

# BOARD OF SUPERVISORS

## AMENDED AGENDA

Meetings are located at:  
Yuba County Government Center  
Board Chambers, 915 Eighth Street  
Marysville, California



Agenda materials are available at the Yuba County Government Center, 915 8<sup>th</sup> Street, Marysville and [www.co.yuba.ca.us](http://www.co.yuba.ca.us). Any disclosable public record related to an open session item and distributed to all or a majority of the Board less than 72 hours prior to the meeting is available for public inspection at Suite 109 of the Government Center during normal business hours.

**SEPTEMBER 30, 2014**

### **ADDENDUM TO THE AGENDA – ADD TO CLOSED SESSION ITEM C**

**10:30 A.M. YUBA COUNTY BOARD OF SUPERVISORS SPECIAL MEETING - Welcome to the Yuba County Board of Supervisors special meeting. As a courtesy to others, please turn off cell phones, pagers, or other electronic devices, which might disrupt the meeting.**

**No other business shall be conducted at this meeting. The public shall have an opportunity to address the Board of Supervisors only with respect to items set forth in this agenda when the item is heard. Comments will be limited to five minutes per individual or group.**

I. **PLEDGE OF ALLEGIANCE** - Led by Supervisor Abe

II. **ROLL CALL** - Supervisors Vasquez, Nicoletti, Griego, Abe, Stocker

III. **AUDITOR-CONTROLLER**

A. (446-14) Adopt resolution adopting budget for fiscal year 2014-2015. (Five minute estimate)

IV. **CLOSED SESSION**

A. Pending litigation pursuant to Government Code §54956.9(d)(1) - Chambers vs. County of Yuba et al

B. Personnel pursuant to Government Code §54957.6(a) - Labor Negotiations - DDAA/Confidential/Unrepresented/Management

C. Pending litigation pursuant to Government Code §54956.9(d)(1) – Charles Jones vs. County of Yuba et al

**V. 11:00 A.M. CODE ENFORCEMENT ADMINISTRATIVE APPEAL HEARING**

A. (447-14) Hold appeal hearing regarding determination of public nuisance and imposition of administrative penalty for 15054 Sun Forest Court, Oregon House, APN 060-140-039/Lincoln and Lederman and consider findings of facts, conclusion of law, and orders. (30 minute estimate)

VI. **ADJOURN**

In compliance with the Americans with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available. If you have a disability and need disability-related modifications or accommodations to participate in this meeting, please contact the Clerk of the Board's office at (530) 749-7510 or (530) 749-7353 (fax). Requests must be made two full business days before the start of the meeting. To place an item on the agenda, contact the office of the Clerk of the Board of Supervisors at (530) 749-7510.

# The County of Yuba



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## Office of the Auditor-Controller

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Richard Eberle, CPA  
Yuba County Government Center  
915 8<sup>th</sup> Street, Suite 105  
Marysville, CA 95901

Phone: (530) 749-7810  
Fax: (530) 749-7814  
Email: reberle@co.yuba.ca.us

**To:** Board of Supervisors  
**CC:** Robert Bendorf, County Administrator  
**From:** C. Richard Eberle, CPA, Auditor-Controller *RE*  
**Date:** September 30, 2014  
**Re:** Budget Approval for FY 2014-15

### Recommendation

Approve resolution authorizing budget for fiscal year 2014-15

### Background

As required by Government Code Section 29000 (et seq), the Board of Supervisors must formally adopt the budget for each fiscal year by resolution.

### Discussion

The Board has completed final budget hearings and has approved the results of those hearings. The Board must now formally adopt the budget for fiscal year 2014-15 by resolution.

### Committee Action

This action is being presented to directly to the Board of Supervisors.

### Financial Impact

This resolution has significant fiscal impact. It authorizes the total amount of expenditures for the current year.

**BOARD OF SUPERVISORS  
COUNTY OF YUBA  
STATE OF CALIFORNIA**

RESOLUTION ADOPTING BUDGET)      RESOLUTION NO. \_\_\_\_\_  
FOR FISCAL YEAR 2014-15 \_\_\_\_\_)

**WHEREAS**, all necessary estimates of revenues, expenditures, interfund transfers, and reserves for the 2014-15 fiscal year were prepared and filed; the proposed budget was adopted and printed; and hearings thereon were noticed and held as required by Chapter 1, Division 3, Title 3 of the Government code (Section 29000 et seq.); and

**WHEREAS**, this Board has made such revisions of, deductions from, and increases or additions having been proposed in writing and filed with the Board of Supervisors prior to the conclusion of said hearings.

**NOW, THEREFORE, IT IS FOUND AND DECLARED** that all proceedings required by law have been duly had and regularly taken concerning the adoption of the final budget for the County of Yuba for the fiscal year commencing July 1, 2014.

**BE IT FURTHER RESOLVED** that the appropriations for each budget unit which constitutes the respective totals for each of the objects and sub-objects of the expenditures listed in the proposed budget and revised through additions or subtractions are hereby adopted by reference; that the expenditure amounts shown therein and as set forth herewith are hereby appropriated for the purposes stated; and that the provisions for contingencies set forth in said budget shall be as therein stated.

**ACCORDINGLY, IT IS RESOLVED AND ORDERED** that the Final Budget of the County of Yuba for the fiscal year 2014-15 as shown in Exhibit A, which exhibit is included                                      and                                      incorporated                                      herein.

**BE IT FURTHER RESOLVED** that the means of financing the expenditure and reserve provisions set forth in said budget shall be by monies derived from Revenue to Accrue, fund Balance Available and Ad Valorem Taxes.

**PASSED AND ADOPTED** at a special meeting of the Board of Supervisors at the County of Yuba, State of California, on the \_\_\_\_\_ day of September, 2014 by the following vote:

AYES:

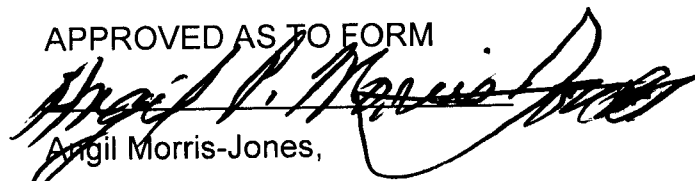
NOES:

ABSENT:

CHAIRMAN OF THE BOARD OF SUPERVISORS

ATTEST: Donna Stottlemeyer  
Clerk of the Board of Supervisors  
By: \_\_\_\_\_

APPROVED AS TO FORM

  
Angil Morris-Jones,  
County Counsel

**County Governmental Budget Summary**

Salaries & Employee Benefits		\$	75,727,254
Services & Supplies			78,296,961
Other Charges			37,941,574
Fixed Assets:			
Land	-		
Improvements	-		
Equipment	95,000		
Infrastructure	3,023,000		
Total Fixed Assets			3,118,000
Expenditure Transfers & Reimbursements			(5,197,370)
Provisions for Contingencies:			
General Fund			
	Special Projects		
	Other		519,272
Reserves:			
Capital Reserves			-
General Reserves			-
<b>Total Budgeted Appropriations</b>		\$	<u>190,405,691</u>
Encumbrances			
Salaries & Benefits			-
Services & Supplies			73,506
Fixed Assets:			
	Equipment		106,403
<b>Total Encumbrances</b>			<u>179,909</u>
<b>Total General County Budgeted Appropriations</b>		\$	<u>190,585,600</u>
<b>Budgeted Revenues</b>			
Taxes			15,426,983
Licenses & Permits			3,200,278
Fines, Forfeitures, Penalties			794,000
Interest & Use of Property			768,800
Intergovernmental Revenue			116,801,380
Charges for Services			15,410,037
Other Financing Sources			32,614,764
<b>Total County Budgeted Revenue</b>		\$	<u>185,016,242</u>
Ongoing Revenues less Expenditures		\$	(5,569,358)
Use of Cash Balance as of 6/30/2014		\$	<u>5,389,449</u>
Budgeted Revenues less Expenditures		\$	<u>(179,909)</u>

## Proprietary Funds

	Internal Service Funds					
	Enterprise Airport	Auto Service	Sheriff Auto Service	IT Infrastructure	Worker's Comp Insurance	Liability Insurance
Salaries & Employee Benefits	\$ 144,135	-	-	-	-	-
Services & Supplies	159,000	\$ 454,587	532,150	\$ 544,236	\$ 1,795,027	\$ 1,242,936
Other Charges	30,218	146,921	7,809	-	19,360	1,423,406
Fixed Assets:						
Land	-	-	-	-	-	-
Improvements	-	-	-	-	-	-
Equipment	-	-	439,000	90,000	-	-
Exp. Transfers & Reimbursements	8,782	-	-	-	-	-
Reserves:						
Capital Reserves	-	-	-	-	-	-
General Reserves	-	-	-	-	-	-
<b>Total Budgeted Appropriations</b>	<b>\$ 342,135</b>	<b>\$ 601,508</b>	<b>\$ 978,959</b>	<b>\$ 634,236</b>	<b>\$ 1,814,387</b>	<b>\$ 2,666,342</b>
Encumbrances	-	-	-	-	-	-
Salaries & Benefits	-	-	-	-	-	-
Services & Supplies	-	-	-	-	-	-
Fixed Assets:	-	-	-	-	-	-
Equipment	-	-	-	-	-	-
<b>Total Encumbrances</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Total Budgeted Appropriations</b>	<b>\$ 342,135</b>	<b>\$ 601,508</b>	<b>\$ 978,959</b>	<b>\$ 634,236</b>	<b>\$ 1,814,387</b>	<b>\$ 2,666,342</b>
<b>Budgeted Revenues</b>						
Taxes	-	-	-	-	-	-
Licenses & Permits	-	-	-	-	-	-
Fines, Forfeitures, Penalties	-	-	-	-	-	-
Interest & Use of Property	\$ 310,035	-	-	-	-	-
Intergovernmental Revenue	10,000	-	-	-	-	-
Charges for Services	22,100	\$ 601,508	\$ 978,959	\$ 634,236	\$ 1,814,387	\$ 2,666,342
Other Financing Sources	-	-	-	-	-	-
<b>Total County Budgeted Revenue</b>	<b>\$ 342,135</b>	<b>\$ 601,508</b>	<b>\$ 978,959</b>	<b>\$ 634,236</b>	<b>\$ 1,814,387</b>	<b>\$ 2,666,342</b>
Ongoing Revenues less Expenditures	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

## Proprietary Funds

	Internal Service Funds				ISF Totals
	Health Insurance	General Insurance	Unemployment Insurance	Short Term Disability Insurance	
Salaries & Employee Benefits	-	-	-	-	-
Services & Supplies	\$ 11,407,226	\$ 94,776	\$ 43,170	\$ 39,336	16,153,444
Other Charges	29,689	222,600	404,030	154,864	2,408,679
Fixed Assets:					
Land	-	-	-	-	-
Improvements	-	-	-	-	-
Equipment	-	-	-	-	529,000
Exp. Transfers & Reimbursements	-	-	-	-	-
Reserves:					
Capital Reserves	-	-	-	-	-
General Reserves	-	-	-	-	-
<b>Total Budgeted Appropriations</b>	<b>\$ 11,436,915</b>	<b>\$ 317,376</b>	<b>\$ 447,200</b>	<b>\$ 194,200</b>	<b>\$ 19,091,123</b>
Encumbrances	-	-	-	-	-
Salaries & Benefits	-	-	-	-	-
Services & Supplies	-	-	-	-	-
Fixed Assets:					
Equipment	-	-	-	-	-
<b>Total Encumbrances</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Total Budgeted Appropriations</b>	<b>\$ 11,436,915</b>	<b>\$ 317,376</b>	<b>\$ 447,200</b>	<b>\$ 194,200</b>	<b>\$ 19,091,123</b>
<b>Budgeted Revenues</b>					
Taxes	-	-	-	-	-
Licenses & Permits	-	-	-	-	-
Fines, Forfeitures, Penalties	-	-	-	-	-
Interest & Use of Property	-	-	-	-	-
Intergovernmental Revenue	-	-	-	-	-
Charges for Services	\$ 11,436,915	\$ 317,376	\$ 447,200	\$ 194,200	\$ 19,091,123
Other Financing Sources	-	-	-	-	-
<b>Total County Budgeted Revenue</b>	<b>\$ 11,436,915</b>	<b>\$ 317,376</b>	<b>\$ 447,200</b>	<b>\$ 194,200</b>	<b>\$ 19,091,123</b>
Ongoing Revenues less Expenditures	\$ -	\$ -	\$ -	\$ -	\$ -



# The County Of Yuba

Community Development  
& Services Agency

## CODE ENFORCEMENT

Telephone: (530) 749-5455

Fax: (530) 749-5616



915 8<sup>th</sup> Street, Suite 123, Marysville, California 95901

## Public Nuisance Hearing

To: Yuba County Board of Supervisors  
From: Jeremy Strang, Code Enforcement Division Manager  
Date: September 30, 2014

### Statement of Facts:

The property that is subject of this hearing is Assessor's Parcel Number (APN) 060-140-039. The parcel is located in the unincorporated area of the County of Yuba near the community of Oregon House and is commonly referred to as 15054 Sun Forest Court. The property has the zoning designation A/RR, Agricultural - Rural Residential and is 10 acres in size.

Vanich Lincoln Trustee, et al is the owner as listed on the latest property tax assessment and the property is being leased by Stephen Lederman.

Development permits include:

Type	Date Applied	Date Issued	Date of Final Approval
Private Water Well	3/26/13	3/26/13	7/3/13
Septic System	3/26/13	8/7/14	
Dwelling	5/21/14	8/29/14	
Fire Sprinklers	8/15/14		
Encroachment	6/4/14		

The property is currently being assessed as vacant land with no improvements.

### Current Code Case:

Case Number: MMJ14-0055  
Date: 7/25/2014  
Complaint: Marijuana Cultivation  
Disposition: Founded; No dwelling, cultivation of marijuana (58 mature plants).  
Notice and Order to Abate Public Nuisance issued.

Case Closed: N/A

Public Nuisance Declared:

On September 5, 2014, an inspection of the properties confirmed that:

1. Marijuana was being cultivated without having a single family dwelling,
  - a. the number of plants exceeded the maximum amount allowed,
  - b. the plants were not fully surrounded by a solid fence;
2. Accessory uses and chattel were present;

Based on previous conversations with the property owner, Mr. Lincoln and the tenant, Mr. Stephen Lederman making them aware of Yuba County Ordinance Code provisions, a Notice and Order to Abate Public Nuisance was issued.

On September 11, 2014, Code Enforcement Officer John Jacenich served a Notice and Order to Abate Public Nuisance [(Order) (see **Attachment A – Notice and Order**)]. The Order was served by U.S. Mail, both Certified Mail with Return Receipt and First Class, to the owner as it appears on the last equalized assessment roll as well as the tenant, Stephen Lederman. In addition, the Order was posted at the property; proof of service was completed (see **Attachment B – Proof of Service**).

Stephen Lederman immediately filed a timely request, along with the fee deposit of \$4,116.00, for hearing to appeal the determination of the existence of a public nuisance (see **Attachment C – Request for Hearing**). The Administrative Penalty was stayed that same day pursuant to the request.

On September 12, 2014, an amended Order was served, because it was discovered that a clerical error had occurred as to the date of compliance. Along with that Order, staff gave notice of the appeal hearing (see **Attachment D – Amended Order, Notice of Hearing, confirmation of hearing request, and cover letter, AND Attachment E – Proof of Service**).

The Order alleges the following violations:

1. **Yuba County Code § 7.36.310(a)(1)** *Anything which is injurious to health, poses a significant potential to cause economic and/or physical injury or damage to persons or property, or constitutes a significant detriment to the prevention or suppression of fire, or significantly interferes with the provision of emergency services to the public, to wit:*
  - A. Cultivating marijuana in violation of the provisions set forth in Chapter 7.40 of the Yuba County Ordinance Code.
  - B. Utilizing accessory uses without first establishing a primary use.
2. **Yuba County Code § 7.36.310(a)(5)** *The maintenance or use of any real property in violation of any provision of the Yuba County Ordinance Code, State law or federal law, to wit:*
  - A. Cultivating marijuana on a parcel of at least five (5) acres but not greater than twenty (20) acres in size in violation of Yuba County Ordinance Code Chapter 7.40 including but not limited to, the following violations:
    - A.1. Cultivating marijuana on a parcel that does not have an occupied, legally established residence.
    - A.2. Mature plants in excess of 36 plants.

B. Conducting activities on a site which are not permitted uses in the Agricultural/Rural Residential Zone in violation of Yuba County Ordinance Code Chapter 12.01 et seq.; as described in 1.B. above.

3. **Yuba County Code § 7.36.310(a)(10)** *Anything which is indecent offensive to the senses, or an obstruction to the free use of property, so as to unreasonably interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, river, bay, stream, canal, or basin, or of any public park, square, street or highway, and which at the same time affects an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals and/ or property may be unequal.*

Attached and incorporated as part of this report as **Attachment F – Photographs**, are photographs taken on September 5, 2014, by Officer John Jacenich. The photographs accurately depict the conditions of the subject properties observed by Officer Jacenich on that date and further support the existence of a public nuisance.

The Order required that the property owner abate the nuisance by removing all of the violations as listed above on, or before, September 15, 2014.

Pursuant to Chapter 7.40, Section 7.40.440, an Administrative Penalty shall be calculated based on subsection 7.40.440c, and shall begin to accrue immediately upon the issuance of an Order (7.40.440d). An Administrative Penalty, the subject of this hearing, was applied for the amount of \$6,200.00 per day (see **Attachment G – Administrative Penalty Worksheet**).

On September 19, 2014, Attorney Scot Candell, representing Mr. Lederman requested a continuance to a later date. The matter was considered by your Board on September 23, 2014. The continuance was denied.

Applicable Law:

**YUBA COUNTY ORDINANCE CODE CHAPTER 7.36, PROPERTY MAINTENANCE (1303)**

**Yuba County Code § 7.36.310(a).** *a public nuisance shall be deemed to exist when any of the following conditions or circumstances are present:*

**Yuba County Code § 7.36.310(a)(1)**

*Anything which is injurious to health, poses a significant potential to cause economic and/or physical injury or damage to persons or property, or constitutes a significant detriment to the prevention or suppression of fire, or significantly interferes with the provision of emergency services to the public.*

**Yuba County Code § 7.36.310(a)(5)**

*The maintenance or use of any real property in violation of any provision of the Yuba County Ordinance Code, State law or federal law.*

**Yuba County Code § 7.36.310(a)(10)**

*Anything which is indecent offensive to the senses, or an obstruction to the free use of property, so as to unreasonably interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, river, bay, stream, canal, or basin, or of any public park, square, street or highway, and which at the same time affects an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals and/ or property may be unequal.*

## **YUBA COUNTY ORDINANCE CODE CHAPTER 7.40, MARIJUANA CULTIVATION (1522)**

### **7.40.200 Conditions Creating Public Nuisance**

*A public nuisance shall be deemed to exist when any of the following conditions or circumstances is present:*

- a. Any person owning, leasing, occupying or having charge or possession of any parcel of land within the unincorporated area of the County to cause or allow such parcel of land to be used for the cultivation of marijuana in violation of the provisions contained herein or any provisions set forth in Division 10 of the California Health and Safety Code.*
- b. The cultivation of marijuana on a parcel that does not have an occupied legally established residence in conformance with the Yuba County Ordinance Code.*
- c. The cultivation of marijuana on a parcel by anyone other than a qualified patient or a primary caregiver.*
- d. Marijuana plants in public view as defined in Section 7.40.140 of this Chapter.*
- e. Marijuana plants accessible to a minor (under the age of 18).*
- f. The cultivation of marijuana in a manner that exceeds the exceptions of Section 7.40.300 of this Chapter.*
- g. The improper use, storage and/or disposal (per the manufacturer's instructions and/or any law that governs same) of chemicals, fertilizers, gas products (CO<sub>2</sub>, butane, etc.) or any other products or equipment associated with the cultivation of marijuana.*
- h. Any violation of any Ordinance or State law or any public nuisance defined or known at common law or in equity jurisprudence.*

### **7.40.300 Exceptions**

*This ordinance shall not apply to cultivation where all of the following conditions are met:*

- a. The cultivation occurs on a parcel with an occupied legally established residence, and*
- b. The cultivation is conducted by one or more qualified patients or primary caregivers and at least one of the plants being cultivated is for the qualified patient or primary caregiver who occupies the dwelling as their physical and legal place of residence, and*
- c. The defined areas of cultivation are in accordance with this section and sections 7.40.310, 7.40.320, and 7.40.330 of this Chapter, there is not more than one outdoor defined area of cultivation per parcel and not more than one indoor defined area of cultivation as allowed for in this Chapter, and*
- d. The cultivation does not exceed the marijuana plant quantities listed below:*
  - 1. For parcels less than one (1) acre in size with one residence, there is a combined limit of indoor and outdoor cultivation of no more than 18 marijuana plants. Of that total, only 12 can be mature marijuana plants. A maximum of 6 of the 12 mature marijuana plants can be cultivated outdoors.*
  - 2. For parcels one (1) acre but less than five (5) acres in size with one residence, there is a combined limit of indoor and outdoor cultivation of no more than 30 marijuana plants. Of that total, only 18 can be mature marijuana plants.*

*Mature marijuana plants can all be cultivated outdoors or a combination of outdoors and indoors.*

3. *For parcels five (5) acres but less than twenty (20) acres in size with one residence, there is a combined limit of indoor and outdoor cultivation of no more than 60 marijuana plants. Of that total, only 36 can be mature marijuana plants. Mature marijuana plants can all be cultivated outdoors or a combination of outdoors and indoors.*

#### **7.40.320 Outdoor Cultivation**

- a. *Outdoor cultivation of marijuana shall not occur outside a single defined area of cultivation, shall not be in public view, shall be surrounded by a fence as required by 7.40.330, and shall not be accessible to minors.*
- b. *All outdoor cultivation shall not be located on parcels in a manner that increases the potential to create a public nuisance, and shall reduce the potential by:*
  1. *First and foremost, locating the area of cultivation on the parcel as far away as possible from neighboring residences, and*
  2. *Locating the area of cultivation on the parcel as close as possible to the cultivator's residence for security purposes, but taking into consideration the need to keep the cultivation away from neighboring residences,*
- c. *Outdoor cultivation of marijuana shall not be located within:*
  1. *Ten (10) feet of the property line and within three hundred (300) feet of a school, school bus stop, park, or youth-oriented facility on parcels less than one (1) acre in size.*
  2. *Fifty (50) feet of the property line and within six hundred (600) feet of a school, school bus stop, park, or youth-oriented facility on parcels one (1) acre but less than five (5) acres in size.*
  3. *One hundred (100) feet of the property line and within one thousand (1,000) feet of a school, school bus stop, park, or youth-oriented facility on parcels five (5) acres but less than twenty (20) acres in size.*
  4. *Two hundred (200) feet of the property line and within one thousand (1,000) feet of a school, school bus stop, park, or youth-oriented facility on parcels twenty (20) acres or more in size.*
- d. *The distances specified in this section shall be the horizontal distance measured in a straight line to the closest area in which the medical marijuana is cultivated.*

#### **7.40.330 Fencing**

*Outdoor cultivation shall be fully surrounded by a solid fence at least six (6) feet but not greater than (8) feet in height with a locking gate and conform to the following:*

- a. *Fencing materials shall be in compliance with Section 7.40.140i, and*
- b. *Location of fence shall meet zoning setback and height requirements, and*
- c. *Fences over six (6) feet in height will require proof of an approved building permit, and*
- d. *Marijuana plant(s) shall not be higher than the fence, and*
- e. *The fence and gate must be adequately secure to prevent unauthorized entry and keep the area out of reach of minors.*
- f. *Bushes or hedgerows alone shall not constitute an adequate fence under this Chapter. However, for parcels greater than 5 acres in size, a combination of mature vegetation or natural topography that keeps the cultivation out of public*

*view in combination with a securable six foot tall chain link fence may be substituted for a solid fence.*

**YUBA COUNTY ORDINANCE CODE CHAPTER 12.01, (ZONING) GENERAL PROVISIONS (906)**

***12.01.050 Permitted Uses Only***

*No structure or part thereof shall be erected, altered, or enlarged nor shall any site or structure be used, designated or intended for use other than the uses hereinafter listed as permitted or conditional in the zone in which such structure, land or premises is located. Such use shall not be caused or allowed by the property owner or by any person or persons utilizing the property with or without the permission of the property owner.*

**Recommendation:**

The evidence and testimony given clearly show violations of the Yuba County Ordinance Code and those violations constitute a public nuisance. I respectfully request that the Yuba County Board of Supervisors:

1. Confirm the existence of a public nuisance
2. Confirm the Administrative Penalty for \$6,200.00 per day
3. Confirm enforcement costs of \$6,085.34, accrued to date (see Attachment G – Cost Accounting)
4. Order the abatement of all violations by removal, of all marijuana; and other items incidental to the cultivation
5. Order that if all violations are not corrected Code Enforcement staff shall have the authority and jurisdiction to abate the nuisance and that the owner shall be responsible for the actual costs of abatement, including additional penalties of \$6,200.00 per day that will accrue until the nuisance is completely abated.
6. Order that where the enforcement costs go unpaid for 30 days after the final Demand for Payment is issued, an abatement lien shall be recorded and a special tax assessment be place for each parcel and that no Accounting Hearing shall be required.



# The County Of Yuba

Community Development &  
Services Agency

## CODE ENFORCEMENT

Telephone: (530) 749-5455

Fax: (530) 749-5424



915 8<sup>th</sup> Street, Suite 123, Marysville, California 95901

## NOTICE AND ORDER TO ABATE PUBLIC NUISANCE

MMJ14-0055

VANICH LINCOLN  
P.O. BOX 1673  
ROUGH & READY, CA 95975

STEVEN LEDERMAN  
P.O. BOX 1124  
TRUCKEE, CA 96160

**RE: 15054 SUN FOREST COURT, OREGON HOUSE, CA 95962**  
**APN: 060-140-039**  
**LEGAL DESCRIPTION: L-5 TR-84-375**

**PLEASE TAKE NOTICE:** that the use and condition of the subject property has been determined by Yuba County Code Enforcement to violate the Yuba County Ordinance Code and is therefore declared a public nuisance. The conditions that create a public nuisance on said property are as follows:

1. **Yuba County Code § 7.36.310(a)(1)** *Anything which is injurious to health, poses a significant potential to cause economic and/or physical injury or damage to persons or property, or constitutes a significant detriment to the prevention or suppression of fire, or significantly interferes with the provision of emergency services to the public, to wit:*
  - A. Cultivating marijuana in violation of the provisions set forth in Chapter 7.40 of the Yuba County Ordinance Code.
  - B. Utilizing accessory uses without first establishing a primary use.
2. **Yuba County Code § 7.36.310(a)(5)** *The maintenance or use of any real property in violation of any provision of the Yuba County Ordinance Code, State law or federal law, to wit:*
  - A. Cultivating marijuana on a parcel of at least five (5) acres but not greater than twenty (20) acres in size in violation of Yuba County Ordinance Code Chapter 7.40 including but not limited to, the following violations:
    - A.1. Cultivating marijuana on a parcel that does not have an occupied, legally established residence.
    - A.2. Mature plants in excess of 36 plants.

B. Conducting activities on a site which are not permitted uses in the Agricultural/Rural Residential Zone in violation of Yuba County Ordinance Code Chapter 12.01 et seq.; as described in 1.B. above.

3. **Yuba County Code § 7.36.310(a)(10)** *Anything which is indecent offensive to the senses, or an obstruction to the free use of property, so as to unreasonably interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, river, bay, stream, canal, or basin, or of any public park, square, street or highway, and which at the same time affects an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals and/ or property may be unequal.*

**YOU ARE HEREBY ORDERED** to correct or remove all violations from subject property on or before July 29, 2014. Administrative Penalties in the amount of **\$6,200.00** per day pursuant to Yuba County Code § 7.40.440 (d) have begun to accrue and will continue to accrue until the date compliance with the Order has been met and verified by the Enforcing Officer.

**If you disagree with the determination that a public nuisance exists on the subject property, you have the right to a hearing to show cause, if any, why the use of said real property should not be found to be a public nuisance and abated pursuant to the Yuba County Code. You may request a hearing by filing a written request for a hearing with the Yuba County Code Enforcement office, whose address appears above, within 10 calendar days of the date of this Notice. A \$4,116.00 deposit, pursuant to Yuba County Ordinance Code § 13.20.500, shall accompany the written request. Even if you do not request a hearing with respect to the existence of a public nuisance, you may contest the Administrative Penalties by filing a written request for a hearing solely to contest the imposition of the Administrative Penalties.**

If you do not request a hearing and fail to comply with the time requirements set forth, the County will abate the nuisance. If you request a hearing, and after such hearing a public nuisance is found to exist, you shall abate said violations as set forth in the Findings of Fact, Conclusions of Law, and Orders. Furthermore if the County abates the nuisance, you will be responsible for the actual costs of the abatement, and the Administrative Penalties, if any, which shall be paid within thirty (30) days from the date of the demand for payment. The "cost of abating a violation" shall include, but not be limited to, the county's attorneys' fees, the cost of the administrative hearing, the cost of prior time and expenses associated with bringing the matter to hearing, the cost associated with any appeals from the decision of the administrative hearing, the cost of judicially abating the violation, the cost of men and material necessary to physically abate the violation, and the cost of securing expert and other witnesses.

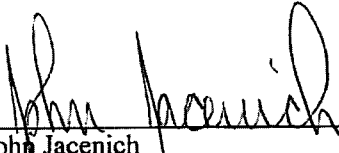
If such abatement costs are not paid within thirty (30) days of the date of the demand for payment therefore, such costs will become a lien against the subject property and will also be specially assessed against the property in the same manner as taxes. The abatement lien shall be recorded and shall have the same force and effect as an abstract of judgment, which is recorded as a money judgment obtained in a court of law. Special assessments have the same priority, for collection purposes, as other County taxes; and, if not paid, may result in a forced sale of your property.

If there is a hearing, and subject property is found to be in violation of any or all of the provisions stated above, the County will contend that you are bound by such finding at any subsequent and relative judicial action. If you fail to request a hearing, or appear at the hearing and fail to raise any defense or assert any relevant point at the time of hearing, the County will assert, in later judicial proceedings to enforce an order of abatement, that you have waived all rights to assert such defenses or such points.

**IMPORTANT: READ THIS NOTICE CAREFULLY. FAILURE TO RESPOND WITHIN THE TIME SET FORTH IN THIS NOTICE WILL LIKELY RESULT IN ADMINISTRATIVE AND/OR JUDICIAL ABATEMENT AND TERMINATION OF USES OF, OR CONDITIONS ON YOUR PROPERTY WHICH THE ENFORCEMENT OFFICIAL CONTENDS ARE IN VIOLATION OF THE YUBA COUNTY ORDINANCE CODE.**

**CERTIFIED MAIL: 7013 1090 0000 2901 2384 & 2391**

**DATED: SEPTEMBER 11, 2014**

  
\_\_\_\_\_  
John Jacenich  
Code Enforcement Officer

**Additional Notes:**

- ◆ Contained in this packet are copies of:
  - Excerpt from Yuba County Ordinance Code Chapter 7.36
  - Billing Invoice #610
- ◆ Pictures



**County of Yuba**  
Code Enforcement Division  
915 8th Street, Suite 123  
Marysville, CA 95901  
Phone: 530.749.5455

## Billing Statement

DATE	INVOICE #
9/11/2014	610

BILL TO:  
Lincoln Vanich  
Steven Lederman

### CASE INFORMATION

Case # MMJ14-0055  
Officer: J. Jacenich  
15054 Sun Forest Court  
Oregon House CA 95962  
Cert #: 7013 1090 0000 2901 2384 & 2391

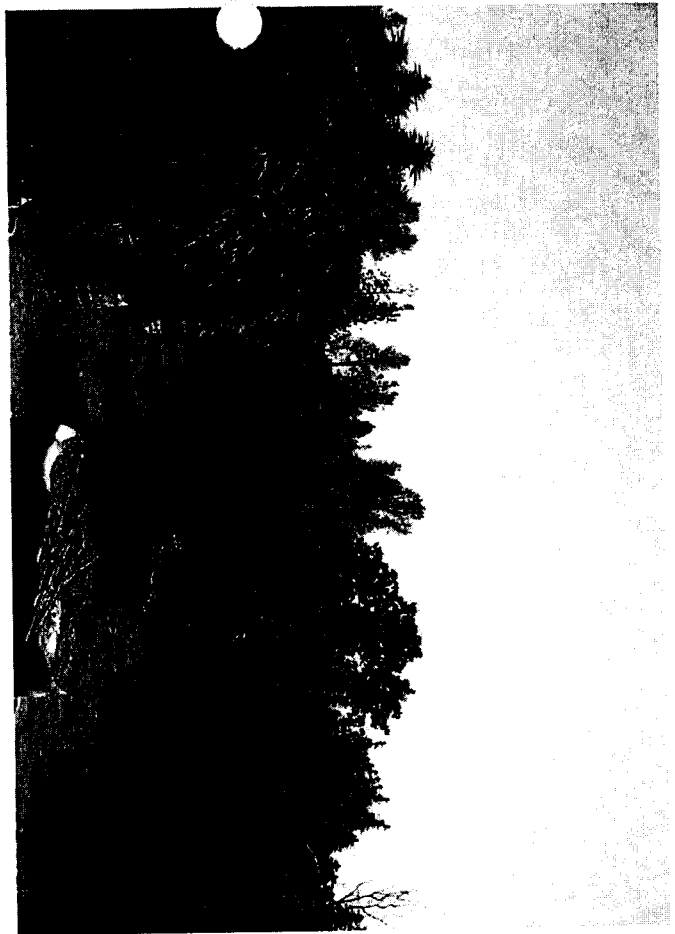
TERMS	DUE DATE
Net 30	10/11/2014

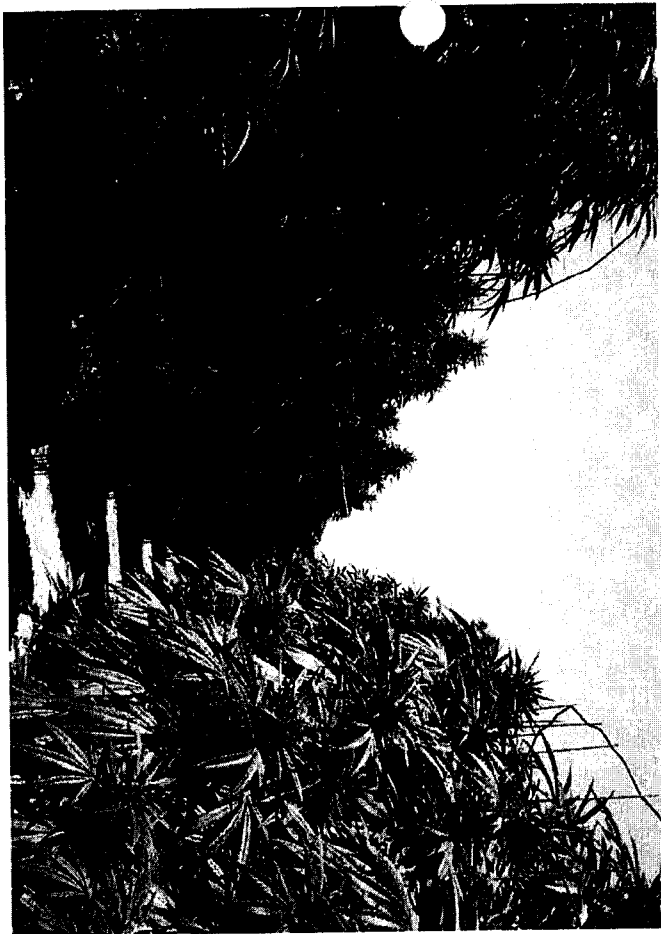
SERVICE DATE	DESCRIPTION OF CHARGES	RATE	HOURS	AMOUNT
7/25/2014	Received Complaint, Opened Case	147.00	0.5	73.50
7/31/2014	Office Visit	147.00	0.5	73.50
9/5/2014	Inspection	147.00		147.00
9/11/2014	Notice & Order to Abate Prep	1,470.00		1,470.00
9/11/2014	Billing Stmt, Notice & Order	0.00		0.00
9/11/2014	CDSA Support Fees	105.84		105.84
<b>Total</b>				<b>\$1,869.84</b>

FAILURE TO MAKE PAYMENT BY THE DUE DATE LISTED ABOVE  
WILL RESULT IN THE FOLLOWING LATE-PAYMENT PENALTIES:

5 - 30 DAYS PAST DUE = 25%  
31 + DAYS PAST DUE = 50%

FORMS OF PAYMENT ACCEPTED: CHECK, MONEY ORDER, CASHIER CHECK, CREDIT & DEBIT CARDS.  
REMIT PAYMENT TO CDSA, ATTENTION: ACCOUNTS RECEIVABLE. (VISA CREDIT CARD NOT ACCEPTED)





# COUNTY OF YUBA

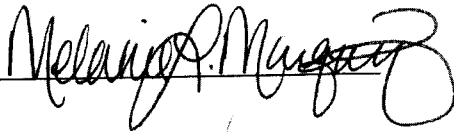
## PROOF OF SERVICE

I served a copy of the foregoing **Notice and Order to Abate** on the following persons by:

- ☒ **Mailing**, postage prepaid, Certified/Return Receipt Requested and First Class Mail to the **property owner(s)**:  
Name: Vanich Lincoln  
Address: P.O. Box 1673, Rough & Ready, CA 95975  
Date of Delivery to Post Office: 09/11/2014  
Registration No.: 7013-1090-0000-2901-2384
- ☐ **Emailing** to the **property owner(s)**:  
Name:  
Email Address:  
Date and Time of Email:
- ☒ **Mailing**, postage prepaid, Certified/Return Receipt Requested and First Class Mail to the **cultivator(s)**:  
Name: Steven Lederman  
Address: P.O. Box 1124, Truckee, CA 96160  
Date of Delivery to Post Office: 09/11/2014  
Registration No.: 7013-1090-0000-2901-2391
- ☐ **Mailing**, postage prepaid, Certified/Return Receipt Requested and First Class Mail to the **attorney(s)**:  
Name:  
Address:  
Date of Delivery to Post Office:  
Registration No.:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on September 11, 2014 at Marysville, California.

Signed



Community Development & Services Agency  
Code Enforcement Division  
Melanie Marquez  
915 8<sup>th</sup> Street, Suite #123  
Marysville CA. 95901  
(530) 749-5455

7013 1090 0000 2901 2384

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

9/11/14 J.J. Notice & Order

Postage	\$	15054 Sun Forest Ct Oregon House
Certified Fee		Postmark Here
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To Vanich Lincoln  
Street, Apt. No., or PO Box No. P.O. Box 1673  
City, State, ZIP+4 Rough & Ready, CA 95962

PS Form 3800, August 2006 See Reverse for Instructions

7013 1090 0000 2901 2391

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

9/11/14 J.J. Notice & Order

Postage	\$	15054 Sun Forest Ct Oregon House
Certified Fee		Postmark Here
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To Steven Lederman  
Street, Apt. No., or PO Box No. P.O. Box 1124  
City, State, ZIP+4 Truckee, CA 96160

PS Form 3800, August 2006 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Vanich Lincoln  
P.O. Box 1673  
Rough & Ready, CA  
95975

2. Article Number

(Transfer from service label)

7013 1090 0000 2901 2384

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Steven Lederman  
P.O. Box 1124  
Truckee, CA 96160

2. Article Number

(Transfer from service label)

7013 1090 0000 2901 2391

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature ☒ Agent ☐ Addressee
- B. Received by (Printed Name) ☒ Date of Delivery 18 Sept 14
- C. Is delivery address different from item 1? ☒ Yes ☐ No
- D. If YES, enter delivery address below:

3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature ☒ Agent ☐ Addressee
- B. Received by (Printed Name) ☒ Date of Delivery 9-15-14
- C. Is delivery address different from item 1? ☐ Yes ☒ No
- D. If YES, enter delivery address below:

3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

# COUNTY OF YUBA

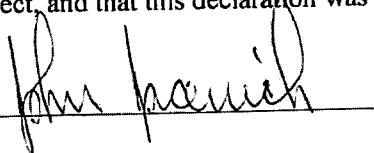
## PROOF OF SERVICE

I served a copy of the foregoing **Notice and Order No. MMJ14-0055** with attachments on the following persons by:

- ☐ Personally **delivering** a copy to:  
Name:  
Address:  
Date:  
Time:
- ☐ **Mailing**, postage prepaid, Certified/Return Receipt Requested to the **property owner**:  
Name:  
Address:  
Date of Delivery to Post Office:  
Registration No.:
- ☐ **Mailing**, postage prepaid, Certified/Return Receipt Requested to the **tenant(s)**:  
Name:  
Address:  
Date of Delivery to Post Office:  
Registration No.:
- ☐ **Mailing**, postage prepaid, Certified/Return Receipt Requested to the **lien holder(s)**:  
Name:  
Address:  
Date of Delivery to Post Office:  
Registration No.:
- ☒ **Posting** a copy of the Notice and Order at:  
Address: 15054 Sun Forest Court, Oregon House, CA 95962  
APN: 060-140-039  
Date and Time of Posting: September 11, 2014 1400 Hours  
Location Posted: Gate to the entrance of the property.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on September 11, 2014 at Marysville, California.

Signed



John Jacenich  
915 8<sup>th</sup> Street, Suite #123  
Marysville CA. 95901  
(530) 749-5455

TO: YUBA COUNTY, CODE ENFORCEMENT OFFICE

DATE: 9/11/14

CC: JOHN JACENICH

RECEIVED

SEP 11 2014

COMMUNITY DEVELOPMENT  
& SERVICES AGENCY


THIS IS A FORMAL REQUEST FOR  
AN ABATEMENT HEARING IN REGARDS  
TO THE NOTICE AND ORDER TO ABATE  
PUBLIC NUISANCE SERVED TO:

STEPHEN LEDERMAN  
P.O. BOX 1124  
TRUCKEE, CA 96160

ON SEPTEMBER 11, 2014. THIS APPLICATION  
IS ACCOMPANIED BY THE \$4,116.00  
DEPOSIT NECESSARY.

I, STEPHEN LEDERMAN, DISAGREE WITH  
THE DETERMINATION THAT A PUBLIC  
NUISANCE EXISTS ON THE PROPERTY AT  
1054 SUNFOREST COURT, OREGON HOUSE, CA 95967.  
APN: 060-140-039, LEGAL DESCRIPTION: L5 YR 8:  
-375.

I, STEPHEN LEDERMAN, INTEND TO RETAIN  
LEGAL COUNSEL AND RESPECTFULLY REQUEST  
ADEQUATE TIME TO DO SO AND PREPARE FOR  
SUCH A HEARING.

  
STEPHEN LEDERMAN



# *The County Of Yuba*

Community Development  
& Services Agency

## CODE ENFORCEMENT

Telephone: (530) 749-5455

Fax: (530) 749-5616



915 8th Street, Suite 123, Marysville, California 95901

September 12, 2014

VANICH LINCOLN  
P.O. BOX 1673  
ROUGH & READY, CA 95975

STEVEN LEDERMAN  
P.O. BOX 1124  
TRUCKEE, CA 96160

**RE: AMENDED NOTICE & ORDER TO ABATE PUBLIC NUISANCE**  
**15054 SUN FOREST COURT, OREGON HOUSE, CA 95962**  
**APN: 060-140-039**

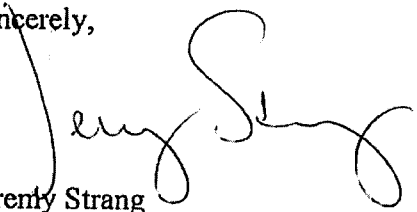
Mr. Lincoln & Mr. Lederman:

This letter serves to inform you that a clerical error regarding the Notice and Order to Abate Public Nuisance (Notice and Order), dated September 11, 2014, was discovered. Therefore please find the enclosed Amended Notice and Order that provides the correct date for compliance. All provisions of the Notice and Order remain in effect.

Your request for appeal has been received and is on file. The request will apply to the Amended Notice and Order so you need not take any additional action.

Lastly, please find the enclosed Notice of Hearing. The matter is scheduled to be heard on September 30, 2014, at 11:00 A.M., before the Yuba County Board of Supervisors.

Sincerely,

  
Jeremy Strang  
Division Manager/  
Deputy Building Official

Encl: Amended Notice and Order to Abate Public Nuisance  
Notice of Hearing  
CC: Posted property

Certified Mail # 7013 1090 0000 2901 2568 & 2575

Attachment D  
Page 1 of 6



# The County Of Yuba

Community Development &  
Services Agency

## CODE ENFORCEMENT

Telephone: (530) 749-5455

Fax: (530) 749-5424



915 8th Street, Suite 123, Marysville, California 95901

### AMENDED NOTICE AND ORDER TO ABATE PUBLIC NUISANCE

MMJ14-0055

VANICH LINCOLN  
P.O. BOX 1673  
ROUGH & READY, CA 95975

STEVEN LEDERMAN  
P.O. BOX 1124  
TRUCKEE, CA 96160

RE: 15054 SUN FOREST COURT, OREGON HOUSE, CA 95962  
APN: 060-140-039  
LEGAL DESCRIPTION: L-5 TR-84-375

**PLEASE TAKE NOTICE:** that the use and condition of the subject property has been determined by Yuba County Code Enforcement to violate the Yuba County Ordinance Code and is therefore declared a public nuisance. The conditions that create a public nuisance on said property are as follows:

1. **Yuba County Code § 7.36.310(a)(1)** *Anything which is injurious to health, poses a significant potential to cause economic and/or physical injury or damage to persons or property, or constitutes a significant detriment to the prevention or suppression of fire, or significantly interferes with the provision of emergency services to the public, to wit:*
  - A. Cultivating marijuana in violation of the provisions set forth in Chapter 7.40 of the Yuba County Ordinance Code.
  - B. Utilizing accessory uses without first establishing a primary use.
2. **Yuba County Code § 7.36.310(a)(5)** *The maintenance or use of any real property in violation of any provision of the Yuba County Ordinance Code, State law or federal law, to wit:*
  - A. Cultivating marijuana on a parcel of at least five (5) acres but not greater than twenty (20) acres in size in violation of Yuba County Ordinance Code Chapter 7.40 including but not limited to, the following violations:
    - A.1. Cultivating marijuana on a parcel that does not have an occupied, legally established residence.
    - A.2. Mature plants in excess of 36 plants.

- B. Conducting activities on a site which are not permitted uses in the Agricultural/Rural Residential Zone in violation of Yuba County Ordinance Code Chapter 12.01 et seq.; as described in 1.B. above.
3. Yuba County Code § 7.36.310(a)(10) *Anything which is indecent offensive to the senses, or an obstruction to the free use of property, so as to unreasonably interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, river, bay, stream, canal, or basin, or of any public park, square, street or highway, and which at the same time affects an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals and/ or property may be unequal.*

**YOU ARE HEREBY ORDERED** to correct or remove all violations from subject property on or before September 15, 2014. Administrative Penalties in the amount of **\$6,200.00** per day pursuant to Yuba County Code § 7.40.440 (d) have begun to accrue and will continue to accrue until the date compliance with the Order has been met and verified by the Enforcing Officer.

**If you disagree with the determination that a public nuisance exists on the subject property, you have the right to a hearing to show cause, if any, why the use of said real property should not be found to be a public nuisance and abated pursuant to the Yuba County Code. You may request a hearing by filing a written request for a hearing with the Yuba County Code Enforcement office, whose address appears above, within 10 calendar days of the date of this Notice. A \$4,116.00 deposit, pursuant to Yuba County Ordinance Code § 13.20.500, shall accompany the written request. Even if you do not request a hearing with respect to the existence of a public nuisance, you may contest the Administrative Penalties by filing a written request for a hearing solely to contest the imposition of the Administrative Penalties.**

If you do not request a hearing and fail to comply with the time requirements set forth, the County will abate the nuisance. If you request a hearing, and after such hearing a public nuisance is found to exist, you shall abate said violations as set forth in the Findings of Fact, Conclusions of Law, and Orders. Furthermore if the County abates the nuisance, you will be responsible for the actual costs of the abatement, and the Administrative Penalties, if any, which shall be paid within thirty (30) days from the date of the demand for payment. The "cost of abating a violation" shall include, but not be limited to, the county's attorneys' fees, the cost of the administrative hearing, the cost of prior time and expenses associated with bringing the matter to hearing, the cost associated with any appeals from the decision of the administrative hearing, the cost of judicially abating the violation, the cost of men and material necessary to physically abate the violation, and the cost of securing expert and other witnesses.

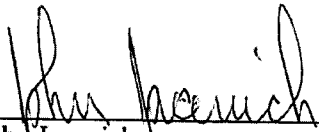
If such abatement costs are not paid within thirty (30) days of the date of the demand for payment therefore, such costs will become a lien against the subject property and will also be specially assessed against the property in the same manner as taxes. The abatement lien shall be recorded and shall have the same force and effect as an abstract of judgment, which is recorded as a money judgment obtained in a court of law. Special assessments have the same priority, for collection purposes, as other County taxes; and, if not paid, may result in a forced sale of your property.

If there is a hearing, and subject property is found to be in violation of any or all of the provisions stated above, the County will contend that you are bound by such finding at any subsequent and relative judicial action. If you fail to request a hearing, or appear at the hearing and fail to raise any defense or assert any relevant point at the time of hearing, the County will assert, in later judicial proceedings to enforce an order of abatement, that you have waived all rights to assert such defenses or such points.

**IMPORTANT: READ THIS NOTICE CAREFULLY. FAILURE TO RESPOND WITHIN THE TIME SET FORTH IN THIS NOTICE WILL LIKELY RESULT IN ADMINISTRATIVE AND/OR JUDICIAL ABATEMENT AND TERMINATION OF USES OF, OR CONDITIONS ON YOUR PROPERTY WHICH THE ENFORCEMENT OFFICIAL CONTENDS ARE IN VIOLATION OF THE YUBA COUNTY ORDINANCE CODE.**

**CERTIFIED MAIL: 7013 1090 0000 2901 2575 & 2568**

**DATED: SEPTEMBER 12, 2014**

  
\_\_\_\_\_  
John Jacenich  
Code Enforcement Officer



# The County Of Yuba

Community Development &  
Services Agency

## CODE ENFORCEMENT

Telephone: (530) 749-5455

Fax: (530) 749-5434



915 8<sup>th</sup> Street, Suite 123, Marysville, California 95901

## NOTICE OF HEARING

MMJ14-0055

VANICH LINCOLN  
P.O. BOX 1673  
ROUGH & READY, CA 95975

STEVEN LEDERMAN  
P.O. BOX 1124  
TRUCKEE, CA 96160

YOU ARE HEREBY NOTIFIED to appear before the Yuba County Board of Supervisors at 915 8<sup>th</sup> Street, Marysville, California, in the Board of Supervisors Chambers, on September 30, 2014, at the hour of 11:00 a.m., or as soon thereafter as the matter may be heard, to show cause, if any there may be, why the use of the property should not be considered to be a Public Nuisance and why the Administrative Penalty, pursuant to the Notice and Order to Abate Public Nuisance, dated September 12, 2014, should not be assessed.

If you fail to appear at the hearing or if you fail to raise any defense or assert any relevant points at the hearing, the County will assert that you have waived all rights to assert such defenses or rights.

At the hearing, you may present evidence and witnesses in your behalf and you may examine any witnesses who present evidence. You may appear personally or have a representative appear at the hearing in your behalf.

Dated: September 12, 2014

Certified Mail # 7013 1090 0000 2901 2568 & 2575

ENFORCEMENT OFFICIAL FOR THE  
COUNTY OF YUBA

BY:

Jeremy Strang

Attachment: REQUEST FOR HEARING, dated 9/11/2014

TO: YUBA COUNTY CODE ENFORCEMENT OFFICE

DATE: 9/11/14

CC: JOHN JACENICH

RECEIVED

SEP 11 2014

COMMUNITY DEVELOPMENT  
& SERVICES AGENCY


THIS IS A FORMAL REQUEST FOR  
AN ABATEMENT HEARING IN REGARDS  
TO THE NOTICE AND ORDER TO ABATE  
PUBLIC NUISANCE SERVED TO:

STEPHEN LEDERMAN  
P.O. BOX 1124  
TRUCKEE, CA 96160

ON SEPTEMBER 11, 2014. THIS APPLICATION  
IS ACCOMPANIED BY THE \$4,116.00  
DEPOSIT NECESSARY.

I, STEPHEN LEDERMAN, DISAGREE WITH  
THE DETERMINATION THAT A PUBLIC  
NUISANCE EXISTS ON THE PROPERTY AT  
1054 SUNFOREST COURT, OREGON HOUSE, CA 95967.  
APN: 060-140-039, LEGAL DESCRIPTION: L-5 YR-8:  
-375.

I, STEPHEN LEDERMAN, INTEND TO RETAIN  
LEGAL COUNSEL AND RESPECTFULLY REQUEST  
ADEQUATE TIME TO DO SO AND PREPARE FOR  
SUCH A HEARING.

  
STEPHEN LEDERMAN

# COUNTY OF YUBA

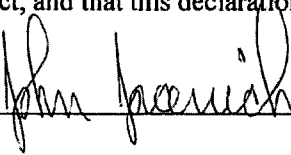
## PROOF OF SERVICE

I served a copy of the foregoing **Cover Letter for Amended Order; Amended Notice and Order to Abate Public Nuisance and Notice of Hearing (MMJ14-0055)** on the following persons by:

- ☐ Personally **delivering** a copy to:  
Name:  
Address:  
Date:  
Time:
- ☐ **Mailing**, postage prepaid, Certified/Return Receipt Requested & First Class Mail to the **property owner**:  
Name:  
Address:  
Date of Delivery to Post Office:  
Registration No.:
- ☐ **Mailing**, postage prepaid, Certified/Return Receipt Requested and First Class Mail to the **tenant(s)**:  
Name:  
Address:  
Date of Delivery to Post Office:  
Registration No.:
- ☒ **Posting** a copy of the Cover letter for Amended Order; Amended Notice and Order to Abate Public Nuisance and Notice of Hearing at:  
Address: 15054 Sun Forest Court, Oregon House, CA 95962  
APN: 060-140-039  
Date and Time of Posting: September 12, 2014 1440 Hours  
Location Posted: Gate at entrance of the property.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on September 12, 2014 at Marysville, California.

Signed



Community Development & Services Agency  
Code Enforcement Division  
John Jacenich  
915 8<sup>th</sup> Street, Suite #133  
Marysville CA. 95901  
(530) 749-5455

7013 1090 0000 2901 2575

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

9/12/14 J.J. Amended N4D, Notice of Hearing-15054  
 Sun Forest Ct, Oregon House  
 Postmark Here

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Sent To Steven Lederman  
 Street, Apt. No., or PO Box No. P.O. Box 1124  
 City, State, ZIP+4 Truckee, CA 96160  
 PS Form 3800, August 2006 See Reverse for Instructions

7013 1090 0000 2901 2568

**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

9/12/14 J.J. Amended N4D, Notice of Hearing-15054  
 Sun Forest Ct, Oregon House  
 Postmark Here

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Sent To Vanich Lincoln  
 Street, Apt. No., or PO Box No. P.O. Box 1673  
 City, State, ZIP+4 Rough & Ready, CA 95975  
 PS Form 3800, August 2006 See Reverse for Instructions

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Addressee  
 B. Received by (Printed Name) C. Date of Delivery 9-15-14  
 D. Is delivery address different from item 1? ☐ Yes ☒ No  
 If YES, enter delivery address below:

3. Service Type ☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.  
 4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

Article Number 7013 1090 0000 2901 2575  
 (Transfer from service label)  
 PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:  
 Steven Lederman  
 P.O. Box 1124  
 Truckee, CA 96160

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Addressee  
 B. Received by (Printed Name) C. Date of Delivery 18 Sept 14  
 D. Is delivery address different from item 1? ☐ Yes ☐ No  
 If YES, enter delivery address below:

3. Service Type ☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.  
 4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

Article Number 7013 1090 0000 2901 2568  
 (Transfer from service label)  
 PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:  
 Vanich Lincoln  
 P.O. Box 1673  
 Rough & Ready, CA 95975

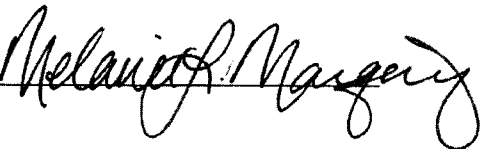
# COUNTY OF YUBA

## PROOF OF SERVICE

I served a copy of the foregoing **Cover Letter for Amended Order; Amended Notice and Order to Abate Public Nuisance; and Notice of Hearing (MMJ14-0055)** on the following persons by:

- ☐ Personally delivering a copy to:  
Name:  
Address:  
Date:  
Time:
- ☒ **Mailing**, postage prepaid, Certified/Return Receipt Requested and First Class Mail to the **property owner**:  
Name: Vanich Lincoln  
Address: P.O. Box 1673, Rough & Ready, CA 95975  
Date of Delivery to Post Office: 9/12/2014  
Registration No.: 7013-1090-0000-2901-2568
- ☒ **Mailing**, postage prepaid, Certified/Return Receipt Requested and First Class Mail to the **cultivator(s)**:  
Name: Steven Lederman  
Address: P.O. Box 1124, Truckee, CA 96160  
Date of Delivery to Post Office: 9/12/2014  
Registration No.: 7013-1090-0000-2901-2575
- ☐ **Mailing**, postage prepaid, Certified/Return Receipt Requested and First Class Mail to the **attorney(s)**:  
Name:  
Address:  
Date of Delivery to Post Office:  
Registration No.:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on September 12, 2014 at Marysville, California.

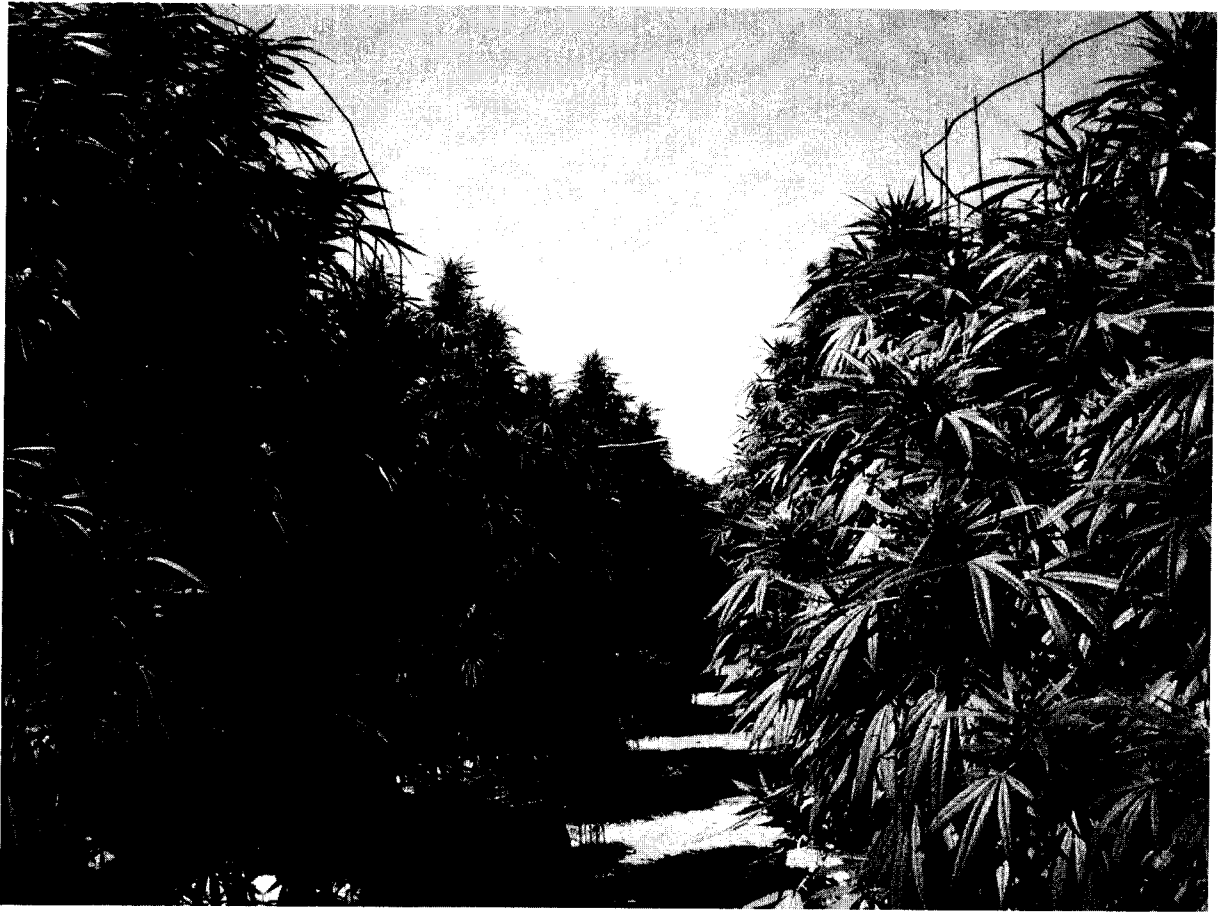
Signed 

Community Development & Services Agency  
Code Enforcement Division  
Melanie Marquez  
915 8<sup>th</sup> Street, Suite #123  
Marysville CA. 95901  
(530) 749-5455











## YUBA COUNTY CODE ENFORCEMENT COST ACCOUNTING

Date: September 30, 2014

Case #: MMJ14-0055

APN: 060-14-039

Owner: Vanich Lincoln Trustee, et al

Situs: 1551 Sun Forest Court

Date	Reason for Charge	Hours	Total
7/25/14	Received Complaint, Opened Case; INV# 610	0.5	\$147.00
7/31/14	Office Visit; INV# 610	0.5	\$147.00
9/5/14	Inspection; INV# 610	1.0	\$147.00
9/11/14	Notice & Order To Abate; INV# 610	FEE	\$1470.00
9/11/14	Support Fee; INV# 610	6% FEE	\$105.84
9/11/14	Administrative Penalty (9/11/14-9/11/14) \$6,200.00 per day or portion thereof (7.40.440b)		\$6,200.00
9/11/14	Received request for Appeal	N/C	\$0.00
9/11/14	Hearing Deposit Received		(\$4116.00)
9/12/14	Amended Order; Notice of Hearing	N/C	\$0.00
9/19/14	Request for continuance	N/C	\$0.00
9/18/14	Hearing Prep	3.0	\$441.00
9/22/14	Hearing Prep	6.0	\$882.00
9/23/14	Hearing Prep	4.5	661.50
	TOTAL:		\$6,085.34