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## Notice of Violation



A Tradition of Stewardship  
A Commitment to Service

**Planning, Building & Environmental Services**

1195 Third Street, Suite 210  
Napa, CA 94559  
www.countyofnapa.org

**David Morrison**  
Director

<b>DATE:</b>
October 25, 2016

**CODE VIOLATION**  
**IMPORTANT ENFORCEMENT INFORMATION**

This letter is a courtesy notice to advise you that a code violation exists on the property identified below. Our department encourages voluntary compliance and you are being given the opportunity to correct the violation identified in this notice before further enforcement action is taken.

<b>NAME OF PERSON/ENTITY</b>	<b>ADDRESS OF VIOLATION:</b>	<b>MAILING ADDRESS:</b>
Blossom Creek LLC c/o Bob Fish  cc: Chron, File	3547 State Hwy 128 APN# 017-110-052	3417 St. Helena Highway St. Helena CA 94574

<b>CODE SECTION(S) VIOLATED:</b>	<b>VIOLATION DESCRIPTION:</b>
Section 18.20.020 (Agricultural Watershed District) Section 18.12.080 C (Application of Zoning District Regulations) Section 18.144.040 (Nuisance)	The above mentioned property is located within an AW zoning district which does not allow commercial horse boarding and/or training stables without the granting of a use permit. Furthermore, no commercial use shall be permitted on any property located in the unincorporated area of the county other than is specifically authorized within the provisions of Title 18.

**CORRECTION(S) REQUIRED AND DEADLINE TO CORRECT:**  
You are directed to immediately cease use of the above-identified AW zoned parcel for said commercial purposes and remove any advertisements associated with an unauthorized business at this location. Please contact me within seven (7) days of the date of this letter (November 1, 2016) to discuss your plans to comply with the Napa County Code.

<b>NAME OF CODE ENFORCEMENT OFFICER:</b>	<b>DEPT. PHONE NUMBER:</b>
Kelli Cahill	(707) 265-2325

<b>District Supervisor:</b>	
Diane Dillon	District 3

**YOU FACE THE ENFORCEMENT MEASURES ON THE BACK OF THIS NOTICE UNLESS YOU PROMPTLY CORRECT THE ABOVE-DESCRIBED CODE VIOLATION(S)**

**Unless you come into compliance with the County Code and correct the violations described above by the date specified above, one or more of the following code enforcement measures will be implemented by the County:**

**1. Issuance of a Citation pursuant to Napa County Code Chapter 1.28.**

Under Chapter 1.28 of the Napa County Code, Code Enforcement staff may issue a Citation. The issuance of a Citation for a violation of the Code shall, unless the violation is corrected prior to the deadline stated in the Citation, result in the imposition of administrative penalties. Such penalties may vary with the type of violation, but currently the lowest penalties that may be levied are as follows:

- \$100 for the first violation
- \$200 for the second violation of the same Code provision within 1 year
- \$500 for the third violation and for each additional violation of the same Code provision within 1 year.

- a) For violations that pertain to real property, the Citation will be recorded with the Napa County Recorder's office and constitute a lien on the property if you fail to correct the violation by the deadline stated in the Citation.
- b) You will be given an opportunity to request a hearing before a hearing officer to contest the Citation and/or to contest the administrative penalties or recordation of the Citation.
- c) If you fail to pay an administrative penalty and/or fail to correct the Code violation after a Citation is issued, the matter will then be referred to County Counsel or the District Attorney for further enforcement through civil litigation proceedings and a lien for the amount of unpaid penalties will be recorded on the property and may be subject to foreclosure proceedings to enforce the lien.

**2. Issuance of Notice of Nuisance pursuant to Napa County Code Chapter 1.20**

- a) Alternatively, the Enforcement Officer may issue a Notice of Nuisance pursuant to Napa County Code Section 1.20.040, which will be copied to all lienholders of record of the property.
- b) This Notice will include an order to abate the nuisance by a specified, reasonable time.
- c) If the violation is not corrected by the stated deadline, an abatement hearing may be held before the Napa County Board of Supervisors.
- d) The Board may, if it finds a nuisance exists, order the violator to pay all administrative costs incurred in the course of abatement proceedings and investigation.
- e) Recordation of the notice of nuisance and imposition of administrative penalties under Chapter 1.28 may also occur.
- f) Depending on the nature of the violation and whether it poses a threat to health and safety, County Code Enforcement may choose to engage in summary (immediate) abatement steps to eliminate the nuisance without an administrative hearing before the Board of Supervisors.

**3. Issuance, if applicable, of a Notice of Violation and Order to Repair or Abate Substandard Housing Conditions pursuant to Health and Safety Code Sections 17980 and 17980.6.**

- a) The Notice of Violation as to substandard housing conditions will include an order to remedy the violation(s) within a reasonable period of time.
- b) Administrative penalties under Chapter 1.28 may also be imposed if the conditions are not corrected by the deadline stated in the Notice.
- c) If the violations are not corrected by the deadline, the Notice of Violation will be recorded with the Napa County Recorder's office and constitute a lien on the property.
- d) Failure to correct substandard housing conditions may also result in appointment of a receiver for the property affected by the violation.

**4. Referral to County Counsel or the District Attorney for Filing of Enforcement Proceedings in Court.**

Depending on the circumstances and severity of the violation, direct referral of a violation to County Counsel or to the District Attorney for filing of enforcement proceedings may occur at the outset, without the issuance of a Citation or the other Notices described above. Pursuant to Napa County Code Section 1.20.155, in the course of such litigation, the County may seek civil penalties up to \$1,000.00 for each day that the violation continues to exist.