

# FORMS

**DATE:**

August 3, 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. *Insert a clear description and background of violation. Example: A complaint has been received which details a number of potential violations at the property, including wine tours, tastings and sales, in the residence and vineyard, contrary to the County Zoning Code (as detailed below) which require permitting through this office. A records check indicates that no winery use permit has been approved for this property. During a site visit conducted on January 1, 2016 a tasting room was discovered and several members from the public were participating in tasting activities.* 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.

**NAME OF PERSON/ENTITY****ADDRESS OF VIOLATION:****MAILING ADDRESS:**

John Doe

1234 Any Street  
APN#

1234 Any Street

**CODE SECTION(S) VIOLATED:****VIOLATION DESCRIPTION:****EXAMPLE:**

Napa County Code Section 18.20- AW  
Agricultural Watershed And Section 18.144.040  
(Nuisance)

**EXAMPLE:**

- Conducting a winery business (tours, tastings, and sale of wine) on Agriculturally (AW) zoned land without a permit.
- Any use of property contrary to the provisions of Title 18 of the County Code shall be declared to be unlawful and a public nuisance.

**CORRECTION(S) REQUIRED AND DEADLINE TO CORRECT:**

*This section gives direction to the property owner. If possible, include alternative actions they can take to comply.*

Cease all activities. You may submit an application for a winery use permit upon the cessation of the unauthorized activities.

**NAME OF CODE ENFORCEMENT OFFICER:****DEPT. PHONE NUMBER:**

(707) 299-1348

**District Supervisor:**

**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.



A Tradition of Stewardship  
A Commitment to Service

# NAPA COUNTY CODE ENFORCEMENT INTAKE FORM

CASE NUMBER \_\_\_\_\_

BUILDING ISSUE    PLANNING ISSUE    ENGINEERING    CONSERVATION    ENVIRONMENTAL

DATE: \_\_\_\_\_ TIME RECEIVED: \_\_\_\_\_ AM/PM REQUEST TAKEN BY: \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_

PROPERTY APN: \_\_\_\_\_

SOURCE OF COMPLAINT: COMPLAINT \_\_\_\_\_ OBSERVED VIOLATION (staff) \_\_\_\_\_

NAME OF COMPLAINANT (IF GIVEN): \_\_\_\_\_

COMPLAINANT CONTACT INFORMATION: \_\_\_\_\_

NATURE OF COMPLAINT: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

BUILDING PERMITS ON THIS SITE:  YES  NO IF YES, BP# \_\_\_\_\_

OTHER VIOLATIONS ON FILE:  YES  NO EXPLANATION: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

CASE CREATED IN ACCELA	<input type="checkbox"/>	GIS MAP PROPERTY REPORT	<input type="checkbox"/>
PROPERTY INFORMATION RECORD	<input type="checkbox"/>	BUILDING/PLANNING FILE	<input type="checkbox"/>



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A Commitment to Service

# NAPA COUNTY CODE ENFORCEMENT INTAKE FORM

CASE NUMBER \_\_\_\_\_

BUILDING ISSUE    PLANNING ISSUE    ENGINEERING    CONSERVATION    ENVIRONMENTAL

DATE: \_\_\_\_\_ TIME RECEIVED: \_\_\_\_\_ AM/PM REQUEST TAKEN BY: \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_

PROPERTY APN: \_\_\_\_\_

SOURCE OF COMPLAINT: COMPLAINT \_\_\_\_\_ OBSERVED VIOLATION (staff) \_\_\_\_\_

NAME OF COMPLAINANT (IF GIVEN): \_\_\_\_\_

COMPLAINANT CONTACT INFORMATION: \_\_\_\_\_

NATURE OF COMPLAINT: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

BUILDING PERMITS ON THIS SITE:  YES  NO IF YES, BP# \_\_\_\_\_

OTHER VIOLATIONS ON FILE:  YES  NO EXPLANATION: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

CASE CREATED IN ACCELA	<input type="checkbox"/>	GIS MAP PROPERTY REPORT	<input type="checkbox"/>
PROPERTY INFORMATION RECORD	<input type="checkbox"/>	BUILDING/PLANNING FILE	<input type="checkbox"/>

Date: \_\_\_\_\_

## Inspection Request

Jane Doe  
 1234 Street  
 Napa Ca 94558-9637

<b>Location:</b> _____	<b>APN:</b> 000-000-000
<b>Subject:</b> Inspection Request	
<b>Authority:</b> California Health and Safety Code Section 17970	

**Dear Property Owner:**

It has come to the attention of the Napa County Planning Building & Environmental Services Department, Code Compliance Unit (“Department”) that the above referenced property may be in violation of the Napa County Code. **Describe alleged violation.** This letter is to request an inspection that would determine if violations exist on your property.

Please contact me at (707) 299-1343 within seven (7) days (Insert date) of the date of this letter to arrange for an inspection time.

It is the intention of this Department to provide all available means for your voluntary compliance, however, failure to respond as directed could result in further enforcement action by this Department. If you have any questions and/or do not fully understand any part of these proceedings, please do not hesitate to contact me at the number listed above.

Sincerely,

[type/print name]  
 Code Enforcement Officer

**CITATION (NAPA COUNTY CODE CHAPTER 1.28)  
ORDER TO CORRECT CODE VIOLATION**

<b>Citation No.</b>		<b>Citation Date:</b>	
<b>Name of Owner(s) and/or Other Person(s) Responsible for Violation(s):</b>	<b>Address/Location of Violation(s):</b>	<b>Assessor's Parcel Number(s):</b>	
		APN# 000-000-000-000	
<p>Violations of the Napa County Code, or of other provisions of law, exists or has occurred on the property described and identified above. In an effort to gain your voluntary compliance in correcting the Violation(s), County staff previously informed you of the Violation(s) and gave you a reasonable amount of time to correct the Violation(s). Unfortunately, the Violation(s) has not been corrected and this Citation is being issued pursuant to Napa County Code Chapter 1.28. Accordingly, you are hereby Cited for, and Ordered to Discontinue, Not Repeat and Correct the Violation(s) described below.</p>			
<b>Description of Violation(s):</b>		<b>Code Section(s) Violated:</b>	
<b>Corrections Required:</b>		<b>Deadline to Correct Violation(s):</b>	
		_____ before 2:00 PM for all violations	
<b>Amount of Administrative Penalty to Be Paid If Violation(s) Not Cured by Deadline:</b>		<b>Deadline to Pay Administrative Penalty if Violation(s) Not Timely Cured:</b>	
\$ 100.00 per violation (____ violations) = \$ _____.00		_____ after 2 PM	
<b>Signature of Code Enforcement Officer Issuing Citation:</b>		<b>Code Enforcement Contact Information:</b>	
<b>(Sign:)</b> _____		<b>Phone:</b> <b>Email:</b>	
<b>Supervisor:      District #</b>			
<p><b>PLEASE READ THE ACCOMPANYING ADDENDUM CAREFULLY. YOU FACE THE ENFORCEMENT MEASURES DESCRIBED BY THE ADDENDUM UNLESS YOU PROMPTLY CORRECT THE ABOVE-DESCRIBED CODE VIOLATIONS</b></p>			

**CITATION ADDENDUM  
CONSEQUENCES OF FAILURE TO CORRECT VIOLATIONS**

Please contact the Code Enforcement Officer identified on the Citation promptly, to communicate your intended course of action to correct the Violation. The Code Enforcement Officer must confirm that the Violation(s) has been corrected prior to the deadline specified in the Citation if you wish to avoid the consequences described below. Unless you come into compliance with the County Code or other provisions of law identified in the Citation and correct the Violation(s) described in the Citation by the deadline specified, the following will occur:

- **This Citation Will Be Recorded Against the Property** - Pursuant to Napa County Code Chapter 1.28, Section 1.28.085, if the Violation(s) described in the Citation pertains to real property, and if not corrected by the deadline specified in the Citation, the Enforcement Officer shall cause this Citation to be recorded with the recorder division of the County's assessor-recorder-county clerk department, which, when recorded, shall provide constructive notice of the Violation(s) to all prospective buyers, lenders, and successors in interest in the Property, under California Civil Code Sections 1213 and 1215.
- **You Will Be Liable for Payment of an Administrative Penalty Amount** - The Administrative Penalty ("Penalty") specified in the Citation is hereby imposed unless you correct all Violations by the deadline specified in the Citation. Pursuant to Napa County Code Sections 1.28.050, et seq., unless you correct the Violation(s) by the deadline specified or successfully contest this Citation, you must pay to the County the Penalty in the amount specified in the Citation by the deadline specified for such payment. If you fail to correct the Violations by the date specified, please mail or deliver payment of the Penalty (payable to County of Napa) to:

PBES Attn: Code Enforcement Division  
1195 Third Street, 2<sup>nd</sup> Floor  
Napa, CA 94559

Failure to pay the Penalty by the stated deadline shall result in the assessment of an additional late fee in the amount of ten percent of the total amount of the Penalty owed.

- Please note: you will also be subject to receiving notices of additional Penalties in amounts that will escalate for any additional Violations that occur or continue during a 12-month period following the first Violation. Please refer to the following fee schedule regarding additional penalties.

	<b>Land Use Violations</b>	<b>Building/Safety Violations</b>
<b>First Violation</b>	\$100.00	\$100.00
<b>Second Violation</b>	\$200.00	\$500.00
<b>Third and subsequent violations</b>	\$500.00	\$1,000.00

- Please also note: Your payment of the Penalty shall not excuse you from having to correct the Violation(s). If you pay the first Penalty but the Violation(s) continues or recurs, you will continue to be subject to additional Penalties, to recordation of the Citation, and to all other remedies available to the County to enforce the law.
- Please also note: if you fail to pay the Penalty or Additional Penalties, the Penalty amounts, together with any late fees, enforcement costs, and interest, shall be enforced against you as a lien against your Property.
- **The Possibility of Civil Enforcement Proceedings in Court:** - Depending on the circumstances, including but not limited to the nature and severity of the Violation, if you fail to correct the Violation the matter may be referred to Napa County Counsel or to the Napa County District Attorney for filing of civil enforcement proceedings in court. 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 has existed and/or continues to exist.
- **You Have the Right to Contest this Citation** - Pursuant to Napa County Code Chapter 1.28 (specifically, Sections 1.28.060, and 1.28.090 through 1.28.130, inclusive), you may file a request for a hearing before a hearing officer to contest the Citation, to contest the recordation of the Citation as to the Property described in the Citation, and/or to contest the imposition of the Penalty against you. Attached hereto is a copy of Napa County Code Chapter 1.28. Please refer to Chapter 1.28 to understand the procedures and requirements that apply to such a request for a hearing and to the hearing process.
- Please note: Pursuant to Chapter 1.28, if you contest the Citation, the recordation of the Citation, or the imposition of the Penalty unsuccessfully, you may be subject to an order by the hearing officer to reimburse the County for its administrative costs, staff time costs, and reasonable attorney's fees incurred in the hearing process.

The County's remedies and procedural steps for enforcement of the County Code and other statutes and regulations enforced by the County, as described herein, are cumulative, alternative, and not mandatorily followed. The County, in enforcing the County Code and other statutes and regulations, has prosecutorial discretion to select -- based on the particular circumstances -- the appropriate enforcement measures to be taken, as permitted by the County Code and other laws.

Request for Hearing re Citation

To: Clerk of the Board  
Napa County Board of Supervisors  
1195 Third Street, Room 310  
Napa, California 94559

RE: Citation No. \_\_\_\_\_  
Person/Entity Cited: \_\_\_\_\_  
Date of Citation: \_\_\_\_\_

I hereby request a hearing before the designated County Hearing Officer to contest the above referenced Citation. The reason(s) for contesting the Citation are as follows:

- The code section(s) referenced in the Citation was/were not violated.
- The recipient is not responsible for the violation(s).
- The violation(s) was/were corrected prior to the deadline specified in the Citation (or as extended) and therefore the Citation should not be (or should not have been) recorded and/or the administrative penalty imposed should not have taken effect.
- The administrative penalty imposed by the Citation is excessive or not justified.
- Recordation of the citation should not occur as to the real property described in the Citation.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Signature: \_\_\_\_\_

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To be completed by the Clerk of the Board's office only.

A deposit in the amount of \$\_\_\_\_\_ has been provided to the Clerk of the Board at the time of filing this request.

An Advance Deposit Hardship Waiver is requested, an application for which is attached.

Request for hearing received by: \_\_\_\_\_



**APPLICATION AND DECLARATION FOR ADVANCE DEPOSIT HARDSHIP WAIVER**

To: Clerk of the Board  
 Napa County Board of Supervisors  
 1195 Third Street, Room 310  
 Napa, California 94559

RE: Citation No. \_\_\_\_\_  
 Person/Entity Cited: \_\_\_\_\_  
 Date of Citation: \_\_\_\_\_  
 Date of Hearing Request: \_\_\_\_\_

I hereby request a waiver, based on hardship, of the advance deposit requirement associated with my request for a hearing to contest the above-referenced Citation. The following information is provided in support of my request for a hardship waiver:

**1. INCOME**

My spouse (if any) and I have the following income:

Self:

- a. Gross monthly pay: \$ \_\_\_\_\_
- b. Total payroll deductions: \$ \_\_\_\_\_
- Detail:
- i. Federal tax: \$ \_\_\_\_\_
- ii. State tax: \$ \_\_\_\_\_
- iii. FICA: \$ \_\_\_\_\_
- iv. SDI: \$ \_\_\_\_\_
- v. Other: \$ \_\_\_\_\_ (specify type/purpose: ) \_\_\_\_\_
- vi. Other: \$ \_\_\_\_\_ (specify type/purpose: ) \_\_\_\_\_
- vii. Other: \$ \_\_\_\_\_ (specify type/purpose: ) \_\_\_\_\_
- viii. Other: \$ \_\_\_\_\_ (specify type/purpose: ) \_\_\_\_\_
- c. Monthly take-home pay: \$ \_\_\_\_\_
- d. Other monthly income: \$ \_\_\_\_\_
- e. **TOTAL MONTHLY NET INCOME:** \$ \_\_\_\_\_ (For Self only)

Spouse (if any):

- a. Gross monthly pay: \$ \_\_\_\_\_
- b. Total payroll deductions: \$ \_\_\_\_\_
- Detail:
- i. Federal tax: \$ \_\_\_\_\_
- ii. State tax: \$ \_\_\_\_\_
- iii. FICA: \$ \_\_\_\_\_

- iv. SDI: \$ \_\_\_\_\_
- v. Other: \$ \_\_\_\_\_ (specify type/purpose:)
- vi. Other: \$ \_\_\_\_\_ (specify type/purpose:)
- vii. Other: \$ \_\_\_\_\_ (specify type/purpose:)
- viii. Other: \$ \_\_\_\_\_ (specify type/purpose:)

- c. Monthly take-home pay: \$ \_\_\_\_\_
- d. Other monthly income: \$ \_\_\_\_\_
- e. **TOTAL MONTHLY NET INCOME:** \$ \_\_\_\_\_ (For Spouse only)

**2. DEPENDENTS**

My spouse (if any) and I have the following dependents, whose income is as follows:

Name	Age	Relationship	Monthly Take Home Pay
<b>Dependents' Total</b>		<b>Monthly Net Income:</b>	<b>\$ _____</b>

**3. ASSETS**

I, my spouse (if any), and my dependents (if any) own the following property:

- a. Total cash: \$ \_\_\_\_\_
- b. Total amount in checking, savings, and credit union accounts: \$ \_\_\_\_\_  
 Detail:
  - i. Name of Institution: \_\_\_\_\_ Amount: \$ \_\_\_\_\_
  - ii. Name of Institution: \_\_\_\_\_ Amount: \$ \_\_\_\_\_
  - iii. Name of Institution: \_\_\_\_\_ Amount: \$ \_\_\_\_\_
  - iv. Name of Institution: \_\_\_\_\_ Amount: \$ \_\_\_\_\_
  - v. Name of Institution: \_\_\_\_\_ Amount: \$ \_\_\_\_\_
  - vi. Name of Institution: \_\_\_\_\_ Amount: \$ \_\_\_\_\_
  - vii. Name of Institution: \_\_\_\_\_ Amount: \$ \_\_\_\_\_
- c. Total equity in cars, boats and vehicles: \$ \_\_\_\_\_  
 Detail:
  - i. Make/model: \_\_\_\_\_ Net value: \$ \_\_\_\_\_
  - ii. Make/model: \_\_\_\_\_ Net value: \$ \_\_\_\_\_
  - iii. Make/model: \_\_\_\_\_ Net value: \$ \_\_\_\_\_
  - iv. Make/model: \_\_\_\_\_ Net value: \$ \_\_\_\_\_
  - v. Make/model: \_\_\_\_\_ Net value: \$ \_\_\_\_\_
  - vi. Make/model: \_\_\_\_\_ Net value: \$ \_\_\_\_\_
- d. Total real estate equity: \$ \_\_\_\_\_  
 Detail:
  - i. Address: \_\_\_\_\_ Net value: \$ \_\_\_\_\_

- ii. Address: \_\_\_\_\_ Net value: \$ \_\_\_\_\_
- iii. Address: \_\_\_\_\_ Net value: \$ \_\_\_\_\_

**4. EXPENSES**

I, my spouse (if any) and my/our dependents (if any) have the following total monthly expenses:

\$ \_\_\_\_\_

Detail:

- a. Rent or house/mortgage payments and maintenance: \$ \_\_\_\_\_
- b. Food and supplies: \$ \_\_\_\_\_
- c. Utilities and telephone: \$ \_\_\_\_\_
- d. Clothing: \$ \_\_\_\_\_
- e. Medical and dental expenses: \$ \_\_\_\_\_
- f. Insurance (life, health, etc., not include auto): \$ \_\_\_\_\_
- g. Educational and child care expenses: \$ \_\_\_\_\_
- h. Child/spousal support: \$ \_\_\_\_\_
- i. Transportation and auto (incl. insurance, gas, repair): \$ \_\_\_\_\_
- j. Installment payments (detail below): \$ \_\_\_\_\_
- k. Laundry and cleaning: \$ \_\_\_\_\_
- l. Entertainment: \$ \_\_\_\_\_
- m. Other (detail below): \$ \_\_\_\_\_

Detail:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**5. DEBTS**

I, my spouse (if any) and our/my dependents (if any) owe the following debts:

Creditor name	Nature of Debt	Mo. Payments	Balance Owed	Owed By

[REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY]

**6. OTHER FACTS SUPPORTING WAIVER**

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I, \_\_\_\_\_, declare under penalty of perjury, under the laws of the State of California, that the foregoing information that I have provided is true and correct.

Executed this \_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_, California.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

**NOTICE OF ADDITIONAL PENALTIES FOR  
REPEATED, ONGOING OR SUBSEQUENT VIOLATIONS  
FOLLOWING ISSUANCE OF CITATION  
(NAPA COUNTY CODE CHAPTER 1.28)**

Citation No. \_\_\_\_\_-2

Original Citation Date:

Date \_\_\_\_\_

\_\_\_\_\_

Name of Owner(s) and/or Other Person(s) Responsible for Violation(s):	Address/Location of Violation(s):	Assessor's Parcel Number(s):
		APN#000-000-000-000

On the date referenced above, the Citation described above was issued and served upon you in reference to the above-described property by the Napa County Code Compliance staff. The Citation was issued due to one or more violations (the "Violation") of the Napa County Code or of other cited provisions of law, as described in the Citation, which existed or had occurred on the above-referenced property (see Location of Violation above). During a follow-up investigation and/or inspection conducted on \_\_\_\_\_ by County staff, it was found that the same Violation(s) has/have continued or occurred again within 12 months of the first Violation(s).

Pursuant to Napa County Code Section 1.28.050(E) and pursuant to the applicable schedule of administrative penalties adopted by the Napa County Board of Supervisors or pursuant to other provisions of County, state or federal law that establish the amounts of administrative penalties or fines, because the Violation has not been corrected or has been repeated, the County hereby gives Notice of Additional Penalties as described below which will become effective if you fail to correct the Violation by the deadline specified below. You are hereby ordered to cease, discontinue and correct the Violation described below by the deadline stated.

Description of Violation(s):	Code Section(s) Violated:
<p><b>Example:</b></p> <ol style="list-style-type: none"> <li>Dwelling alteration portion of the garage converted to living space; and</li> <li>Dwelling addition trellis/shade structure attached to the rear of the dwelling.</li> </ol>	<p><b>Example:</b></p> <p>2013 Residential Building Code Section 105.1 permits required</p>
Corrections Required:	Deadline to Correct Violation(s):
<p><b>Example:</b></p> <p>Apply for building permits for the dwelling alteration and addition, which includes a complete application for the garage converted to living space and a shade</p>	<p><b>Example:</b></p> <p>Original Correction deadline: September 27, 2016 for all violations.</p>

structure/trellis.	<b>New deadline to correct code violations: October 28, 2016 Before 2 PM</b>
<b>Amount of Administrative Penalty to Be Paid If Violation(s) Not Cured by Deadline:</b>	<b>Deadline to Pay Administrative Penalty if Violation(s) Not Timely Cured:</b>
\$500 per violation (two building code violations) = 1,000.00	_____ after 2 PM
<b>Signature of Code Enforcement Officer Issuing Citation:</b>	<b>Code Enforcement Contact Information:</b>
(Sign:) _____ (Print Name:)	Phone: Email: _____@countyofnapa.org
Supervisor: _____ District #	
<b>PLEASE READ THE ACCOMPANYING ADDENDUM CAREFULLY. YOU FACE THE ENFORCEMENT MEASURES DESCRIBED BY THE ADDENDUM UNLESS YOU PROMPTLY CORRECT THE ABOVE-DESCRIBED CODE VIOLATIONS</b>	

**CITATION ADDENDUM  
CONSEQUENCES OF FAILURE TO CORRECT VIOLATIONS**

Please contact the Code Enforcement Officer identified on the Citation promptly, to communicate your intended course of action to correct the Violation. The Code Enforcement Officer must confirm that the Violation(s) has been corrected prior to the deadline specified in the Citation if you wish to avoid the consequences described below. Unless you come into compliance with the County Code or other provisions of law identified in the Citation and correct the Violation(s) described in the Citation by the deadline specified, the following will occur:

- **This Citation Will Be Recorded Against the Property** - Pursuant to Napa County Code Chapter 1.28, Section 1.28.085, if the Violation(s) described in the Citation pertains to real property, and if not corrected by the deadline specified in the Citation, the Enforcement Officer shall cause this Citation to be recorded with the recorder division of the County's assessor-recorder-county clerk department, which, when recorded, shall provide constructive notice of the Violation(s) to all prospective buyers, lenders, and successors in interest in the Property, under California Civil Code Sections 1213 and 1215.
- **You Will Be Liable for Payment of an Administrative Penalty Amount** - The Administrative Penalty ("Penalty") specified in the Citation is hereby imposed unless you correct all Violations by the deadline specified in the Citation. Pursuant to Napa County Code Sections 1.28.050, et seq., unless you correct the Violation(s) by the deadline specified or successfully contest this Citation, you must pay to the County the Penalty in the amount specified in the Citation by the deadline specified for such payment. If you fail to correct the Violations by the date specified, please mail or deliver payment of the Penalty (payable to County of Napa) to:  
 PBES Attn: Code Enforcement Division  
 1195 Third Street, 2<sup>nd</sup> Floor  
 Napa, CA 94559  
 Failure to pay the Penalty by the stated deadline shall result in the assessment of an additional late fee in the amount of ten percent of the total amount of the Penalty owed.
- Please note: you will also be subject to receiving notices of additional Penalties in amounts that will escalate for any additional Violations that occur or continue during a 12-month period following the first Violation.

Please note: you will also be subject to receiving notices of additional Penalties in amounts that will escalate for any additional Violations that occur or continue during a 12-month period following the first Violation. Please refer to the following fee schedule regarding additional penalties.

	<b>Land Use Violations</b>	<b>Building/Safety Violations</b>
<b>First Violation</b>	\$100.00	\$100.00
<b>Second Violation</b>	\$200.00	\$500.00
<b>Third and subsequent violations</b>	\$500.00	\$1,000.00

- Please also note: Your payment of the Penalty shall not excuse you from having to correct the Violation(s). If you pay the first Penalty but the Violation(s) continues or recurs, you will continue to be subject to additional Penalties, to recordation of the Citation, and to all other remedies available to the County to enforce the law.
- Please also note: if you fail to pay the Penalty or Additional Penalties, the Penalty amounts, together with any late fees, enforcement costs, and interest, shall be enforced against you as a lien against your Property.
- **The Possibility of Civil Enforcement Proceedings in Court:** - Depending on the circumstances, including but not limited to the nature and severity of the Violation, if you fail to correct the Violation the matter may be referred to Napa County Counsel or to the Napa County District Attorney for filing of civil enforcement proceedings in court. 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 has existed and/or continues to exist.
- **You Have the Right to Contest this Citation** - Pursuant to Napa County Code Chapter 1.28 (specifically, Sections 1.28.060, and 1.28.090 through 1.28.130, inclusive), you may file a request for a hearing before a hearing officer to contest the Citation, to contest the recordation of the Citation as to the Property described in the Citation, and/or to contest the imposition of the Penalty against you. Attached hereto is a copy of Napa County Code Chapter 1.28. Please refer to Chapter 1.28 to understand the procedures and requirements that apply to such a request for a hearing and to the hearing process.
- Please note: Pursuant to Chapter 1.28, if you contest the Citation, the recordation of the Citation, or the imposition of the Penalty unsuccessfully, you may be subject to an order by the hearing officer to reimburse the County for its administrative costs, staff time costs, and reasonable attorney's fees incurred in the hearing process.

The County's remedies and procedural steps for enforcement of the County Code and other statutes and regulations enforced by the County, as described herein, are cumulative, alternative, and not mandatorily followed. The County, in enforcing the County Code and other statutes and regulations, has prosecutorial discretion to select -- based on the particular circumstances -- the appropriate enforcement measures to be taken, as permitted by the County Code and other laws.

**Exhibit A**

**Legal Description**



Reserved – Form 8

Reserved – Form 9

Date

# **NOTICE OF NUISANCE**

**THIS IS A VERY IMPORTANT NOTICE WHICH MAY AFFECT YOUR PROPERTY RIGHTS.  
PLEASE READ IT CAREFULLY.**

## **VIA CERTIFIED AND REGULAR U.S. MAIL**

Owner  
1234 Any Street  
San Francisco, CA 94108-3636

Bank of Napa  
1234 Any Street  
Napa, CA 94558

Re: Address - APN: \_\_\_\_\_.

Dear Property Owner:

The County of Napa has determined that a nuisance exists on the property described below. Official records indicate that you own, have a lien or encumbrance on, or have a possessory interest in the property.

### **The Property**

The properties consist of \_\_\_ acre parcels of land located near the \_\_\_\_\_(Address) in the unincorporated area of the County of Napa in \_\_\_ zoning district at Napa County, California, Assessor's Parcel Number \_\_\_\_\_.

### **The Nuisance**

In response to complaints registered and a referral from the Sheriff's Department, the County of Napa, on \_\_\_ and again on \_\_\_\_\_, conducted inspections of the subject property to observe and document existing violations of the Napa County Code. During the inspections staff \_\_\_\_\_.

Table 1 lists the code violations and nuisance conditions that existed on the property and recently verified as of \_\_\_\_\_.

**Table 1**

<b>Violation</b>	<b>Code Section</b>	<b>Description of Location and Required Action to Abate</b>
		APN
		APN .

The subject properties in their present condition are a public nuisance which must be abated. It is the intent of this notice to give you an opportunity to abate the violations that exists on your properties before the County takes official action to bring the properties into legal compliance.

**The abatement action must commence immediately upon receipt of this notice and be completed within 30 days from the date of this notice.**

**ORDER TO ABATE NUISANCE**

**YOU ARE HEREBY ORDERED** to abate the nuisance conditions described above on or before (insert date).

**IF YOU FAIL TO ABATE THE NUISANCE**

**If you do not abate the nuisance** by the date set forth above, the Napa County Board of Supervisors may conduct a hearing to consider whether Napa County itself should abate the nuisance and levy an assessment against the property pursuant to Government Code section 25845 and Napa County Code Sections 1.20.100 and 1.20.120 to recover the County's costs and to collect those costs at the same time and in the same manner as ordinary County property taxes are collected. The County may also elect to recover its attorneys fees incurred in the proceedings. Notice of a hearing before the Board of Supervisors, if any, will be provided to you.

Alternatively, the matter may be referred to the District Attorney or County Counsel who may institute appropriate legal proceedings to abate the nuisance and seek applicable civil penalties and enforcement expenses.

If you have any questions regarding this Notice, please feel free to contact Dave Giudice, Supervising Code Enforcement Officer, at (707) 299-1347 during normal business hours.

Thank you for your attention in this matter.

Sincerely,

*Code Enforcement Officer  
Planning, Building, and Environmental Services*

cc:

\_\_\_\_\_, 20\_\_

**VIA CERTIFIED AND REGULAR U.S. MAIL**

Name  
Address

Re: Address, Napa County, California, APN: 000-000-000

**NOTICE OF NUISANCE ABATEMENT AND HEARING**

**THIS IS A VERY IMPORTANT NOTICE WHICH MAY  
AFFECT YOUR PROPERTY RIGHTS.  
PLEASE READ IT CAREFULLY.**

Dear \_\_\_\_\_:

In a **NOTICE OF NUISANCE** dated \_\_\_\_\_, the County of Napa ordered you to abate the nuisance on the property described below on or before \_\_\_\_\_. I am including a copy of the notice with this letter. Official records indicate that you either own, have a lien or encumbrance on, or have a possessory interest in the property.

**The Property**

The property consists of that \_\_\_\_ acre parcel of land located in the unincorporated area of the County of Napa in a \_\_\_\_ zoning district at \_\_\_\_\_, California, Napa County Assessor's Parcel Number 000-000-000.

**The Nuisance**

***Add description and brief chronology included in Notice of Nuisance.***

Table 1 provides a summary of on-site nuisance conditions that exist along with actions required to abate them.

**Example**

**Table 1**

<b>Violation</b>	<b>Code Section</b>	<b>Description and Required Action to Abate</b>
1. Storage of two halves of a manufactured home plus other accumulated materials on vacant PD zoned land without use permit approval.	Section 18.48.030 Napa County Code	<i>Absence of a Use Permit as required in a PD Zone</i> Apply for use permit to allow residential uses in PD (Planned Development) Zone <b>or</b> remove the identified items from the property.
2. Presence or accumulation of residential storage, construction materials, miscellaneous household items, supplies, debris, trash and scrap materials for a period exceeding two weeks.	Section 1.20.022. B.1 & B.2 Napa County Code	<i>Substandard Property Maintenance as a Public Nuisance.</i> Remove all debris, rubbish, scrap materials, broken or discarded household furnishings, appliances, boxes, cartons and similar materials from the property.
3. No land shall be used and no building constructed or occupied except in conformity with all zoning district regulations.	Section 18.12.080(A)	<i>Application of Zoning District Regulations.</i> Obtain use permit and building permit approvals for use of land and structures in accordance with Napa County Code and California Building Code.

**NUISANCE ABATEMENT HEARING**

Based on our observation of the property, you have either not commenced action to abate the nuisance, prosecuted abatement of the nuisance with due diligence, or completed abatement of the nuisance within the time specified. Therefore,

**YOU ARE HEREBY ORDERED** to appear before the Board of Supervisors of the County of Napa as follows:

**DATE:** \_\_\_\_\_

**TIME:** \_\_\_\_\_

**PLACE:** 1195 Third Street, Room 305  
Napa, California 94559

**TO SHOW CAUSE** why the conditions described in the **NOTICE OF NUISANCE** served on you and dated \_\_\_\_\_, are not a nuisance and why the County should not abate the nuisance and levy an assessment against the property to recover the County's costs. At the hearing, you will be provided an opportunity to be heard as to whether a nuisance exists and the necessity for abatement by the County.

If you have any questions regarding this Notice, please feel free to contact me, at (707) 299-1347 during normal business hours.

Thank you.

*Name*  
Code Enforcement Officer  
Planning, Building and Environmental Services

cc: \_\_\_\_ Supervisor District \_\_\_\_  
\_\_\_\_, Director

Attachments: \_\_\_\_\_, Notice of Nuisance

**NOTICE OF VIOLATION**  
**AND ORDER TO REPAIR OR ABATE**  
**SUBSTANDARD BUILDING CONDITIONS**

\_\_\_\_\_, 20\_\_

VIA CERTIFIED MAIL, RETURN  
 RECEIPT REQUESTED

Jane Doe  
 1234 Any Street  
 Saint Helena CA 94574-9539

Subject: Address, APN# \_\_\_\_  
 Substandard Building Conditions Constituting a Public Nuisance

Dear \_\_\_\_\_:

Inspection of the above referenced premises by representatives of the Building Official of Napa County has revealed the existence of substandard building conditions. These conditions constitute violations of Health and Safety Code ("HSC") §17920.3, California Residential Code ("CRC") (as adopted by Napa County Code Chapter 15.12), and Napa County Code ("NCC") §1.20.022, and are so extensive and of such a nature that the health and safety of the residents or public is substantially endangered.

**Pursuant to HSC §17980.6, the Building Official hereby orders that the substandard conditions listed below are abated by either repair or removal by \_\_\_\_\_. Additionally, occupancy of the \_\_\_\_\_ must cease immediately upon posting of this notice. In the event that all the conditions are not abated by \_\_\_\_\_, appropriate proceedings will be instituted by the Building Official to cause the repair or removal of the premises.**

**Examples**

Substandard Conditions and Required Repair or Removal Actions

1. **Violation:** Lack of connection to required sewage disposal system. The existing septic system was inspected and is not legally connected to the barn/garage conversion. (HSC §17920.3(a)(15), NCC, §13.56.020 and §13.16.165)

**Required repair:** If a building permit is issued to convert the barn to a dwelling the dwelling must be connected to an approved septic system.

2. **Violation:** Mechanical equipment. Water heater venting improperly installed. HSC §17920.3(f)  
Required repair: Water heater venting must be installed according to applicable codes.
  
3. **Violation:** Faulty Weather Protection, Siding has openings around plumbing and side sits on soil resulting in faulty weather protection. HSC §17920.3(g).  
**Required Repair:** Repair or replace siding provide adequate weather protection on dwelling.
  
4. **Violation:** The following construction occurred without building permits. (CRC Chapter 1, §R105.1)
  - Barn/garage converted to dwelling
  - Swimming pool pump house replaced
  - Electrical in shed next to pump house
  - Shade structures attached to second dwelling**Required repair:** Permits are required for the above referenced items through the Napa County Building Division.

**RELOCATION BENEFITS** – If tenants are occupying the upper front dwelling they must vacate the dwelling. HSC § 17975 et seq. requires the property owner to provide relocation assistance to a tenant who is displaced due to hazardous or unsafe conditions. This benefit is equal to two months of the established Fair Market Rent (FMR) for the area as determined by Department of Housing and Urban Development plus an amount sufficient for utility deposits as determined by the enforcement agency. The FMR for a two-bedroom in the area is \$1,414 per month. In addition, the relocation benefit includes an additional \$60 to be provided for utility service deposits. The total amount of state housing law relocation benefits you are required to pay the tenant(s) is calculated as follows:  $\$1,414 \times 2 \text{ months} = \$2,828 + \$60$  utility deposit, for a total sum of \$2,888 in addition to the return of any security deposits held by you as required by law.

**RECORDATION OF VIOLATION** - Please be aware that this Notice will be recorded against the property if the violation(s) existing on the property are not corrected by the deadline established in the notice.

**NO RIGHT TO RETALIATE** - Please be aware that the lessor cannot retaliate against a lessee for providing information on violations, pursuant to Civil Code Section 1942.5.

**DISALLOWANCE OF TAX DEDUCTIONS** - As owner of the property, you are also notified if the violations are not corrected, that pursuant to Revenue and Taxation Code §§17274 and 24436.5 a tax deduction may not be allowed for interest, taxes, depreciation, or amortization paid or incurred in the taxable year.

Failure to bring the property into conformance with State Housing Law may also result in a further order being issued, which may include tenants being ordered to vacate the premises, and the building demolished. In addition, failure to rectify these conditions on your property may result in institution of proceedings to appoint a receiver in order to prevent, restrain, correct, or abate the violation with costs of abatement, and attorney’s fees payable by you and additional penalties as ordered by the court.

The decision of the Building Official in this matter may be appealed to the Unified Board of Appeals in accordance with the provisions of Chapter 15.04 of the Napa County Code. Failure to file



such an appeal shall constitute an irrevocable waiver of the right to an administrative hearing and final adjudication of the Building Official's order.

Sincerely,

For: \_\_\_\_\_, Chief Building Official

By: Any

Code Enforcement Officer

Cc:



A Tradition of Stewardship  
A Commitment to Service

# REQUEST FOR EXTENSION

Extensions are granted at the discretion of the Code Enforcement Officer on active pending code cases provided the applicant has a justifiable cause, and abatement of the violation will occur within the extended time frame. Please complete the form below and submit it to our office prior to your abatement date. Please be advised that extensions are only granted a maximum of 30 days. Subsequent extensions may be considered with a justifiable cause and require a new submittal of this form.

(Please Print Clearly)

## PROPERTY DESCRIPTION

APN# <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	Case #: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Street Address: _____	Abatement Date (This date can be found on the Notice of Violation you received): _____
Suite/Unit #: _____ City: _____ Zip: _____	

## PRIMARY CONTACT

Name: _____	I am the: Owner <input type="checkbox"/> Authorized Agent <input type="checkbox"/>
Mailing Address: _____	City: _____ State: _____ Zip: _____
Phone: _____	Fax: _____ Email: _____

Please use the space below and on the back of this form to provide a justifiable cause for your need for an extension. Be sure to sign and date the form below. If you'd prefer, you may provide your request in a separate letter. **Your request will not be accepted without a signature and date.**

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Signature:  \_\_\_\_\_ Date: \_\_\_\_\_

<b>FOR OFFICE USE</b>  Req Received Date	Determination  DD Date:	Payment Received  New exp date:
--	-------------------------------	---------------------------------------



## REQUEST FOR COUNTY COUNSEL ACTION

DATE: \_\_\_\_\_

REQUESTED BY: \_\_\_\_\_

CODE ENFORCEMENT CASE #: \_\_\_\_\_

NAME OF PROPERTY OWNER:	
MAILING ADDRESS:	
PROPERTY ADDRESS:	
OWNER'S TELEPHONE NUMBER:	
APN:	
BOARD OF SUPERVISOR:	
TYPE OF ACTION:	

PLEASE INCLUDE A COPY OF YOUR ENTIRE FILE WITH THIS REQUEST.

# INDEX OF DOCUMENTS

**[Code Enf #]; [Address]**

PAGE 1	REQUEST FOR COUNTY COUNSEL ACTION
PAGE 2	INDEX OF DOCUMENTS
PAGE 3	NOTICE AND ORDER DATED _____
PAGE 4	

**NAPA COUNTY DISTRICT ATTORNEY  
CONSUMER/ENVIRONMENTAL CASE REFERRAL FORM**

Date of Referral:	Offense Date: (Start Date)
Referring Agency:	
Referring Employee:	Contact Info:
Previous Injunction/Probation? <input type="checkbox"/> Yes <input type="checkbox"/> No	Napa DA Case No.:
<b>VIOLATOR(S)</b>	
Individuals: Include full name, DOB, address, phone numbers, physical description, CDL number Business/Corporation: Type of entity; address; manager; contact information; FBN; Corp. License No., Agent for Service of Process	
1:	2:
3:	4:
<b>VIOLATIONS</b>	
(Identify specific State Law, Administrative Regulation, County Code/Ordinance or Permit/License conditions allegedly violated)	
1:	
2:	
3:	
4:	
5:	
<b>MISCELLANEOUS</b>	
<input type="checkbox"/> See Attached ADC Form for Criminal Charges	<input type="checkbox"/> Other Agency Violations Attached
Include the following if applicable: 1) Complete copy of agency file; 2) Photos, maps, charts; 3) Test results; 4) Expert witness information (include CV, scientific or technical articles; 5) Previous warnings, abatement orders, citations, notice of violation (attach copy of certified return receipt); 6) Copies of all documents, correspondence provided by violator and/or their representative; 7) Copies of all licenses and permits; 8) Assessor Parcel Number, Tax Assessor Records, Zoning Map, Property Ownership History; 9) Copies of local ordinances, regulations or specific orders; 10) Physical evidence, property reports, chain of custody; 11) Investigation Costs	
<b>BRIEF DESCRIPTION OF THE CASE</b>	

# Notice of Violation

# STOP WORK

Owner:	Date:
Address of Property:	Assessor's Parcel No.:
Contractor:	Permit No.

You are hereby notified to STOP all construction work on these premises until authorized by the County of Napa:

Code Section(s)	Description of Violation and Actions required
<input type="checkbox"/> 2013 California Building Code §105.1	
<input type="checkbox"/> 2013 California Residential Code §R105.1	
<input type="checkbox"/> 2013 California Building Code §Appendix J103.1 – Grading	
<input type="checkbox"/> NCC §16.04.560 Flood Plain Permit	
<input type="checkbox"/> NCC §16.28.050 Stormwater Discharge/Hazard	

**All violations may be subject to an investigation fee, penalty and/or administrative citation fees.** The Code Enforcement Unit must be contacted at the number provided below to arrange an appointment. Failure to respond to this notice may result in further legal action. :

## County of Napa

Planning, Building, & Environmental Services  
1195 Third Street, Suite. Second Floor, Napa CA 94559 • (707) 253-4417

# DO NOT REMOVE THIS NOTICE

Enforcement officer: \_\_\_\_\_  
Signature
Print Name

Contact Number: \_\_\_\_\_

Atención: Si usted necesita asistencia en Español llamar al Tel. 253-4417 o 299-1332 y preguntar por Rosa Elena Briseño.



A Tradition of Stewardship  
A Commitment to Service

**Planning, Building and Environmental Services**

1195 Third Street, Second floor  
Napa, CA 94559  
www.co.napa.ca.us

Main: (707) 253-4417  
Fax: (707) 253-4336

**David Morrison**  
Director

## Violation Correction Permit Process

Upon issuance of a permit to resolve a violation the following actions must occur to complete the abatement process:

At the time of issuance you must schedule an initial compliance inspection at the reception counter. The inspection must occur within two weeks from the date you are issued the permit. No work shall be started or continued until you have completed the initial inspection.

**Be prepared:**

Please refer to the concealed construction verification guidelines that are provided to you upon issuance of your permit so you know what to expect when the inspector visits your site. You must have your permit and building plans available for the inspector to review. The project manager or a designee who will be handling the remainder of the project must be present during the inspection.

**What to expect:**

- The inspector will perform an inspection and review the plans for compliance in accordance with the concealed construction verification guidelines.
- The inspector may request that sheetrock or other building elements be removed to expose concealed work while he/she is present during the inspection. Ultimately the inspector must be able to verify that the construction meets minimum code requirements and verify the approved plans.
  - The inspector will advise you regarding the next steps of the inspection process including the following:
    - Any corrections.
    - Time period for next inspection.
    - List of required inspections to final the permit.

Please be advised that once the permit is issued you will have 60 days to complete the inspection process and final the permit (final inspection), unless the permit is to correct a life safety hazard. The building official may extend the completion date depending on the size and scope of the project.

By signing below I certify that I have read and understand the remaining process to abate violation(s) that exist related to permit # \_\_\_\_\_.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Owner:  Contractor:  Other: \_\_\_\_\_



## POLICY AND PROCEDURE

### Concealed Construction Verification Guidelines

#### **PURPOSE**

To provide minimum standards for verification of construction concealed without required inspections.

#### **GENERAL**

It is the intent of this policy to establish reasonable compliance with approved plans, specifications, and applicable codes via independent verification and selective inspection. If selective inspection or independent verification indicates code compliance, then the remaining concealed construction is assumed to be correct.

It is also the intent of this policy to provide a reasonable method to verify concealed construction without endangering staff. Staff shall not be expected to enter into confined spaces as defined by Cal/OSHA or climb steep sloped roofs, without proper fall protection.

This policy specifically applies to projects constructed according to conventional construction criteria and described in Chapters 18 and 23 of the California Building Code and generally applies to projects designed by licensed professionals. All construction concealed without required inspections shall require independent verification of code compliance in addition to any observation reports provided by a project engineer or architect. Self-certification photographic or video graphic information shall not be accepted in lieu of independent verification.

If the permit application is submitted under stamp and signature of a licensed professional, the verification methodology shall be proposed by the licensed professional and approved or rejected by the Building Official or his/her designee. The proposed verification plan shall include a non-destructive testing method, designation of materials to be removed and exposure of structural elements for inspection by a County Building Inspector. The proposed verification plan shall not depend solely on observation reports provided. Photos submitted by a licensed professional in conjunction with a report that clearly identifies the location of the work, materials, and installation method may be accepted to supplement a report of inspections. Inspection of the electrical, mechanical, and plumbing systems for professionally designed buildings shall comply with PROCEDURE "C" of this policy.

If the project was not designed by a licensed professional, verification of concealed construction shall comply with the applicable requirements of PROCEDURE "C" of this policy.

## **AUTHORITY**

Section 101.2 California Building Code

## **PROCEDURE**

A. When Code Enforcement staff identifies concealed construction, they shall inform the responsible party of this policy.

At the time of permit issuance, Code Enforcement staff shall direct the responsible party to immediately request a close-in inspection or an applicable inspection type if the project has not proceeded to the close in inspection point. During the inspection, the Building inspector will meet with responsible party and discuss areas requiring exposure and verification per PROCEDURE "C" of this policy.

B. If construction has proceeded without inspection or if an inspection is missed and construction is concealed during the course of a permitted project, the Building Inspector shall write a correction notice informing the responsible party of this policy. Verification shall be per PROCEDURE "C" of this policy, as applicable.

C. The following minimum verifications shall be required.

1. For foundations and slabs or retaining walls poured without required inspections:

a. A non-destructive test and report shall be required from an independent materials testing company and provided at the expense of the responsible party. At a minimum, three locations must be examined and/or at least one enlarged pad for point loads must be verified. The non-destructive testing report shall sufficiently detail and verify the placement and size of reinforcing steel, footing depth and width. The locations examined shall be chosen by the independent materials testing company and submitted as a deferred plan check submittal in accordance with section 107.3.4.1 California Building Code.

OR

A licensed professional may propose an alternative method of verification for construction. The verification method shall be subject to approval by the Building Official or his/her designee.

2. For seismic anchorage systems of embedded seismic anchorages installed without required inspections:

- a. Verification that foundations and hold downs devices are installed per plan by uncovering at least 25% of the affected area.
3. For slabs on grade requiring a moisture barrier that have been poured without required inspections, installation of a listed surface treatment or paint on moisture barrier is required.
4. For shear walls, metal straps, and connectors concealed without required inspections:
  - a. Visual verification of at least 25% of the concealed construction shall be required.

OR

A non-destructive test in at least three locations may be accepted in lieu of visual verification of metal straps and connectors.

OR

A licensed professional may propose an alternative method for independent verification of concealed shear walls.

5. For wallboard used as a fire rated assembly or bracing:
  - a. Verification shall be via the use of a nail locator magnet or the installation of additional fasteners and compliance with approved assembly.
  - b. Verification of wallboard thickness and material type shall be via removing a portion of the assembly to expose at least one wallboard grade and thickness stamp.
6. For plumbing, septic systems or mechanical systems concealed without required inspections.
  - a. Testing per the currently adopted model Plumbing or Mechanical Code shall be required for building sewer systems installed and concealed without required inspections. Sanitary drainage, gas, and water distribution piping testing shall comply with the currently adopted model code. Three key locations shall be exposed as selected by the Building Inspector for verification of material size and configuration.
  - b. For commercial under-slab mechanical and plumbing or process waste systems, video graphic verification provided by a licensed contractor of the as-built condition shall be required.
  - c. Visual spot verification may be allowed for partial systems or repairs concealed without required inspections. The Building Inspector may require revealing concealed components if exposed components are not code compliant.

- d. For individual or private sewage disposal systems-septic tanks, leach lines, distribution boxes, and connecting piping shall be completely uncovered for inspection. If the initial excavations of the system indicate code compliance, the Environmental Health Specialist may allow verification of the remainder of the leach field by excavating the beginning, end, and points along the leach lines. Septic tank grade and sanitary T's shall be inspected and verified.
  - e. If the septic system was designed by a licensed professional, the professional must also complete an inspection to their satisfaction. The licensed professional shall submit a final approval letter and as-built drawings prior to final approval of the septic system.
7. For electrical systems concealed without required inspections:
- a. For commercial structures, industrial and multi-family dwellings, a licensed electrician shall be on-site and the installation shall be de-energized prior to inspection. For single Family dwellings and agricultural buildings, an electrician may be required on-site at the discretion of the building Inspector.
  - b. All electrical panel and splice boxes shall be opened for inspection for the entire systems installed without required inspections. The Building Inspector shall verify box fill and ground system bonding via selective inspection. The Building Inspector has the option of requiring the removal of electrical receptacles or switches as required. Bonds to metal piping systems shall be exposed and inspected. Ufer grounds shall not be accepted if installed in a foundation that was constructed without required inspections.
  - c. The building Inspector may allow visual spot checking to verify code compliance of partial systems of repair work concealed without required inspections.
  - d. Electrical and bonding systems installed in conjunction with pools fountains, and similar installations shall be tested by a licensed electrician and a report provided stating the wiring method used, resistance readings, and a statement of suitability of the system. The continuity resistance shall not exceed 25 ohms.
8. For grading fill material placed without required inspections:
- a. Any fill material placed and compacted without required inspections proposed to support a structure, roadway, dam, pond, any other engineered structure or landslide repair shall be considered "engineered fill" and shall require design and verification proposed by a licensed engineer. The licensed engineer shall propose a method for verifying keyways and benching. Compaction testing shall be per ASTM D 1557. A final report stating the project has been constructed in compliance with all plans and specifications shall be required per the currently adopted codes and ordinances.

- b. Shallow fills less than 12 inches deep, less than 5,000 cubic yards and not intended to support a structure, roadway, dam, pond or any other engineered structure shall be considered “regular grading” and subject to visual verification by Building Inspectors.

D. If any test, visual verification or report determines that non-compliant conditions exist, then 100% of the concealed item shall be revealed or exposed for inspection.

- 1. If code compliance cannot be archived by installation or modification of the installed components, the responsible party shall remove and replace the non-compliant component.

OR

As an alternative, the responsible party may recommend an alternative method for archiving code compliance via engineering analysis provided by a licensed professional.

Chief Building Official

C.B.

3/30/2015



**CONTRACTORS STATE LICENSE BOARD**

STATE OF CALIFORNIA

*Northern California:*  
 Sacramento Intake & Mediation Center  
 P.O. Box 269116, Sacramento, California 95826-9116  
 1-800-321-CSLB (2752)

*Southern California:*  
 Norwalk Intake & Mediation Center  
 12501 East Imperial Highway, Suite 620, Norwalk, California 90650  
 1-800-321-CSLB (2752)

www.cslb.ca.gov

**Building Department Referral Form**

**REPORTING AGENCY**

**CONTRACTOR INFORMATION**

AGENCY NAME				CONTRACTOR NAME			
ADDRESS number		street		DBA			
city		county		state		ZIP code	
CONTACT PERSON				city		state	
PHONE ( )		EMAIL ADDRESS		LICENSE NO. USED, IF ANY		EMPLOYEES? <input type="checkbox"/> YES <input type="checkbox"/> NO HOW MANY?	

**PROJECT INFORMATION**

OWNER OF CONSTRUCTION SITE				CONSTRUCTION SITE ADDRESS			
number		street		number		street	
city		state		city		state	
PHONE ( )				TYPE OF WORK			

**NATURE OF REFERRAL**

UNLICENSED ACTIVITY  
 CONTRACTING WITH AN INACTIVE, REVOKED, SUSPENDED OR EXPIRED LICENSE  
 NO WORKERS' COMPENSATION  
 BUILDING CODE VIOLATIONS  
 OTHER  
 DATE(S) OF OCCURRENCE(S): \_\_\_\_\_

**ADDITIONAL INFORMATION**

COMMENTS:

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**TO EXPEDITE CSLB'S INVESTIGATION, PLEASE PROVIDE AS MUCH INFORMATION AS POSSIBLE. ATTACH A BUSINESS CARD, COPY OF PERMIT APPLICATION, CITY BUSINESS LICENSE, ETC. RETURN THE COMPLETED FORM AND ATTACHMENTS TO THE NEAREST OFFICE OF THE CONTRACTORS STATE LICENSE BOARD.**

SUBMITTED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

**FOR OFFICE USE ONLY**

COMPLAINT NUMBER	TYPE CNST	I N V	O R G	P R T Y	DATE RECEIVED			SPECIAL PROJECT	DT STAT EXP			CSR INIT	ASSIGNED TO CSR			ER INIT	ASSIGNED TO ER		
					MO	DA	YR		MO	DA	YR		MO	DA	YR		MO	DA	YR
FY																			
LICENSE NUMBER					CLOSURE LETTER		DISPOSITION		DATE CLOSED			STATUS CHANGE						STP	
SECTIONS VIOLATED					C														

## DISCONNECT ORDER

August 21, 2014

VIA CERTIFIED MAIL, RETURN  
RECEIPT REQUESTED

John Doe  
Any Street  
Napa County, CA 94574-9669

John Doe  
Any street  
Any City, CA

Subject: Any Street, APN# 021-000-000  
Disconnect of PG&E Utilities.

Dear Property owner:

This letter is to notify you that under the authority of Chapter 1, 112.3, Authority to disconnect and 116.1, Unsafe Structures and Equipment, 2013 California Building Code the PG&E utilities (gas and electric) have been ordered disconnected at the above referenced property due to substandard conditions. Please refer to the May 30, 2014 substandard building notice. No action to correct the violations identified in the notice were taken and the house was posted with a "No Occupancy" notice on June 12, 2014.

If you have any question regarding these proceedings please contact David Giudice at 707-299-1347.

Sincerely,

For: Darrell Mayes, Chief Building Official



By: Dave Giudice  
Supervising Code Enforcement Officer

Cc: Director of Conservation, Development and Planning  
Supervising Code Enforcement Officer/File  
Deputy County Counsel

## Order to Disconnect Utilities

The County of Napa Building Division has inspected the following property and is requesting that the following PG&E utility be disconnected:

- Electrical Service**
- Gas Service**

**Property Location:** Any Road

**APN#** 021-000-000

**Cross Street:** Any Road

**Authority:** Chapter 1, 112.3, Authority to disconnect and 116.1, Unsafe Structures and Equipment, 2013 California Building Code.

**Conditions:** The above property was inspected and determined to have hazardous electrical conditions which pose a life safety hazard to anyone who occupies the dwelling.

**Date of Request:** August 5, 2014

**Date of Disconnect:** August 5, 2014 or ASAP

If you have any questions please call David Giudice at (707) 253-4376.

Sincerely,

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Chief Building Official  
County of Napa

cc: Director  
Code Enforcement Supervisor