

RESOLUTION NO. # 24-03

**A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF TEHAMA RECOMMENDING THE AFFIRMATION OF THE DETERMINATIONS OF THE ENFORCING OFFICER REGARDING THE EXISTENCE OF A PUBLIC NUISANCE ON THE PROPERTY LOCATED AT:**

**Owner: Estate of William D. Shepard, deceased**  
**Site Address: 24955 Butler St., Los Molinos**  
**APN: 078-400-037**

**WHEREAS**, Tehama County Code section 10.16.020, subdivision (E) provides that any use of land, building, or premises established, operated, or maintained contrary to the provisions of this code or state law constitutes a public nuisance; and

**WHEREAS**, Tehama County Code section 15.02.230, provides that buildings or structures which are structurally inadequate or have inadequate egress, or which constitutes a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe buildings; and

**WHEREAS**, Tehama County Code section 17.86.110, provides recreational vehicles or travel trailers may be stored on property with an existing residence provided that the travel trailer or recreational vehicle is stored according to this code; and

**WHEREAS**, Tehama County Code section 10.16.020, subdivision (F)(1)-(5) provides that any condition, including intermingled personal property, constitutes a visual blight; and

**WHEREAS**, Tehama County Code Section 10.16.060, authorizes the enforcing officer to issue and serve a "Notice to Abate Public Nuisance and Administrative Order to Show Cause" ("Notice") in accordance with Tehama County Code sections 10.16.070 and 10.16.080 in order to commence abatement proceedings under Chapter 10.16 of the Tehama County Code; and

**WHEREAS**, under Tehama County Code Section 10.16.100, the Tehama County Planning Commission shall hold an administrative hearing, not less than fifteen (15) calendar days after service of the Notice, to determine whether the conditions existing on the property subject to the Notice constitute a nuisance under Chapter 10.16 of the Tehama County Code, or whether there is any other good cause why those conditions should not be abated; and

**WHEREAS**, on 10/21/2024, the Tehama County Code Enforcement Officer, Clint Weston, issued and served, by posting and certified mailing, a Notice in accordance with Tehama County Code section 10.16.080 upon the owner(s) and occupant(s) of **24955 Butler St., Los Molinos, CALIFORNIA, (APN: 078-400-037)** ("Premises"); and

**WHEREAS**, the Notice complied with all relevant provisions of Chapter 10.16; and

**WHEREAS**, pursuant to Tehama County Code section 10.16.070, the Notice advised that an administrative hearing before the Tehama County Planning Commission was set for 11/7/2024, in accordance with Tehama County Code section 10.16.100. and

**WHEREAS**, the Enforcing Officer appeared before the Tehama County Planning Commission, testified, and presented documentary evidence:

**WHEREAS**, on 11/7/2024 the Tehama County Planning Commission conducted a duly noticed hearing, and heard and considered the evidence presented by the enforcing officer and other interested persons; and

**NOW THEREFORE BE IT RESOLVED** that the Tehama County Planning Commission hereby finds and declares that:

1. The foregoing recitals are true and correct; and
2. The public nuisances, 15.02.230 tcc, did exist on the Premises and constituted a threat to public health, safety, and/or welfare, and was properly abated in accordance with Tehama County Code Section 10.16.040, subdivision (E) of the Tehama County Code.
3. The public nuisance(s), presently existing on the Premises constitute(s) a threat to public health, safety, and/or welfare, is subject to abatement in accordance with Tehama County Code Section 10.16.

**BE IT FURTHER RESOLVED** that the Tehama County Planning Commission hereby recommends that:

1. The "Notice to Abate Public Nuisance and Administrative Order to Show Cause" issued by the enforcing officer on 10/21/2024 be affirmed in full; and
2. Pursuant to Tehama County Code section 10.16.020, subdivision (E) the use of the premises is in violation of the zoning code and constitutes a public nuisance and shall be abated by the owner and/or occupant; and
3. The enforcing officer shall present to the Tehama County Board of Supervisors, pursuant to Tehama County Code section 10.16.150, an itemized account of the costs incurred by the County to abate the nuisance, to be charged against the Premises and against each person who causes, permits, suffers, or maintains the public nuisance to exist, in accordance with the provisions of Chapter 10.16 of the Tehama County Code.

The Clerk of the Tehama County Planning Commission 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 Decision of the Tehama County Board of Supervisors shall be final and conclusive.

The foregoing resolution was offered on a motion by Planning Commissioner

