



RESOLUTION NO. **XXX-2025**

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

RESOLUTION TO TRANSFER ABATEMENT COSTS TO PROPERTY OWNER BY LIEN

WHEREAS, on October 24 , 2017, the County of El Dorado Board of Supervisors introcuded Ordinance 5067, amending County Ordinance Code, Chapter 9.02 – Code Enforcement in its entirety and set a second reading for November 7, 2017 (Legistar No. 16-0209).

WHEREAS, 9.02.030 – Administrative enforcement authority. The Enforcement Official shall have the authority and powers necessary to determine whether an administrative violation of the Code exists and the authority to take appropriate action to gain compliance with the provisions of the Code. The Enforcement Official shall further have authority to issue notices and orders, the power to inspect public and private property, and use the administrative remedies that are available under the Code.

WHEREAS, 9.02.300 – Summary abatement. Whenever the Enforcement Official or Hearing Officer determines that an imminent threat to public health or safety exists that requires immediate correction or elimination, the Enforcement Official may exercise the following powers to summarily abate the hazard or nuisance: Post the premises as unsafe, substandard, or dangerous; Board, fence, or secure the building or site per County requirements; Remove the hazard or nuisance that constitutes an immediate threat to public health or safety; Take any other reasonable action deemed by the Enforcement Official as appropriate under the circumstances.

WHEREAS, 9.02.600 – Maintenance of vacant buildings. The Board finds as follows: When the owner of a vacant building fails to actively maintain and manage the building, the building can become a major cause of blight in both residential and nonresidential neighborhoods. Vacant buildings that are boarded, substandard, or unkempt discourage economic development and retard appreciation of property values; It is a responsibility of property ownership to prevent owned property from becoming a burden to the neighborhood and community and a threat to the public health, safety, or welfare.

WHEREAS, 9.02.620 – Vacant Building Penalty. No owner shall allow a building designed for human use or occupancy to be a vacant building without active maintenance for more than 30 calendar days

WHEREAS, 9.02.630 – Maintenance and monitoring of vacant buildings. Active maintenance and monitoring of the building shall include: Maintenance of landscaping and plant materials in good condition as required and copied here from Health and Safety Code § 17920.3(h); Maintenance of the exterior of the building in good condition as required and copied here from Health and Safety Code § 17920.3(g); Faulty weather protection; Regular removal of all exterior trash and similar materials or conditions as required and copied here from Health and Safety Code § 17920.3(j); 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; Prevention of criminal activity on the premises, including, but not limited to, illegal occupancy; Prevention of any condition recognized in law or in equity as constituting a public nuisance; Maintenance of the owners' current contact information in the Code Enforcement Unit case file.

WHEREAS, on December 16, 2021, Code Enforcement sent a Notice to Correct to the property owner for the vacant building violation detailing that the vacant building fines would be imposed on December 25, 2021 if the

property was not brought into compliance by that date. The owner did not respond to Code Enforcement's notice or take any corrective actions.

WHEREAS, on October 26, 2022, A second Notice to Correct was sent by Code Enforcement to the property owners again notifying of the vacant building violations and that fines would be imposed on November 25, 2022 if the property was not brought into compliance or abated. The owner did not respond or take any corrective actions at that time.

WHEREAS, on December 1, 2022, Code Enforcement Supervisor returned to the property and Red Tagged the structure "Vacant Building". The Red Tag stated the requirements for monitoring and maintaining the Property in accordance with County Ordinance 9.06.600 et seq.

WHEREAS, on February 6, 2023, Facilities, a Division of the Chief Administrative Office boarded up and fenced off the vacant building per El Dorado County Ordinance 9.02.300 and billed the owner for this service.

WHEREAS, on April 4, 2023, Code Enforcement received a check for the reimbursement of the cost of boarding up the property. The owners, Kilo Watt Investments LLC, also provided an updated mailing address and phone numbers.

WHEREAS, on September 13, 2023, a fire destroyed most of the building but with exterior walls still left standing. County Building Inspectors conducted a disaster activity inspection on September 15, 2023 to document the damage caused by a fire to the property.

WHEREAS, on December 12, 2023, the property was re-fenced and boarded up by Facilities, a Division of the Chief Administrative Office .

WHEREAS, on December 7, 2023, Code Enforcement Supervisor conducted an inspection and Red Tagged the structure as dangerous.

WHEREAS, on April 5, 2024, Code Enforcement issued a Notice to Abate to the property owners. The owners did not respond to the Notice to Abate and did not take any actions to demolish or repair the building. After numerous failed attempts to contact the owners, staff emailed the owner's attorney from June 5, 2024 to July 12, 2024 and did not receive a response to the Notice to Abate and no action was taken by the owners to abate the structure.

WHEREAS, On December 9, 2024, Code Enforcement Supervisor Nicolaus Heuer executed a declaration in support of Ex Parte application for Inspection Warrant in the matter of the application for a Warrant to Inspect and Abate the Real Property Located at: 6458 Pony Express Trail, Pollock Pines, CA 95726, Assessor's Parcel Number 009-350-064.

WHEREAS, On December 12, 2024 a Code Enforcement, contracted vendor performed the demolition of the vacant/unsafe structure and removed all associated debris.

WHEREAS, 9.02.450 Lien. If the violation is not abated within the time prescribed in the administrative order, the Board may cause the violation to be abated as provided in this chapter and the cost of abatement, including any unpaid fines and civil penalties (Government Code § 53069.4), shall be charged against the real property upon which the violation has occurred and shall be a recorded lien upon such property and assessed and enforced, pursuant to Government Code § 25845.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the County of El Dorado Board of Supervisors hereby approve placement of an abatement lien on the property located at 6458 Pony Express Trail in Pollock Pines, identified by APN 009-350-064, currently owned by Lisa and Alexis Watt, Kilo Watt Investments, LLC, to allow County to recover all costs necessarily incurred by County of El Dorado to remedy the property of the above referenced violations. Such lien shall be in the initial amount of \$48,217.38.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the _____ day of _____, 20____, by the following vote of said Board:

Attest: Ayes:
Kim Dawson Noes:
Clerk of the Board of Supervisors Absent:

By: _____
Deputy Clerk Chair, Board of Supervisors