the Premises; and

☐ was abated by the county Planning and Building Services Department.

☐ Other: \_\_\_\_\_; and

☒ I HEREBY FIND that the proposed administrative penalty set forth in the Notice is:

☒ Imposed in the amount stated in the Notice.

☐ Modified to be: \_\_\_\_\_.

☐ Disapproved.

☐ Other: \_\_\_\_\_.

☒ Based on the above findings, I hereby find the violation(s) alleged in the Notice are factually true and constitute a public nuisance under Lassen County Code Title 1.18, as set forth in the Notice; and

☒ The Public Nuisance on the Premises is subject to abatement in accordance with Lassen County Code Title 1.18, and the means of abatement set forth in the Notice are proper.

NOW, THEREFORE, as the Hearing Officer for the County of Lassen and based upon the record before me, issue the following orders:

☒ The Notice issued by the enforcing officer on October 9, 2019 is hereby affirmed in full; and

☒ A public nuisance on the Premises shall be abated by the owner(s) and/or occupant(s) of the Premises, in the manner set forth in the Notice, within 30 CALENDAR DAYS of service of this Decision; and

☒ The public nuisance was not abated by the owner(s) and/or occupant(s) of the Premises as ordered by the Hearing Officer, or the nuisance is continued to exist, the Enforcing Officer abated, or cause to be abated, the nuisance in accordance with Lassen County Code Title 1.18, and kept an itemized account of the costs incurred by the County to abate the nuisance, to be charged against the premises and against each person who causes, permits, suffers, or maintains the nuisance, in accordance with the provisions of Lassen County Code Title 1.18.

☒ The amount of administrative penalty, as set forth above, shall be final and conclusive. Payment of the administrative penalty specified in this Decision shall be made in the manner set forth in Lassen County Code Title 1.18.

☐ Other: \_\_\_\_\_

**NOTICE IS HEREBY GIVEN.** You may challenge this Decision by timely filing a writ of mandate, pursuant to Code of Civil Procedure §§ 1094.5 and 1094.6, in the Lassen County Superior Court. A writ of mandate must be filed within **NINETY (90) DAYS** of this Decision. You may challenge the Decision imposing/modifying the administrative penalty by filing an appeal, pursuant to Government Code § 53069.4, subdivision (b), in the Lassen County Superior Court. An appeal must be filed within **TWENTY (20) DAYS** after service of this Decision.

#### ATTENTION!

If the amount of administrative penalty is imposed or modified, you are required to pay that amount within **TWENTY (20) CALENDAR DAYS** after service of this Decision.



If the administrative penalty is not satisfied **IN FULL** within **NINETY (90) DAYS** and/or has not been challenged by a timely writ of mandate or appeal, the Board of Supervisors may authorize recordation of a Notice of Administrative Penalty Lien against the Premises. (Government Code section 53069.4)

**ATTENTION!**

If the Enforcing Officer is required to abate the nuisance, you are required to pay the cost of abatement, including cost of administration, within **NINETY (90) CALENDAR DAYS** after service of this Decision.

If the cost of abatement, including cost of administration, is not satisfied in full within **NINETY (90) DAYS** and/or has not been challenged by a timely writ of mandate, the Board of Supervisors may specially assess the costs on the County tax roll and authorize recordation of a Notice of Abatement Lien against the Premises. (Government Code section 25845).

11-20-2019

Date of Decision



Lynn Strom

Lassen County Administrative Hearing Officer



*County of Lassen*  
Department of Planning and Building Services

• Planning • Building Permits • Code Enforcement • Surveyor • Surface Mining

Maurice L. Anderson, *Director*

707 Nevada Street, Suite 5

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email: [landuse@co.lassen.ca.us](mailto:landuse@co.lassen.ca.us)

website: [www.co.lassen.ca.us](http://www.co.lassen.ca.us)

**NOTICE OF HEARING OFFICER DECISION**

CERTIFIED MAIL/RETURN RECEIPT

7017 0660 0000 4100

December 5, 2019

Zoning & Building

Inspection Requests

Phone: 530 257-5263

Fred Bragg  
PO Box 218  
Doyle, CA 96109

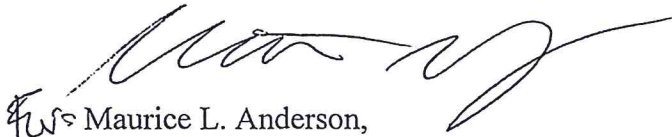
RE: Code Enforcement Case No. 2018-087  
741-925 Park Drive  
Doyle, CA  
A.P.N. 139-270-01

Dear Mr. Bragg:

The intent of this letter is to inform you of the Lassen County Hearing Officer's decision from the administrative hearing held on November 20, 2019, regarding your property. Hearing Officer Lynn Strom has ordered that the penalties be imposed as recommended by Lassen County in the amount of \$14,000, and that the property shall be brought into compliance by the property owner within 30 days from the date of the decision. Furthermore, if the property is not brought into compliance within the 30 days as stated the decision, the Hearing Officer has ordered the Lassen County Department of Planning and Building Services to abate said nuisance, and that the property owner shall be responsible for any and all administrative and abatement costs, and shall pay said costs within ninety (90) days. The Hearing Officer's Decision is attached and provides instructions for payment and appeal process.

Should you have any questions, contact Code Enforcement Officer Rob Steen or Officer Jordan Guess (530) 251-8269.

Sincerely,

  
Maurice L. Anderson,  
Director, Acting Building Official

MLA.jpg

Enclosure: Hearing Officer Decision



CDEF2018-087

7017 0660 0000 6271 4100

## DECLARATION OF SERVICE BY CERTIFIED/RETURN RECEIPT AND FIRST CLASS MAIL

### I, THE UNDERSIGNED, DECLARE THAT:


1. I am an employee of Lassen County, California, over the age of eighteen years and not a party to the within entitle cause or matter;
2. My business address is 707 Nevada Street, Susanville, California 96130 and;
3. I served the foregoing **NOTICE OF HEARING OFFICER DECISION** and **HEARING OFFICER DECISION** on the interested parties in said cause by depositing true copies thereof enclosed in sealed envelopes and placing the envelopes for collection and mailing on the date and at the place shown below following our ordinary business practices. I am readily familiar with this business' practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in sealed envelopes with postage fully paid for both Certified/Return receipt and 1<sup>st</sup> Class, in Susanville, California on Thursday, December 05, 2019, addressed as follows:

FRED BRAGG  
P O BOX 218  
DOYLE, CA 96109-0218

I declare under penalty of perjury that the foregoing is true and correct. Executed on Thursday, December 05, 2019, at Susanville, California, 96130.

  
\_\_\_\_\_  
Brooke Suarez

7017 0660 0000 6271 4100

<b>U.S. Postal Service™</b>	
<b>CERTIFIED MAIL® RECEIPT</b>	
<i>Domestic Mail Only</i>	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®.	
<b>OFFICIAL USE</b>	
Certified Mail Fee	\$ 3.50
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input checked="" type="checkbox"/> Adult Signature Required	\$ 2.30
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$ 1.50
Total Postage and Fees	\$ 6.20
Sent To	
Street and Apt. No., or PO Box No.	
City, State, ZIP+4®	
 Fred Bragg P.O. Box 218 Doyle, CA 96109	
PS Form 3800, April 2015 PSN 7530-02-000-9047	



*County of Lassen*  
Department of Planning and Building Services

• Planning • Building Permits • Code Enforcement • Surveyor • Surface Mining

Maurice L. Anderson, *Director*

707 Nevada Street, Suite 5

Susanville, CA 96130-3912

Phone: 530 251-8269

Fax: 530 251-8373

email: [landuse@co.lassen.ca.us](mailto:landuse@co.lassen.ca.us)

website: [www.co.lassen.ca.us](http://www.co.lassen.ca.us)

## NOTICE OF INTENT TO RECORD A LIEN

CERTIFIED MAIL/RETURN RECEIPT

7017 0660 0000 6271 3851

June 8, 2020

Zoning & Building

Inspection Requests

Phone: 530 257-5263

Fred Bragg  
P.O. Box 218  
Doyle, Ca 96109

RE: CDEF 2018-087  
741-925 Park Dr.  
Doyle Ca.  
A.P.N. 139-270-01

Dear Mr. Bragg:

The intent of this letter is to remind you of the Hearing Officer's decision from the administrative hearing held on November 20, 2019. On November 20, 2019, Hearing Officer Lynn Cottier (Strom) determined that the voluntary abatement of a public nuisance was not completed and an administrative penalty was set for \$14,000. The Hearing Officer's Decision is attached.

### TITLE 1 CHAPTER 1.18.170 ADMINISTRATIVE CIVIL PENALTIES

1.18.170 (g): *Payment of an administrative penalty specified in the hearing officer's order shall be made to the county within twenty days of service of the order, unless timely appealed to the Superior Court in accordance with Government Code Section 53069.4, subdivision (b)*

1.18.170 (h): *Interest shall accrue on all amounts due under this section, from the effective date of the administrative penalty order, as set forth in this section, to the date paid pursuant to the laws applicable to civil money judgments.*

1.18.170 (i): *In addition to any other legal remedy, whenever the amount of any administrative penalty imposed pursuant to this section has not been satisfied in full within ninety days and has not been timely appealed to the Superior Court in accordance with Government Code Section 53069.4, subdivision (b), or if appealed, such appeal has*

Fred Bragg  
June 8, 2020  
Page 2 of 2

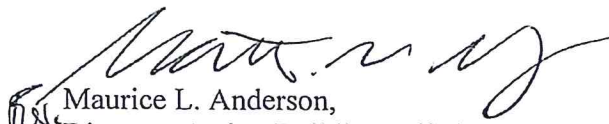
*been dismissed or denied, this obligation may be enforced as a lien against the real property on which the violation occurred.*

The administrative penalty \$14,157.26 (\$14,000 imposed + \$157.26 interest) was not paid in full within (90) days, as required by section 1.18.170 (i) of the Lassen County Code. That said, this letter also serves as a final warning of the Departments intent to record the total balance of the outstanding administrative penalties, as a lien against your property should you fail to make payment.

REMEDY:

You have (30) days from the date of this letter to contact the Office of the Treasurer Tax Collector if you would like to avoid this Department filing of a lien against your property. Once you contact the Treasurer Tax Collectors Office, you may either pay the remaining balance of administrative penalties in full, or you may request to enter into a payment plan.

Should you have any questions, please feel free to contact Code Enforcement at (530) 251-8269.  
Sincerely,

  
Maurice L. Anderson,  
Director, Acting Building Official

MLA:mcm

Enclosure: Hearing Officer Decision

CC: Nancy Cardenas, Treasurer Tax Collector



CDEF2018-087

7017 0660 0000 6271 3851

## DECLARATION OF SERVICE BY CERTIFIED/RETURN RECEIPT AND FIRST CLASS MAIL

### I, THE UNDERSIGNED, DECLARE THAT:

1. I am an employee of Lassen County, California, over the age of eighteen years and not a party to the within entitled cause or matter;
2. My business address is 707 Nevada Street, Susanville, California 96130 and;
3. I served the foregoing **NOTICE OF INTENT TO RECORD A LIEN** on the interested parties in said cause by depositing true copies thereof enclosed in sealed envelopes and placing the envelopes for collection and mailing on the date and at the place shown below following our ordinary business practices. I am readily familiar with this business' practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in sealed envelopes with postage fully paid for both Certified/Return receipt and 1<sup>st</sup> Class, in Susanville, California on Tuesday, June 09, 2020, addressed as follows:

FRED BRAGG  
P.O. BOX 218  
DOYLE, CA 96109

I declare under penalty of perjury that the foregoing is true and correct. Executed on Tuesday, June 09, 2020, at Susanville, California, 96130.

  
\_\_\_\_\_  
Brooke Suarez

7017 0660 0000 6271 3851

<b>U.S. Postal Service™</b> <b>CERTIFIED MAIL® RECEIPT</b> <i>Domestic Mail Only</i>	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®.	
OFFICIAL USE	
Certified Mail Fee \$	
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input checked="" type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$
Sent To	
Street and Apt. No., or PO Box No.	Fred Bragg
City, State, ZIP+4®	P.O. Box 218 Doyle, CA 96109
PS Form 3800, April 2015 PSN 7530-02-000-9047 <span style="float: right;">See Reverse for Instructions</span>	







*County of Lassen*  
Department of Planning and Building Services

• Planning • Building Permits • Code Enforcement • Surveyor • Surface Mining

**NOTICE OF PUBLIC HEARING**

January 12, 2021

RE: CDEF2018-087  
741-925 Park Drive  
Doyle, CA 96109

**Maurice L. Anderson, Director**  
707 Nevada Street, Suite 5  
Susanville, CA 96130-3912  
Phone: 530 251-8269  
Fax: 530 251-8373  
email: landuse@co.lassen.ca.us  
website: www.co.lassen.ca.us

Zoning & Building  
Inspection Requests  
Phone: 530 257-5263

**NOTICE OF PUBLIC HEARING**  
**LASSEN COUNTY BOARD OF SUPERVISORS**

The Lassen County Board of Supervisors solicits the aid of public agencies and the general public in consideration of the following item:

**Property Owner:** Fred Bragg

**File Number:** CDEF2018-087

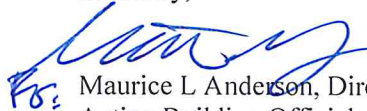
**Project:** Public Hearing to consider recovery of Administrative Penalties and Hearing  
On Accounting pursuant to Title 1, Chapter 1.18.170(i) and 1.18.150 of Lassen County  
Code.

**Location:** 741-925 Park drive, Doyle, CA 96109

**A.P.N.:** 139-270-01

The Board of Supervisors will hold a public hearing on this item at 10:00 AM, on Tuesday, January 26, 2021, at Lassen County Fairgrounds, Jensen Hall, 195 Russel Avenue, Susanville, CA 96130. All interested persons and agencies are invited to attend the meeting and be heard, or to submit comments to the Department of Planning and Building Services, 707 Nevada Street, Suite 5, Susanville, CA 96130.

Sincerely,

  
Maurice L. Anderson, Director  
Acting Building Official

MLA:rls

**NOTE:** Anyone wishing to challenge in court an action on the project described above may be limited to raising only those issues raised at the public hearing described in this notice or in written correspondence delivered at, or prior to, said public hearing.



