



HILLARY GITELMAN

# COUNTY *of* NAPA

CONSERVATION, DEVELOPMENT AND PLANNING

PATRICK LYNCH

DARRELL MAYES

March 14, 2007

## **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**

Jay Huggins, Delores Jones, Norma Jean Barrow, Bertha Lee Mitchell, Wanda Lyn Washington, Charles B. Huggins, Victor Lee Huggins  
420 Glass Mountain Road  
Saint Helena, CA 94574-9669

Re: 420 Glass Mountain Road, Napa County, California, 94574 APN: 021-250-006

Dear Property Owners:

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

### **The Property**

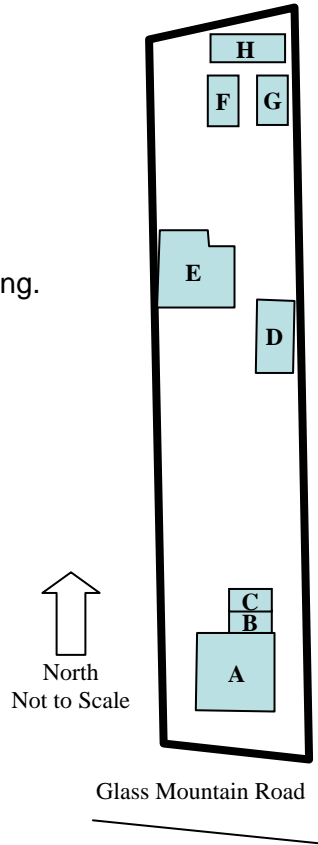
The property consists of that .48 acre parcel of land located in the unincorporated area of the County of Napa in a RS:B5 zoning district at 420 Glass Mountain Road, Saint Helena, California, Napa County Assessor's Parcel Number 021-250-006.

### **The Nuisance**

On February 15, 2007 the County of Napa conducted a multi-departmental inspection under a court ordered inspection warrant at the above referenced property. Representatives from County Fire, Environmental Management, Planning and Building were present. During the inspection several violations of the Napa County Code were discovered. In order to simplify the abatement process this notice summarizes violations that were documented by the individual departments during the inspection. Table 1 following this page provides a summary of violations that existed on February 15, 2007 along with actions required to abate the violation(s).

The diagram to the below is a simple plot plan of your property which identifies the dwelling and accessory buildings that exist on your property. This diagram will be referred to in the violation table 1 that follows the diagram.

- A – Main Dwelling
- B – Porch attached to main dwelling
- C - Awning attached to porch
- D – Storage Shed
- E – Storage shed converted to illegal dwelling.
- F – Agricultural shed
- G – Agricultural shed
- H - Agricultural shed



The following nuisance conditions exist on the property:

**Table 1**  
**Violations Identified at the February 15, 2007 Inspection**

Violation	Code Section	Description and Required Action to Abate
1. Overgrown, dead, decayed or diseased trees, weeds and other vegetation, likely to harbor rats, vermin, and other similar nuisances	Section 1.20.022.A.1 Napa County Code	Overgrown ivy must be cut back from main dwelling (A) and side yard.
2. The presence or accumulation on a premises of debris, rubbish, and scrap materials for a period exceeding two weeks	Section 1.20.022.B.1 Napa County Code	Remove all debris, rubbish, and scrap materials from side and rear yard
3. The presence or accumulation on a premises of broken or discarded household furnishings, appliances, boxes and cartons, and similar materials for a period exceeding two weeks.	Section 1.20.022.B.2 Napa County Code	Remove all broken or discarded household furnishings, appliances, boxes and cartons, and similar materials from side and rear yard
4. The presence or accumulation on a premises of vehicle parts and tires for a period exceeding two weeks	Section 1.20.022.B.4 Napa County Code	Remove all vehicle parts and tires from side and rear yard.

<b>Violation</b>	<b>Code Section</b>	<b>Description and Required Action to Abate</b>
5. Refrigerators, or excavations which tend to attract children or other curious individuals, and which present a threat to the health, safety or welfare of such individuals.	Section 1.20.022.C Napa County Code	Remove refrigerator from yard and see item 13.
6. Structures or buildings which are structurally unsafe, either entirely or in part	Section 1.20.022.D.1 Napa County Code	See item 14.
7. Fences and walls which are in a hazardous condition	Section 1.20.022.D.5 Napa County Code	Portions of perimeter fencing are listing and leaning. Repair perimeter fencing.
8. Location of outside storage of combustibles	Section 1103.3.5.1 of the 2001 Uniform Fire Code	Outside storage of combustibles must not be located within 10 feet of a property line. Remove all stored combustibles within 10 feet of the property line.
9. Storage beneath buildings and structures	Section 1103.3.5.2 of the 2001 Uniform Fire Code	Combustible material shall not be stored beneath a building or structure. Remove all stored combustibles under buildings and structures.
10. Required storage Conditions – Combustible Materials	Section 1103.2.1.2 of the 2001 Uniform Fire Code	Combustible rubbish kept or accumulated within or adjacent to buildings or structures shall be kept in containers complying with Section 1103.2.1.4 or in rooms or vault constructed of noncombustible materials. Remove combustible rubbish or properly store rubbish in compliance with the above fire code section
11. Disposal of lead-acid batteries to land	Section 25215.2 California Health and Safety Code	On the west side of the property, approximately 100' from Glass Mountain Road, 10- 15 lead- acid automotive batteries with broken cases have been thrown into a pile. Properly remove and dispose of batteries
12. Disposal of used oil to land	Section 25250.5 California Health and Safety Code	On the east side of the property approximately 100' from Glass Mountain Road, exists a small amount of staining of the soil immediately around a 15 gallon drum that appeared to contain grease or oil. Properly remove and dispose of oil drum
13. Seepage Pit/Cesspool	San Francisco Bay Regional Water	Approximately 150' from Glass Mountain Road, near the rear of the second

Violation	Code Section	Description and Required Action to Abate
	Quality Control Board Resolutions No. 79-5 and 81	dwelling (E), a 4' x 4' seepage pit/cesspool was discovered. The seepage/cesspool pit must be properly destroyed.
<p>14. Dangerous building –</p> <ul style="list-style-type: none"> <li>- whenever any portion or member or appurtenance therefore is likely to fail, or to become detached or dislodged, or to collapse and thereby injure person or damage property.</li> <li>- Construction in violation of the California Building Code</li> </ul>	Sections 302-5, and 13 of the 1997 Uniform Code for the Abatement of Dangerous Buildings	<ol style="list-style-type: none"> <li>1. Storage shed illegally converted to dwelling (E) was converted without required permits. Storage shed illegally converted to dwelling must be permitted or demolished. <b><u>BUILDING MUST NOT BE OCCUPIED AS DWELLING</u></b></li> <li>2. Storage Shed (D) roof and walls are failing. Shed must be demolished.</li> <li>3. Awning (C) attached to porch on main dwelling is failing. Awning must be repaired or demolished.</li> <li>4. Porch (B) on main dwelling is failing. Porch must be repaired or demolished.</li> </ol> <p>Building permits are required for all repairs and demolitions.</p>
15. Electrical installed without required permit	Section 80.19-2-1 and 2 of the 2004 California Electrical Code	A permit is required for installation of the solar power system. Electrical was installed in shed that was converted to dwelling (E). See item 14.
16. Plumbing installed without required permit	Section 1.3.1.1 of the 2001 California Plumbing Code	Plumbing was installed in shed that was converted to dwelling. See item 14.

Several notices with similar violations have previously been sent with no response or progress made to bring your property into compliance. It is the intent of this notice to give one last opportunity to abate the violations that exist on your property before the County takes official action to bring the property into compliance. The abatement actions for items 1 through 13 above **must commence immediately upon receipt of this notice and be completed within 65 days from the date of this notice.** A 30 day inspection is required to check the progress of the abatement.

The following language applies to items 14 through 16 in the above table.

You must apply for permits for all unauthorized work within 15 days from the date of this notice. Once permits are issued you must physically commence such work (corrections) within 10 days from the date of issuance of the permit. All permitted work must be completed within 40 days from the date of physical commencement. If required repair or demolition work is not commenced within the time specified the Chief Building Official may proceed to cause the work to be done and charge the costs thereof against the property or its owner. Any person having any record or legal interest in the building may appeal this notice and order to the County of Napa Board of Appeals, provided the appeal is made in writing, and filed with the

Building Official within thirty (30) days from the date of this letter. Failure to appeal will constitute a waiver of all right to an administrative hearing and determination of this matter.

**ORDER TO ABATE NUISANCE**

**YOU ARE HEREBY ORDERED** to abate the nuisance conditions described above by doing all of the following:

On or before May 18, 2007, abate the conditions set forth in Items 1 -16 in Table 1 above.


**IF YOU FAIL TO ABATE THE NUISANCE**

**If you do not abate the nuisance** by the dates set forth above, the Napa County Board of Supervisors will 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 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.

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,



*Dave Giudice  
Supervising Code Enforcement Officer  
Conservation, Development & Planning Department*

cc: Hillary Gitelman, Director  
Diane Dillon, Supervisor District 3  
Gabrielle Avina, Fire Marshal  
Richard Zimmerman, District Attorney's Office  
Ed Colby, Planner III

Darrell Mayes, Chief Building Official  
John Kara, EH Manager  
Brian Hampton, Fire Prevention Specialist II  
Ruben Oropeza, Environmental Management Coordinator  
Greg Baxter, Building Inspector II