

MINUTES OF THE **PUBLIC HEARING OF THE CODE ENFORCEMENT** held on **MARCH 4, 2009** in the **COUNCIL CHAMBERS AT CITY HALL** located at **201 SOUTH CORTEZ ST.**, Prescott, Arizona.

**I. CALL TO ORDER**

Hearing Officer Boris called the meeting to order at 2:00 PM. The following persons were duly sworn: Code Enforcement Officer Donovan, Code Enforcement Officer Taylor.

**II. CASES**

- 1. CEH0901-002 CE0809-182 937 Greene Lane Nancy B. Tate**  
APN: 116-06-056H  
PCC 7-5-4 (C)  
Weeds, Bushes, & Other Vegetation.  
Code Enforcement Officer: B. Taylor

Code Enforcement Officer Taylor reported that he had met with the tenant of the property and that the property is in fore closer. Officer Taylor indicated that there still has not been any response from the owner. Officer Taylor noted that with the weather the weeds have been pushed down and presented photographs dated 3-4-09 for the record.

Hearing Officer Boris noted that there was no reason to continue the case given the circumstances and indicated that the case will be dismissed with the understanding that Code Enforcement keep an eye on the property until a representative can be located to accept responsibility for the property. Hearing Officer Boris reported that the decision is: CEH0901-002, address of 937 Greene Lane; will be dismissed due to the fore closure process that is occurring. The default judgment ordered in the amount of \$250.00 dollars for failure to appear for the January 7, 2009 meeting is in effect, and is payable to the City of Prescott as of the date of March 4, 2009. There will not be a new judgment ordered and the case is dismissed.

- 2. CEH0901-003 CE0810-056 716 Dameron Drive Magdalena L. Arredondo**  
APN: 113-05-113  
PPC 7-5-4 (C)  
Weeds, Bushes, & Other Vegetation.  
Code Enforcement Officer: B. Taylor

Code Enforcement Officer Taylor noted that this case was a continuance from last month and reported that the homeowner has cleaned up the property. Officer Taylor entered date stamped photographs into the record. The photographs reflect the above noted property location clean of all weeds and debris. Officer Taylor noted that Code Enforcement is recommending dismissal of the case.

Hearing Officer Boris indicated that based on the information presented the decision is: CEH0901-003, address of 716 Dameron Drive; is in compliance at this time and the case will be dismissed. Officer Boris noted for the record that the default judgment that was ordered in the amount of \$250.00 dollars for failure to appear at the January 7, 2009 hearing is in effect and is payable to the City of Prescott as of March 4, 2009.

**3. CEH0903-001 CE0810-101 1805 Ryan Ct. The cottages at Lakeside HOA**

APN: 106-18-300

PCC7-5-4 (A) General-Junk/Trash/Debris

PCC 7-5-4 (C) Weeds

Code Enforcement Officer D. Donovan

Code Enforcement Officer Donovan reported that case was brought before the Hearing Officer as the property had an Open Space area within the subdivision that was not being taken care of and was reported for overgrowth of weeds in October of 2008. Officer Donovan entered into record, date stamped photographs and a chronology report for the property. Officer Donovan further reported that the weed problem has been corrected and Code Enforcement is recommending dismissal of the case.

Hearing Officer Boris reviewed the information and noted for the record that case CEH0903-001 for the property located at 1805 Ryan Ct, is dismissed.

**4. CEH0903-002 CE0811-075 810 Sequoia Dr. Verne Brown**

APN: 116-12-210

PCC 7-5-4 (A) General-Junk/Trash/Debris

PCC 7-5-4 (A) Exterior Premises- Exterior Surfaces

Code Enforcement Officer D. Donovan

Code Enforcement Officer Donovan entered into record photographs and chronology report of the property.

Ms. Sammeli asked Hearing Officer Boris to verify the address for the record.

Hearing Officer Boris asked Officer Donovan to verify the address of the location.

Officer Donovan noted the property identification should be 1810 Sequoia Drive.

Hearing Officer Boris reported that for the record the property location should reflect 1810 Sequoia Drive.

Code Enforcement Donovan reported that as of the hearing the exterior surface of the property had been corrected. However, the debris, which includes storage of a refrigerator, accessible to the public, has not been taken care of. Officer Donovan noted that the refrigerator is located along side of the house and indicated that the case should be continued so that Code Enforcement may seek compliance.

Hearing Officer Boris inquired if continuance until the April hearing date would be enough time.

Code Enforcement Donovan noted that should be enough time.

Hearing Officer Boris reported that a default judgment in the amount of \$250.00 is ordered against the property of 1810 Sequoia Drive for failure to appear and that case CEH0903-002 will be continued until the April 1, 2009 hearing date.

**5. CEH0903-003 CE0811-010 580 Eastwood Pl. Barbara Clougherty**

APN: 110-04-065

PCC 7-5-4 (F) General-Junk/ Trash/Debris

Code Enforcement Officer Donovan

Code Enforcement Officer Donovan entered into record photographs and chronology report of the property. Officer Donovan reported that the case was ongoing for some time and that the accumulation of the trash and debris has gotten large. Officer Donovan noted that there has been some construction at the location and that might be the cause of the debris. Officer Donovan further reported that there has been no response to any of the notifications.

Hearing Officer Boris noted that the case had been opened of November, 2008.

Officer Donovan indicated that was correct.

Hearing Officer Boris inquired if the record noted receipt of the notifications.

Officer Donovan indicated yes.

Hearing Officer Boris inquired if the notification was sent certified.

Officer Donovan noted that was correct but nothing was received back.

Hearing Officer Boris inquired if someone was living at the location.

Officer Donovan noted yes.

Hearing Officer Boris inquired if the property was owner occupied.

Officer Donovan indicated that the owner of record was Barbara Clougherty and the property is noted at 580 Eastwood Place and he assumed that she is the occupant.

Hearing Officer Boris noted for the record that the case, CEH0903-003, 580 Eastwood Place will be continued until the April 1, 2009 hearing date and that a default judgment in the amount of \$250.00 is set for failure to appear at today's hearing.

**6. CEH0903-004 CE0811-025 470 Hillcrest Drive Don & Cynthia Hamm**

APN: 110-04-039

PCC 7-5-4 (F) Abandoned Vehicle

Code Enforcement Officer Donovan

Code Enforcement Officer Donovan entered into record photographs and chronology report of the property. Officer Donovan reported that he has met with the owner of the property and clarified what needed to be done to correct the violation of the inoperable vehicle. Officer Donovan indicated that the vehicle has been removed for the property and that the property is now in compliance and recommends dismissal of the case.

Hearing Officer Boris noted for the record that case number CEH0903-004, property located at 470 Hillcrest is dismissed.

### III. ADJOURNMENT

Hearing Officer Boris adjourned the hearing at 2:15 PM.



3-10-09

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Phyllis Boris, Hearing Officer / Date