



TEHAMA COUNTY CODE ENFORCEMENT

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

October 10, 2023

Property Owner:
Maria M. Hernandez
PO Box 5844
Corning, CA 96021-5844

Site Address:
15875 Apache Trail, Corning, RTR

Occupant:

APN:
062-460-008

Dear **Maria M. Hernandez**,

This letter is to inform you that your **Hearing on Accounting** that was originally scheduled for **10/11/2023** at 8:00 am has been re-scheduled, to **10/25/2023**. The location has not changed, it will be at 633 Washington St., 2nd Floor, Department 4, Red Bluff, CA

IF YOU REQUIRE AN INTERPRETER, YOU ARE RESPONSIBLE FOR PROVIDING ONE FOR YOURSELF.

If you have any questions, please feel free to contact our office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Margarita Garcia".

Margarita Garcia
Code Compliance Coordinator

County Environmental Health Department
633 Washington Street, Room 36
Red Bluff, CA 96080
(530) 777-78020



Code Enforcement Account Invoice

TO: MARIA M. HERNANDEZ

PO BOX 5844
CORNING, CA 96021-5844

Account ID

AR0003130

Date

9/13/2023

Invoice ID

IN0011068

Invoice Total Due:

\$ 3,618.41

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: 062-460-008

Site Location: 15875 APACHE TRAIL CORNING (RTR)

Date	Program/ Element	Description	Amount
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Invoice #IN0011068

--- Date of Invoice : 9/13/2023

09/13/23	8117	UNLAWFUL MARIJUANA ABATEMENT COST	\$ 3,618.41
Cost due for abatement on 8/21/2023			

Total Due for This Invoice: \$ 3,618.41

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.

Abatement Costs Accounting Form

Owner Name:	Maria M. Hernandez & Primitivo Balbuena			
Site Address:	15875 Apache Trail, Corning, RTR			
APN:	062-460-008			
	Minutes	Pages Copied		
Notice	20	3		
Copies-Notice (4 ea.x 3pgs ea.) & Final Decision Packet pgs.	5	10		
Mail Preparation	4			
Deliver to Post Office/FedEx	30			
Warrant Application Preperation	30	32		
Warrant Preperation	15	4		
Warrant Return Preperation	15	4		
Totals	119	53		
Time @ \$.6405 per min.			\$76.22	
Copies @ .25 ea			\$13.25	
Post Office/FedEx Postage			\$24.90	
Total Administrative Costs				\$113.37
	Hrs.	Costs per hr.		
Code Officer-1 at 4hrs.	4	\$44.44	\$177.76	
Code Officer-1 at 4hrs.	4	\$39.50	\$158.00	
DA Officer-1 at 4 hrs.	4	\$60.63	\$242.52	
DA Officer -1 at 4hrs	4	\$71.47	\$285.88	
TCSO-1 at 4hrs.	4	\$59.66	\$238.64	
TCSO-1 at 4hrs.	4	\$75.43	\$301.72	
TCSO-1 at 4hrs.	4	\$52.10	\$208.40	
TCSO-1 at 4hrs.	4	\$75.71	\$302.84	
TCSO-1 at 4hrs.	4	\$64.70	\$258.80	
TCPO-1 at 4hrs.	4	\$57.47	\$229.88	
TCPO-1 at 4hrs.	4	\$52.56	\$210.24	
TCPO-1 at 4hrs.	4	\$54.92	\$219.68	
Total Officer Time				\$2,833.36
Mileage	Miles	Rate	Total	
9 vehicles @ 46.1 mi. each	414.9	\$0.65	\$269.69	
Total Mileage				\$269.69
Equipment Costs				\$400.00
Landfill Costs				\$
Total Abatement Costs			\$3,618.41	
Administrative Penalty				
Abatement Costs Only				
			Total Administrative Penalty	\$
			INVOICE TOTAL	\$3,618.41



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

ADMINISTRATIVE HEARING: EHCE 23-44

DATE OF DECISION: 8/30/2023

Property Owner Name and Last Known Address:

Maria M. Hernandez
PO Box 5844
Corning, CA 96021-5844

Occupants:

Primitivo Balbuena

Site Address:

15875 Apache Trail, Corning, RTR

Assessor's Parcel Number:

062-460-008

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

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

The Notice of Violation and Proposed Administrative Penalty ("NOV"); Notice to Abate and Administrative Order to Show Cause ("Notice") was heard on 8/30/2023 in Department 4 of the Old Courthouse located on the second floor at 633 Washington Street, the Honorable Lynn M. Cottier presiding.

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

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

☒ existed on the Premises on the date of Initial Inspection; and

☐ Do continue to exist on the Premises; and

☐ Continues to exist on the Premises pursuant to TCC §§ 9.06.100; and

☐ Was voluntarily abated on _____ and no longer exists on the Premises; and

☒ Other: Abated by law enf. & code enf. 8-21-23

☐ did not exist on the Premises on the date of the Initial Inspection; and

The basis for existence of the alleged violations is supported by the following evidence presented at the Hearing:

☒ The Staff Report; and

☒ Statements from the Enforcing Officer attesting that:

☒ The information contained in the Staff Report is true and accurate; and

☐ Other: _____; and

☒ Other evidence submitted at this Hearing by:

☒ Enforcing Officer: Clint Weston; and

☒ Other: 3 photos, staff report, 3 page notice; and

On 8/21/2023 the Enforcing Officer

☒ properly served the NOV and the Notice on owners and occupants identified at the top of this page; and

☐ did not properly served the ☐ NOV ☐ Notice; and

The following person(s) appeared:

☒ Property owner Maria M. Hernandez & testified; and

☒ Margarita Garcia, Environmental Health; and

☒ Parties not appearing at the Administrative Hearing have failed to exhaust their administrative remedies; and

Ruling

☒ Based on the above findings, I hereby declare the violations alleged in the NOV and the Notice are factually true and constitute a public nuisance under TCC §9.06.035, as set forth in the NOV and the Notice; and

☒ All unlawful marijuana cultivated on the Premises is subject to abatement pursuant to TCC Chapter 9.06, and the means of abatement set forth in the NOV and the Notice are proper; and

☐ Based on the above findings, I declare the violations alleged in the NOV and the Notice are not factually true.

☒ I hereby find that the proposed daily administrative penalty set forth in the NOV is:

☐ Imposed in the amount stated in the NOV.

☐ Modified to be: _____

☒ Disapproved to be \$NONE.



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

ADMINISTRATIVE HEARING: EHCE 23-44
DATE OF DECISION: 8/30/2023

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

- ☒ The NOV and the Notice issued by the Enforcing Officer is hereby affirmed in full; and
- ☒ All unlawful marijuana cultivated on the Premises shall be abated, in the manner set forth in the NOV and the Notice, within **two calendar days** of service of this Decision; and
- ☒ If the nuisance is not abated or is recommenced, the Enforcing Officer may abate the marijuana pursuant to TCC §9.06.085 and shall charge the costs of administration of the abatement against the premises pursuant to Government Code § 25845.
- ☒ The Decision on the Notice is final and conclusive with the service of this decision.
- ☒ The amount of administrative penalty, as set forth above, shall be final and conclusive.
- ☒ The Enforcing Officer shall return on **10/11/2023 at 8:00** to present the report on the administrative penalties and/or the accounting of the abatement. **Accounting**
- ☐ 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.)

ATTENTION!

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.)

30 Aug 2023
Date of Decision

Lynn M. Cottler
Lynn M. Cottler
Tehama County Administrative Hearing Officer