

**DECISION AND RECOMMENDATION ON ACCOUNTING AND PROPOSED
ASSESSMENT PERTAINING TO NOTICE OF VIOLATION, ABATEMENT ORDER,
AND/OR ADMINISTRATIVE CITATIONS
(Nevada County Land Use and Development Code Sec. L-II 5.23)**

Date of Hearing: April 6, 2022

Hearing Officer: David J. Ruderman

Property Owner: Chelsea Forkner, David Forkner, Sarah Rogers

Property Owner's Mailing Address: [REDACTED]

Appellant: Chelsea Forkner, David Forkner, Sarah Rogers

Notice of Abatement Issued: October 22, 2019

Administrative Hearing Date: December 23, 2019 **Decision Date:** January 7, 2020

APN #060-091-001

Parties Present:

- Nevada County Code Compliance Department: David Kopp
- Counsel for Nevada County Code Compliance: Douglas Johnson, Deputy County Counsel
- Property Owner(s): None
- Counsel for Property Owner(s): None
- Others: None

Evidence Admitted on Behalf of Nevada County Code Compliance:

1. Exhibits A – D
2. _____

Witnesses on Behalf of Nevada County Code Compliance:

1. David Kopp, Code Compliance Officer II

Evidence Admitted on Behalf of Property Owner(s):

1. None

Witnesses on Behalf of Property Owner(s):

1. None

Having reviewed the report of the Enforcing Officer and any administrative costs reported by the Clerk of the Board, and considering all relevant evidence pertaining to any administrative penalties imposed, and the to the costs incurred by the County, including, but not limited to, administrative costs, and any and all costs incurred to undertake, or to cause or compel any responsible party to undertake, abatement action in compliance with the County's Land Use and Development and General Codes, the undersigned Hearing Officer hereby makes the following findings and orders, which orders shall constitute the Hearing Officer's recommendation on a proposed lien under Sec. L-II 5.23(S) of the Nevada County Land Use and Development Code:

FINDINGS

1. Notice of this hearing has been given as required by law.
2. The accountings on the cost of abating the public nuisances and/or the administrative costs related thereto are both accurate and reasonable.

ORDERS

1. The account and proposed assessment are confirmed in whole. This order constitutes the written recommendation regarding a proposed lien to the Board of Supervisors.
2. The actual authorized administrative penalties and/or costs incurred pertaining to enforcement and/or abatement of public nuisances, including associated administrative costs thereof, are ordered as follows:
 - a. Abatement Costs:
 - i. Celestial Valley Towing: \$17,700.00
 - ii. Code Compliance Office: \$9,289.78
 - iii. Clerk of the Board (administrative costs): \$720.00
 - b. Administrative Penalties Imposed: \$0.00

Total Costs: \$27,709.78

SO ORDERED:

April 18, 2022 _____

Date



David Ruderman
Hearing Officer

CERTIFICATE OF MAILING

I am employed in the County of Nevada, State of California. I am over the age of 18 years and not a party to the Abatement Order; my business address is: Clerk of the Board of Supervisors, Eric Rood Administration Center, 950 Maidu Avenue, Nevada City, California 95959-8617.

I served the enclosed documents:

Notice of Administrative Cost Accounting Hearing

On the following persons via First Class US Mail on April 18, 2022:

Chelsea Forkner, [REDACTED]
Chelsea Forkner, [REDACTED]
David Forkner, [REDACTED]
Sarah K Rogers [REDACTED]
California Franchise Tax Board, Special Processing Section
PO Box 2952, Sacramento CA 95812-2952

I placed such envelope, with postage thereon fully prepaid for first class mail, for collection and mailing at Nevada City, California, following ordinary business practices. I am readily familiar with the practice of Nevada County for processing of correspondence, said practice being that in the ordinary course of business, correspondence is deposited in the U.S. Postal Service the same day as it is placed for processing.

On the following persons via email on April 18, 2022:

David Ruderman, Esq., Colantuono, Highsmith & Whatley, PC, Hearing Officer
Nevada County Community Development Agency Director, Trisha Tillotson
Nevada County Code Compliance Program Manager Jeff Merriman
Nevada County Code Compliance Officer David Kopp
Nevada County Counsel Katharine Elliott
Nevada County Deputy County Counsel Doug Johnson
Nevada County Clerk of the Board Julie Patterson Hunter

I declare under penalty of perjury that the foregoing is true and correct.

4-18-22
Date


Barbara Price