



TEHAMA COUNTY CODE ENFORCEMENT
UNLAWFUL MARIJUANA CULTIVATION ORDINANCE
(Tehama County Code Chapter 9.06)

NOTICE OF COSTS AND/OR ADMINISTRATIVE PENALTY DUE

DATE OF NOTICE: 9/29/2023

Property Owner Name and Last Known Address: Occupant:

**Norma D. Ordon, Ponce John Ordon &
Efren Santos
12202 Baird Way
Riverside, CA 92505**

Site Address:
16060 Oakridge Rd., RTR

Assessor's Parcel Number:
062-300-030

Enforcing Officer:
C. Weston

Inspection Date:
6/5/2023

You are receiving this letter because you are either the owner, occupant, tenant, or a person who caused, permitted, maintained, conducted, suffered, or allowed the unlawful marijuana cultivation to exist on the Premises.

A "Notice of Violation and Proposed Administrative Penalty, Notice to Abate Unlawful Marijuana Cultivation, and Administrative Order to Show Cause" ("Notice") was posted at the Premises and mailed to you. The Notice stated the unlawful marijuana cultivation must be abated, otherwise an administrative penalty would begin to accrue against you. The enforcing officer re-inspected the Premises and determined you did not lawfully abate and/or did not provide evidence of lawful disposal or relocate, as per Tehama County Code 9.06.100, of the unlawful marijuana. An Administrative Hearing was held and the Administrative Hearing Officer issued her Decision. A copy of the Decision of the Administrative Hearing Officer was previously sent to you.

A daily administrative penalty as indicated on the enclosed invoice has accrued. **YOU ARE LIABLE FOR PAYING THE TOTAL DAILY ADMINISTRATIVE PENALTY** accrued against you. Interest continues to accrue on this obligation, as of the date of the Administrative Hearing Officer's Decision, until satisfied in full, pursuant to the laws applicable to civil judgments.

THE AMOUNT(S) INDICATED ON THE ENCLOSED INVOICE IS DUE AND PAYABLE IMMEDIATELY TO TEHAMA COUNTY:

If each obligation owing is not satisfied in full within **ninety (90) days** and/or has not been successfully challenged by a timely writ of mandate, pursuant to Code of Civil Procedure section 1094.5, or appeal, pursuant to Government Code section 53069.4, subdivision (b), the obligation may constitute a lien against the Premises.

Please make your payment via certified funds, i.e., cash or cashier's check, payable to Tehama County Department of Environmental Health. **Personal checks will not be accepted.**

Sincerely,

Margarita Garcia
Code Compliance Coordinator

9/29/2023

Date of Service of Notice

Tehama County Environmental Health Department
633 Washington Street, Room 36
Red Bluff, CA 96080
530-527-8020



Code Enforcement Account Invoice

TO: NORMA D. ORDONA, PONCE JOHN ORDONA &
EFREN SANTOS
12202 BAIRD WAY
RIVERSIDE, CA 92505

Account ID

AR0003121

Date

9/29/2023

Invoice ID

IN0011051

Invoice Total Due:

\$ 30,000.00

PAYMENT DUE IMMEDIATELY

You received this invoice because you were either the property owner, occupant or a person who caused, permitted, suffers or maintained, conducted, or otherwise suffered or allowed the violation to exist.

APN: 062-300-030

Site Location: 16060 OAKRIDGE RD. CORNING (RTR)

Date	Program/ Element	Description	Amount
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Invoice #IN0011051

--- Date of Invoice : 8/22/2023

08/22/23	8115	UNLAWFUL MARIJUANA ADMINISTRATIVE PENALTIES	\$ 30,000.00
Penalties due for unlawful marijuana cultivation. \$1,000.00 per day starting 7/10/23 through 8/8/23 30 days at \$1,000.00			

Total Due for This Invoice: \$ 30,000.00

Please make payments to Tehama County Environmental Health Code Enforcement
633 Washington Street, Room 36, Red Bluff, CA 96080 in the form of a cashier's
check or money order, no personal checks.

Interest shall accrue on any amounts due from the effective date until the date paid
pursuant to the laws applicable to civil judgments.



**TEHAMA COUNTY ENVIRONMENTAL HEALTH
CODE ENFORCEMENT**

633 Washington St., Room 36
Red Bluff, CA. 96080
Phone: (530) 527-8020
FAX: (530) 527-6617
e-mail: lgarcia@co.tehama.ca.us

APPLICANT INFORMATION:

Name: _____

Address: _____

Phone Number: _____

Email Address: _____

An Administrative Penalty in the amount of \$_____ was imposed for maintaining a public nuisance in the form of unlawful marijuana upon the following Premises: _____

I am applying for: Payment Plan Agreement **OR** Compromise Agreement

This is only an application, a compromise agreement will need to be signed in order for the reduced amount to be effective.

If a compromise (reduction) is approved, you will only have 30 days to pay the reduced amount once the agreement has been received in our office.

If not paid in 30 days, the balance will revert back to the full amount.

My proposed agreement and reasons therefore are listed below:

Signature of Applicant

Date



Decision of Administrative Hearing Officer
UNLAWFUL MARIJUANA CULTIVATION ORDINANCE
(Tehama County Code Chapter 9.06)

ADMINISTRATIVE HEARING ON THE NOTICE OF VIOLATION
AND PROPOSED ADMINISTRATIVE PENALTIES: EHCE 23-30
DATE OF DECISION: 9/27/2023

Property Owner Name and Last Known Address:
Norma D. Ordon & Ponce John Ordon &
Efren Santos
12202 Baird Way
Riverside, CA 92505

Occupants:
all occupants at this address

Site Address:
16060 Oakridge Rd., Corning, RTR

Assessor's Parcel Number:
062-300-030

REGARDING the alleged violation(s) of the Tehama County Code ("TCC") as described below:

Any unlawful cultivation of marijuana. (TCC §9.06.035.)

The 7/12/2023 hearing on the Notice of Violation and Proposed Administrative Penalty ("NOV") was continued to 9/27/2023 in Department 4 of the Old Courthouse located on the second floor at 633 Washington Street, the Honorable Lynn M. Cottier presiding. At the continued hearing, the following person(s) appeared:

- checkbox N/A
checkbox
checkbox
checkbox Parties not appearing at the continued hearing have failed to exhaust their administrative remedies; and

After examining the evidence presented at the hearing and considering the arguments, I find the following:

The notice of the continued hearing is

- checkbox proper; and
checkbox not proper; and

I hereby find, based on the evidence presented at this continued hearing, the alleged violation(s):

- checkbox Was considered abated by the Enforcing Officer on
checkbox Was voluntarily abated on and no longer exists on the Premises; and
checkbox Continued to exist on the Premises pursuant to TCC § 9.06.100; and
checkbox Other

I hereby find that the proposed daily administrative penalty and/or abatement costs set forth in the NOV is:

- checkbox Imposed in the amount stated in the NOV for a total of \$ 30,000.
checkbox Modified to be: for a total of \$
checkbox Disapproved to be \$NONE.

These findings are supported by the following evidence presented at this continued hearing:

- checkbox The Report and Accounting of the Enforcing Officer ("Invoice"); and
checkbox Statements from the Enforcing Officer attesting that:
checkbox The information contained in the Report is true and accurate; and
checkbox Other:
checkbox Other evidence submitted at this Hearing by:
checkbox Enforcing Officer: Clint Weston



Decision of Administrative Hearing Officer
UNLAWFUL MARIJUANA CULTIVATION ORDINANCE
(Tehama County Code Chapter 9.06)

**ADMINISTRATIVE HEARING ON THE NOTICE OF VIOLATION
AND PROPOSED ADMINISTRATIVE PENALTIES: EHCE 23-30
DATE OF DECISION: 9/27/2023**

Other: _____; and

NOW, THEREFORE, as the Hearing Officer for the County of Tehama and based upon the record before me, issue the following orders:

The amount of administrative penalty or administrative costs and/or costs of abatement or costs pursuant to TCC §§ 9.06.090, as set forth above, shall be final and conclusive. Payment shall be due WITHIN 20 CALENDAR DAYS AFTER SERVICE OF THIS DECISION.

Other: _____.

NOTICE IS HEREBY GIVEN. This Decision may be challenged pursuant to Code of Civil Procedure §§ 1094.5 and 1094.6. A writ of mandate must be filed within **90 days** of the service of this Decision. A decision imposing any administrative penalty may be challenged pursuant to Government Code ("GC") § 53069.

ATTENTION!

YOU WILL BE REQUIRED TO PAY THE COST OF ANY ABATEMENT RESULTING FROM THIS DECISION, INCLUDING COST OF ADMINISTRATION, WITHIN 90 CALENDAR DAYS AFTER THE HEARING OFFICER HAS APPROVED OR MODIFIED THE ACCOUNTING OF THE ENFORCING OFFICER. THE BOARD OF SUPERVISORS MAY SPECIALLY ASSESS SAID COSTS ON THE COUNTY TAX ROLL AND AUTHORIZE RECORDATION OF A NOTICE OF ABATEMENT LIEN AGAINST THE PREMISES. (GC § 25845.)

YOU ARE REQUIRED TO PAY ANY ADMINISTRATIVE PENALTY IMPOSED OR MODIFIED WITHIN 20 CALENDAR DAYS AFTER THIS DECISION IS SERVED. (TCC § 9.06.165) THE BOARD OF SUPERVISORS MAY AUTHORIZE RECORDATION OF A NOTICE OF ADMINISTRATIVE PENALTY LIEN AGAINST THE PREMISES. (GC § 53069.4.)

9-27-23

Date of Decision

Lynn M. Cottier

Lynn M. Cottier
Tehama County Administrative Hearing Officer

Tehama County Environmental Health Department
 333 Washington Street, Room 36
 Red Bluff, CA 96080
 530-527-8020



Code Enforcement Account Invoice

Account ID	Date
AR0003121	8/22/2023
Invoice ID	Invoice Total Due:
IN0011051	\$ 30,000.00

TO: NORMA D. ORDONA, PONCE JOHN ORDONA &
 EFREN SANTOS
 12202 BAIRD WAY
 RIVERSIDE, CA 92505

PAYMENT DUE IMMEDIATELY

You received this invoice because you were either the property owner, occupant or a person who caused, permitted, suffers or maintained, conducted, or otherwise suffered or allowed the violation to exist.

APN: 062-300-030

Site Location: 16060 OAKRIDGE RD. CORNING (RTR)

	Date	Program/ Element	Description	Amount
Invoice #IN0011051				
	--- Date of Invoice : 8/22/2023			
	08/22/23	8115	UNLAWFUL MARIJUANA ADMINISTRATIVE PENALTIES	\$ 30,000.00
	Penalties due for unlawful marijuana cultivation. \$1,000.00 per day starting 7/10/23 through 8/8/23 30 days at \$1,000.00			
Total Due for This Invoice:				\$ 30,000.00

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 633 Washington Street, Room 36, Red Bluff, CA 96080 in the form of a cashier's
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 pursuant to the laws applicable to civil judgments.

TEHAMA COUNTY CODE ENFORCEMENT



633 Washington St., Room 36
Red Bluff, CA. 96080
Phone: (530) 527-8020
FAX: (530) 527-6617

August 23, 2023

Property Owner: Norma D. Ordoná, Ponce John Ordoná Occupant:
& Efren Santos
12202 Baird Way
Riverside, CA 92505

Site Address: 16060 Oakridge Rd., Corning, RTR
APN: 062-300-030

Dear Norma D. Ordoná, Ponce John Ordoná & Efren Santos,

Enclosed is a copy of your invoice to review. A hearing is scheduled to review the Administrative Penalties and/or Abatement Costs for the Unlawful Marijuana Cultivation violation for the above referenced property.

Penalty Hearing Scheduled:

Date: 9/27/2023

Time: 8:00 am

Address: 633 Washington St., 2nd Floor, Dept. 4, Red Bluff, CA

If you require an interpreter, you are responsible for providing one for yourself

Sincerely,

A handwritten signature in black ink, appearing to read "Margarita Garcia". The signature is fluid and cursive.

Margarita Garcia
Code Compliance Coordinator

RESOLUTION NO. 23-16
EHCE: CE23-30

A RESOLUTION OF THE HEARING OFFICER OF THE COUNTY OF TEHAMA MAKING DETERMINATION AND RECOMMENDING THE DECISION THAT THE ADMINISTRATIVE PENALTY BE ENFORCED AS A LIENS AGAINST THE AFFECTED PROPERTY AND NOTICE OF ADMINISTRATIVE PENALTY LIEN BE RECORDED, PURSUANT TO CHAPTER 9.06 OF THE TEHAMA COUNTY CODE, GOVERNMENT CODE SECTION 25845, AND GOVERNMENT CODE SECTION 53069.4 RESPECTIVELY.

WHEREAS, in accordance with the procedures set forth in Chapter 9.06 of the Tehama County Code, unlawful marijuana cultivation occurring on **16060 Oakridge Rd., Corning, RTR** was determined to constitute a public nuisance and was ordered to be abated; and

WHEREAS, the nuisance was not abated as ordered by 7/9/2023; and

WHEREAS, the County is also authorized to impose a daily administrative penalty through the process set forth in Section 9.06.165 of the Tehama County Code and Government Code section 53069.4; and

WHEREAS, pursuant to Section 9.06.165, administrative penalties have been imposed for unlawful marijuana cultivation occurring on the property, the total of which is \$30,000.00 and that determination has become final and conclusive; and

WHEREAS, the County made a demand upon the property owner for \$30,000.00 to pay the County for the amount of administrative penalty at least ninety (90) days prior to a decision by the hearing officer to impose the administrative penalty as a lien; and

WHEREAS, the County has not received payment in full for the administrative penalty from the property owner, and no timely appeal was filed with the Superior Court; and

WHEREAS, the property owner has been given notice of the hearing conducted by the hearing officer and provided an opportunity to be heard in regard to the administrative penalty;

WHEREAS, the Hearing Officer is authorized to prepare a recommended decision and resolution for board approval for administrative penalty; and

NOW THEREFORE BE IT RESOLVED, that the report of the enforcing officer, attached hereto as Attachment "A-1", with any modifications directed by the Hearing Officer, is hereby confirmed and approved.

BE IT FURTHER RESOLVED, that the Hearing Officer hereby finds, based upon all of the evidence in the record, that the owners of the property described in Attachment "A-1" had actual knowledge of the unlawful marijuana cultivation, or could

have acquired such knowledge through the exercise of reasonable diligence. Such evidence includes, but is not limited to, the fact that each owner was provided with written notice of the unlawful cultivation and given the opportunity to remove the marijuana themselves prior to abatement by the County.

BE IT FURTHER RESOLVED, that the Hearing Officer recommends that the Board of Supervisors authorizes and directs the Enforcement Officer to record a Notice of Administrative Penalty Lien against the property for the amounts stated in Attachment "A-1", with any modifications directed by the Hearing Officer, in substantially the form attached hereto as Attachment "B-1" respectively

BE IT FURTHER RESOLVED, The Clerk of the Administrative Hearing Officer shall promptly transmit this Recommended Decision ("Recommendation") to the Tehama County Board of Supervisors to adopt without further notice of hearing, or to set for de novo hearing. The Board of Supervisors' Decision shall be final and conclusive.

The foregoing resolution was offered by the Administrative Hearing Officer, Lynn Cottier.

Lynn M. Cottier
Administrative Hearing Officer, Lynn Cottier

9-27-23
Date

STATE OF CALIFORNIA)
) ss
COUNTY OF TEHAMA)

I, Margarita Garcia, Code Compliance Coordinator for the Tehama County Environmental Health Code Enforcement and Clerk and ex-officio Clerk of the Administrative Hearing Officer 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 Administrative Hearing Officer on the 27th day of September, 2023.

DATED: This 27th day of September, 2023.

Margarita Garcia, Code Compliance Coordinator for the Tehama County Environmental Health Code Enforcement and Clerk and ex-officio Clerk of the Administrative Hearing Officer of the County of Tehama, State of California,

By Margarita Garcia

Tehama County Environmental Health Department
633 Washington Street, Room 36
Red Bluff, CA 96080
530-527-8020

ATTACHMENT A



Code Enforcement Account Invoice

TO: NORMA D. ORDONA, PONCE JOHN ORDONA &
EFREN SANTOS
12202 BAIRD WAY
RIVERSIDE, CA 92505

Account ID	Date
AR0003121	8/22/2023
Invoice ID	Invoice Total Due:
IN0011051	\$ 30,000.00

PAYMENT DUE IMMEDIATELY

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APN: 062-300-030

Site Location: 16060 OAKRIDGE RD. CORNING (RTR)

Date	Program/ Element	Description	Amount
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Invoice #IN0011051

— Date of Invoice : 8/22/2023

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pursuant to the laws applicable to civil judgments.

ATTACHMENT B

Recording requested by and mail to:

Tehama County Department of
Environmental Health,
Code Enforcement
633 Washington St., Room 36
Red Bluff, CA 96080

NOTICE OF ADMINISTRATIVE PENALTY LIEN

Property Owner Name and Last Known Address:

XXXX
XXXX
XXXX

Site Address:

XXXX
XXXX
XXXX

Assessor's Parcel Number

#####

Date Penalty Began Accruing:

MM/DD/YYYY

Date Penalty Stopped Accruing:

MM/DD/YYYY

WHEREAS, Exhibit "A" attached hereto and incorporated herein is a legal description of the subject property ("Premises").

WHEREAS, in accordance with the procedures set forth in Choose an item. occurring on the Premises was determined to constitute a public nuisance, and an administrative penalty was imposed in the amount of \$#### per day.

WHEREAS, an administrative penalty accrued between MM/DD/YYYY and MM/DD/YYYY.

WHEREAS, on MM/DD/YYYY the County of Tehama made a demand that the administrative penalty in the sum of \$##### be paid immediately by MM/DD/YYYY. The amount paid toward the total sum to date is: \$####.

WHEREAS, on MM/DD/YYYY, the Tehama County Board of Supervisors adopted Resolution No. ##### ordering that the penalty be enforced against the Premises and further ordering recordation of this Notice of Administrative Penalty Lien against the Premises, pursuant to Choose an item. of the Tehama County Code and Government Code section 53069.4.

WHEREAS, the County of Tehama does hereby claim an Administrative Penalty Lien in the sum of \$#### plus interest and other costs which may hereafter become due. The same shall be a lien upon the Premises until the same has been paid in full and released of record.

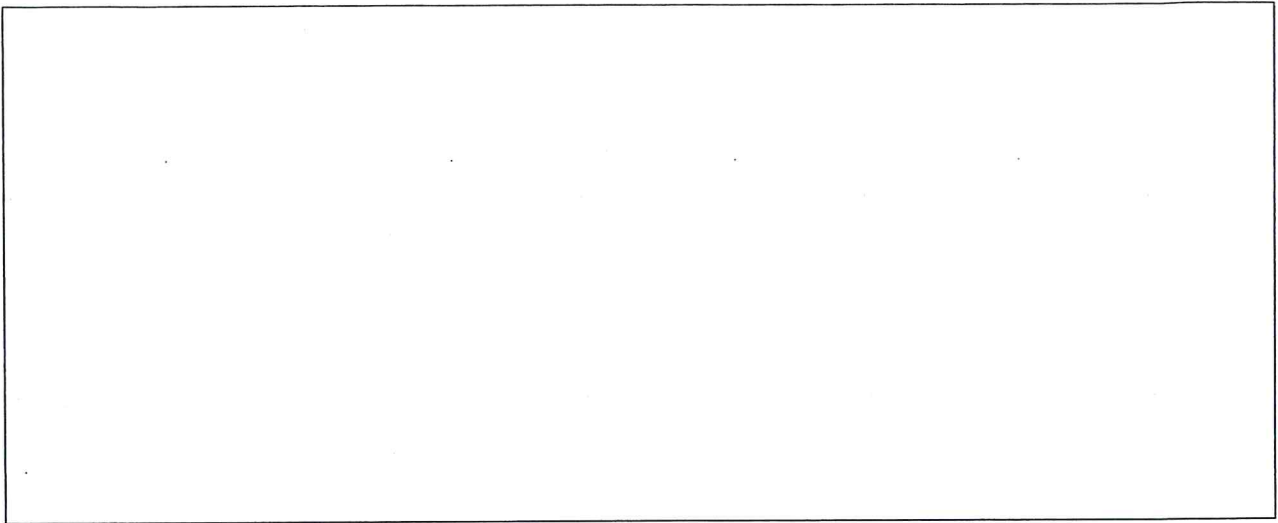
NOW THEREFORE be it known that an Administrative Penalty Lien exists on the Premises and all other real property located in Tehama County and owned by Property Owner Name.

NOTICE IS HEREBY GIVEN.

Date of Notice

Tia Branton, Director

EXHIBIT "A" - Legal Description of Premises



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Tehama

On MM/DD/YYYY, before me, _____, the undersigned, a Notary Public in and for the State of California, personally appeared (NAME OF INDIVIDUAL SIGNING NOTICE OF ADMINISTRATIVE PENALTY LIEN) who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to be within instrument and acknowledged to me that (s)he executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

I certify under Penalty of Perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public in and for the State of California (Seal)

PROOF OF SERVICE

I, Margarita Garcia, declare:

1. I am over age 18, not a party to this action, and am employed in Tehama County, California at the Department of Environmental Health - Code Enforcement; my business address is 633 Washington Street, Room 36, Red Bluff, CA, 96080.

2. On September 29 2023, I served the following documents:

- Copy of this Proof of Service
- Decision of Hearing Officer regarding penalties and/or costs
- Invoice
- Notice of Costs and/or Administrative Penalties Due
- Notice of Pending Nuisance Abatement Proceeding
- Payment Plan/Compromise Application
- Resolution CE23 - 16

3. I served the documents on the following person(s):

- | | | |
|-------------------------------------|--|---|
| <input checked="" type="checkbox"/> | <u>Norma D. Ordonez, Ponce John Ordonat</u>
<u>Efren Santos</u> | <u>12202 Baird Way, Riverside, CA</u>
<u>92505</u> |
| | NAME | ADDRESS |
| <input type="checkbox"/> | _____ | _____ |
| | NAME | ADDRESS |
| <input type="checkbox"/> | _____ | _____ |
| | NAME | ADDRESS |

4. The documents were served by the following means, by:

- Personal service.** I personally delivered the documents to the person(s) listed in item 3. Delivery was made to:
 - Party's Attorney: _____
 - Party: _____
- United States mail.** I enclosed the documents in a sealed envelope addressed to the person(s) at the addresses listed in item 3, and deposited the sealed envelope with the United States Postal Service, with postage fully prepaid, at Red Bluff, CA 96080.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at Red Bluff, this September 29, 2023, at 4:30pm.

Margarita Garcia
NAME OF DECLARANT

Margarita Garcia
SIGNATURE OF DECLARANT