



October 26, 2016

Ferrell Barner & Vivien Lawrence
24969 5th Street
San Bernardino, CA 92410

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
AND FIRST CLASS MAIL

Re: 24969 5th Street, in the City of Highland
Assessor's Parcel Number: 0279-141-04-0000

Dear Mr. Barner & Ms. Lawrence,

NOTICE OF PUBLIC HEARING

This Notice is to inform you of a Public Hearing to be held before the Public Nuisance Hearing Board (the "Board") to determine whether certain conditions and/or uses existing on 24969 5th Street, Highland, California (referred to after this as the "Property") constitute a public nuisance pursuant to the Highland Municipal Code, and Ordinances of the City of Highland. The Property is more particularly described as Assessor Parcel Number: 0279-141-04-0000, commonly known as 24969 5th Street, Highland, California. The Public Hearing will be conducted in accordance with Chapter 8.32 of Title 8 of the Highland Municipal Code as follows:

Time and date of Hearing: 4:00 pm on Wednesday, December 7, 2016

Location of Hearing: Leo Donahue Council Chambers
27215 Base Line
Highland, California 92346

You may bring any witnesses, pictures, photographs, reports, or any other exhibits to this hearing which you feel will establish or prove the Property is not a public nuisance. You may be represented by an attorney. You will have an opportunity to examine all evidence and question witnesses testifying against you.

If the Public Nuisance Hearing Board determines at the end of the Hearing, that this Property is, in fact a public nuisance, you will be ordered to abate the public nuisance, or the condition thereof, and your Property will be assessed the City's administrative and

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incidental costs incurred up to that stage in the abatement process. This assessment will result in a Lien upon your Property until paid. Thereupon, if you fail to obey the Public Nuisance Hearing Board's order to abate this nuisance, the City may do so for you, by the rehabilitation, repair, or demolition of the building or structures, or by otherwise eliminating the nuisance from the Property. The costs, and expense of abating the nuisance, including the City's incidental and administrative expenses, will be assessed upon the Property, together with interest on the entire amount owing, and will result in a Lien upon the Property until it is paid.

In addition, you may also be cited for violations of the Ordinances of the City of Highland, including but not limited to the Highland Municipal Code and/or Development Code and be subject to criminal proceedings.

The following violations of the Highland Municipal Code have been noted on the Property; these conditions constitute a public nuisance:

HMC § 6.04.020.C (San Bernardino County Code § 32.0209(a))

Every resident in the City of Highland who owns, has an interest in, harbors and feeds, or has the care, charge, custody, or possession of a dog four months of age or over ... shall obtain a City of Highland dog license for such dog.

Correction: Obtain dog licenses for all dogs on the Property.

HMC § 8.32.020.A.2

A public nuisance is created by every building or structure which... is a breeding place for rodents or vermin.

Correction: Abate the bees from the exterior wall of the garage on the Property.

HMC § 8.32.020.F

The storage of abandoned, discarded or unused objects or equipment, including, but not limited to, lumber, metal, recyclables, scrap wood, vegetation, junk, trash, or debris (hereinafter referred to as "materials"), including, but not limited to, such storage in containers such as cardboard boxes, bags, vehicles, trailers, mobile storage units, or in permanent storage facilities in the front yard or side-yard setbacks of residential properties where such containers and/or materials are visible from the street, for a period in excess of 48 hours, except as specifically permitted by city ordinance, shall constitute a public nuisance.

Correction: Remove all junk, trash, and debris from the Property.

HMC § 10.20.070 Prohibited uses

Any abandoned, dismantled, inoperative, junked or wrecked vehicles or parts thereof, or fully or partially disassembled vehicle (including vehicles without hoods, fenders, engines, body panels, headlights, trunk lids, wheels, windows or windshields) when

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placed or kept for more than 72 hours in residential, commercial or industrial sites (except licensed vehicle impound storage yards, garages, vehicle dealers, junkyards and/or dismantling yards) and visible from outside the parcel of land upon which such is or are kept is prohibited and constitutes a violation of this chapter.

Correction: Remove all inoperable vehicles from the Property.

HMC § 15.04 (2013 California Building Code § 105.1)

Any owner or authorized agent who intends to construct, enlarge, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Correction: Remove the unapproved electrical and plumbing connections to the recreational vehicles.

Correction: Remove all sheds that are larger than 120 square feet. (*See also* 2013 California Building Code § 105.2.)

Correction: Return garage to its original condition. The condition of the garage also violates California Building Code § 116, as indicated below.

HMC § 15.04 (2013 California Building Code § 116.1)

Structures ... that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section.

Correction: Obtain building permits to install a garage door. Obtain permits and repair the roof of the garage.

HMC § 15.16 (2013 California Electrical Code §§ 89.108.4.1, 110.14(B), 110.27(B))

89.108.4.1(A) - [A] written construction permit shall be obtained from the [City of Highland] prior to the erection, construction, reconstruction, installation, movement, or alteration of any electrical system.

110.14(B) - Conductors shall be spliced or joined with splicing devices identified for the use or by brazing welding or soldering with a fusible metal or alloy. ... All splices

and joints and the free ends of conductors shall be covered with an insulation equivalent to that of the conductors or with an insulating device identified for the purpose.

110.27(B) - In locations where electrical equipment is likely to be exposed to physical

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damage, enclosures or guards shall be so arranged and of such strength as to prevent such damage.

Correction: Obtain an electrical permit for all electrical wiring on the property.

Correction: Correct improper splicing on the Property.

Correction: Install a dead plate on the main electrical service panel and label all breakers.

HMC § 16.52.060.B.4.a.iii (Single-Family Detached Residential Uses)

Any vehicle(s) parked in plain view must be currently registered to operate on a street or roadway, if required by law. Vehicles that are not currently registered, if required by law, as well as inoperative vehicles, may be permitted to be parked in a garage or to the rear of the property and screened from view.

Correction: Obtain current registration for all vehicles parked in plain view or remove from the Property.

HMC § 16.52.060.B.4.b.i (Single-Family Detached Residential Uses)

All parking areas (including driveways and parking in setback areas) on which vehicles are parked in accordance with this section shall be improved and permanently maintained with asphalt, concrete, or other all-weather surfacing approved by the community development director and city engineer.

Correction: All vehicles must be parked on an improved surface.

HMC § 16.52.080.D

Limitation on Number of Recreational Vehicles. Under no circumstances shall more than one "motorized" recreational vehicle be parked or stored on any residential property at any given time.

Correction: Remove all but one recreational vehicle from the Property.

If you choose to voluntarily abate this nuisance prior to this Hearing, you may notify the Code Enforcement Department at least three (3) days prior to the Hearing set below, for a pre-hearing inspection.



Vivienne Muro
Senior Code Compliance Officer

CC: Joe Hughes, City Manager
Larry Mainez, Community Development Director
Craig Steele, City Attorney
Public Nuisance Hearing Board Members