

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF TEHAMA MAKING THE DETERMINATION AND ORDERING THAT THE AMOUNT OF ADMINISTRATIVE PENALTY RELATING TO THE PUBLIC NUISANCE BE ENFORCED AS A LIEN AGAINST THE AFFECTED PROPERTY AND FURTHER ORDERING RECORDATION OF NOTICE OF ADMINISTRATIVE PENALTY LIEN, PURSUANT TO CHAPTER 10.16 OF THE TEHAMA COUNTY CODE AND GOVERNMENT CODE SECTION 53069.4**

**Owner: Patrick Mark Derby  
Site Address: 1505 Derby Rd., Red Bluff  
APN: 027-140-027  
Case No: CE-23-055 Notice of Violation, failed septic and debris**

**WHEREAS**, in accordance with the procedures set forth in Chapter 10.16 of the Tehama County Code, the condition(s) occurring on the premises 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 10.16.200 of the Tehama County Code; and

**WHEREAS**, the nuisance was not abated as ordered; and

**WHEREAS**, administrative penalty has been imposed for the public nuisance occurring on the property 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 the administrative penalty imposed, and has rendered a report in writing to the Board of Supervisors showing the amount of administrative penalty, which is attached hereto as Exhibit "A"; and

**WHEREAS**, the total administrative penalty imposed is **\$3,000.00**; and

**WHEREAS**, the County made a demand on the property owner at least ninety (90) days prior to this Hearing for the amounts stated in Exhibit "A" to pay the County for the administrative penalty; and

**WHEREAS**, the County has not received payment in full from the property owner; and

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

**WHEREAS**, the Board of Supervisors is authorized to record Notice of Administrative Penalty Lien against the property pursuant to Government Code section 53069.4 and Tehama County Code section 10.16.200; and

**WHEREAS**, the owner of the property has been given notice of this Hearing and provided an opportunity to be heard in accordance with Tehama County Code section 10.16.200;

**NOW THEREFORE BE IT RESOLVED**, that the report of the enforcing officer, attached hereto as Exhibit "A," with any modifications directed by the Board of Supervisors on the record at this Hearing is hereby confirmed and approved; and

**BE IT FURTHER RESOLVED**, that the Tehama County Board of Supervisors hereby orders that an administrative penalty shall be enforced as a lien against the property described in the amount stated in Exhibit "A," with any modifications directed by the Board of Supervisors on the record at this Hearing; and

**BE IT FURTHER RESOLVED**, that the Board of Supervisors authorizes and directs the enforcing officer to record a Notice of Administrative Penalty Lien against the property for the amounts stated in Exhibit "A," with any modifications directed by the Board of Supervisors on the record at this Hearing, in substantially the form attached hereto as Exhibit "B,"

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, \_\_\_\_\_, 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 \_\_\_\_\_, 2024.

DATED: This \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Tehama, State of California.

By \_\_\_\_\_