

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF TEHAMA MAKING DETERMINATIONS AND ORDERING THAT THE AMOUNT OF ADMINISTRATIVE PENALTY RELATING TO PUBLIC NUISANCE BE ENFORCED AS LIENS AGAINST THE AFFECTED PROPERTIES AND FURTHER ORDERING RECORDATION OF NOTICES OF ADMINISTRATIVE PENALTY LIENS, PURSUANT TO CHAPTER 9.06 OF THE TEHAMA COUNTY CODE AND GOVERNMENT CODE SECTION 53069.4

WHEREAS, in accordance with the procedures set forth in Chapter 9.06 of the Tehama County Code, unlawful marijuana cultivation occurring on each of the properties described in Attachment "B-1," attached hereto and incorporated herein, was determined to constitute a public nuisance; and

WHEREAS, in the event that the nuisance was not voluntarily abated, the County was authorized to impose a daily administrative penalty through the process set forth in Section 9.06.165 of the Tehama County Code; and

WHEREAS, the nuisance conditions were not abated as ordered; and

WHEREAS, administrative penalties have been imposed for unlawful marijuana cultivation occurring on each of the properties described in Attachment "B-1," in accordance with the above-described process, and that determination has become final and conclusive; and

WHEREAS, the enforcing officer has kept an account of the amount of every administrative penalty imposed, and has rendered a report in writing, itemized by parcel, to the Board of Supervisors showing the amount of administrative penalty for each parcel, which is attached hereto as Attachment "B-1"; and

WHEREAS, the total cost of all such administrative penalties imposed was \$32,000.00; and

WHEREAS, the County made a demand at least ninety (90) days prior to this Hearing upon the property owners listed in, and for the amounts stated in, Attachment "B-1" to pay the County for the amount of administrative penalty; and

WHEREAS, the County has not received payment in full, from the property owners listed in Attachment "B-1;" and

WHEREAS, no timely appeal was filed with the Superior Court; and

WHEREAS, the Board of Supervisors is authorized to record Notice of Administrative Lien against each the properties described in Attachment "B-1," pursuant to Government Code section 53069.4 and Tehama County Code section 9.06.165; and

WHEREAS, the owner of each property described in Attachment "B-1" has been given notice of the hearing conducted this date and provided an opportunity to be heard in accordance with Tehama County Code section 9.06.165;

NOW THEREFORE BE IT RESOLVED, that the report of the enforcing officer, attached hereto as Attachment "B-1," with any modifications directed by the Board of Supervisors on the record at the hearing conducted this date, is hereby confirmed and approved.

BE IT FURTHER RESOLVED, that the Tehama County Board of Supervisors hereby orders that the amounts of administrative penalty shall be enforced as liens against the properties described, in and for the amounts stated in, Attachment "B-1,"

BE IT FURTHER RESOLVED, that the Board of Supervisors authorizes and directs the enforcing officer to record a Notice of Administrative Penalty Lien against each of the properties listed in, and for the amounts stated in, Attachment "B-1," in substantially the form attached hereto as Attachment "A-1,"

The foregoing resolution was offered on a motion by Supervisor _____, seconded by Supervisor _____, and carried by the following vote of the Board:

AYES:

NOES:

ABSENT OR NOT VOTING:

STATE OF CALIFORNIA)
) ss
COUNTY OF TEHAMA)

I, JENNIFER A. VISE, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Tehama, State of California, hereby certify the above and foregoing to be a full, true and correct copy of a resolution adopted by said Board of Supervisors on the _____ day of _____, 2017.

DATED: This _____ day of _____, 2017.

JENNIFER A. VISE, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Tehama, State of California.

By: _____