

It is declared a public nuisance for any person owning, leasing, subleasing, occupying, or having charge or possession of any property in this city to maintain such property in such a manner that any one or more of the following conditions or activities are found to exist.

- A. The keeping, storage, depositing, or accumulation on the property of any personal property that is within the view of persons on adjacent or nearby real property or the public right-of-way when such personal property constitutes visual blight, reduces the aesthetic appearance of the neighborhood, is offensive to the senses, or is detrimental to nearby property or property values. For purposes of this section, "personal property" includes, but is not limited to, junk as defined in Section 1.15.020 of this chapter; abandoned, wrecked or dismantled automobiles; abandoned, wrecked, dismantled, or not seaworthy boats or vessels; automotive parts and equipment; appliances; furniture; containers; packing materials; scrap metal; wood; building materials; rubbish and debris. Wood and building materials being used or to be used for a project of repair or renovation for which an active building permit is in existence may be stored for such period of time as is necessary to expeditiously complete the project. Upon finalization, expiration or cancellation of the permit, the wood and building materials of any nature for the project must be immediately removed.

Redding Municipal Code § 1.15.160 - Blighted property.

Any property on which there exists any one or more of the following conditions or activities is a blighted property for the purposes of this chapter:

- D. Property Inadequately Maintained.
1. Overgrown, diseased, dead or decayed trees, weeds, or other vegetation that:
 - a. Constitute a fire hazard or a condition considered dangerous to the public health, safety and general welfare.

SUPPORTING EVIDENCE:

Responsible parties owned or were in possession or control of the residence as evidenced on the Property Detail Report on the date of the alleged violation(s). The evidence, including city written communications with the property owners and photographs of the violation(s) are attached to this report and summarized, below.

FACTS AND BACKGROUND:

On May 4, 2018, City of Redding staff received a complaint about the blighted conditions at the subject property and sent a Courtesy Notice to the property owners/responsible parties. The letter explained the information we received and the fact that this condition/activity may be considered a code violation. The letter asked the responsible parties to address the matter and contact the office for a joint inspection to verify compliance.

On November 21, 2018, staff conducted an inspection and found the dead vegetation and items described in the Courtesy Notice present.

On May 21, 2019, staff conducted a follow up inspection and found the dead vegetation and items described in the Courtesy Notice present again. Dated on the same day, staff sent a Notice of Violation to the responsible parties with the due date of May 30, 2019.

On June 20, 2019, staff conducted a follow up inspection and photographed similar violations at the subject property.

On July 18, 2019, staff conducted a follow up inspection again and found the same or similar violations at the subject property. Staff, from the public right-of-way, observed personal property piled in front of the garage door, and junk, trash, or debris in the side yard of the subject property. More specifically, staff observed what appeared to be old window frames, hoses, and older and unused equipment. Staff found the keeping and storage of this property to constitute visual blight, reduce the aesthetic appearance of the neighborhood, be offensive to senses, and likely be detrimental to the nearby property values partly because of the unsightly and dilapidated nature of those conditions. As such, staff believed responsible parties to be in violation of RMC 1.15.150(A). Supporting photographs are attached.

On July 18, 2019, staff also observed, from the public right-of-way, a large mound of dead and dry tree cuttings and overgrown vegetation, including vegetation in a roof gutter. The dead vegetation was piled up on the property near a small structure and taller trees and vegetation. Staff determined the dead and overgrown vegetation constituted a dangerous fire hazard as it was far more likely to catch fire and spread more rapidly than properly maintained vegetation. The fact that the dead and overgrown vegetation was near a small structure and vegetation heightened staff's concerns as a potential fire could have rapidly transferred from the vegetation to the structure and/or surrounding vegetation, endangering the occupants and/or the neighbors. Had the vegetation been adequately removed, maintained and/or trimmed, the fire hazard would have been decreased. Staff also determined the mounded vegetation was extremely unsightly and constituted visual blight. Staff further determined the condition of the vegetation detracted from the property values of the neighboring properties, given the unsightly and aesthetically unappealing nature of the piled vegetation. The mound and gutter vegetation was visible from the public right-of-way and made the entire neighborhood less attractive. The gutter vegetation also constituted a condition adverse to the public health, because the vegetation is likely to lead to blockages of the gutter system, compromising the integrity of the system and leading to damaging water leakage. As such, staff determined responsible parties to be in violation of RMC 1.15.160(D). Supporting photographs are attached.

As a result of the numerous inspections and communications with responsible parties, staff issued Citation No. C-1388. It should be noted staff sent two (2) notices and conducted five (5) inspections with photographs documenting the violations. The matter is yet unresolved. The subject property is zoned RS-3.

NOTICE OF HEARING

On September 3, 2019, a Notice of Hearing before the Administrative Hearings Board was sent via first-class mail to the property owners/responsible parties (attached hereto).

Attachments

Citation C-1388

Request for Hearing and Deposit Receipt

Notice of Hearing and Declaration of Service

Supporting Evidence