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**CITY OF TEMPE  
HEARING OFFICER**

**Meeting Date: 05/02/2023  
Agenda Item: 2**

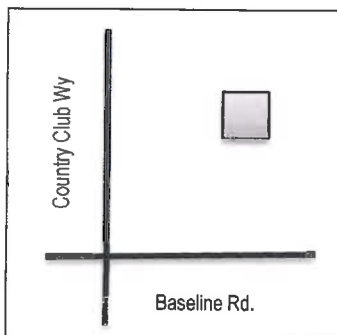
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**ACTION:** Request approval to abate public nuisance items at the Mercer Property located 2112 E. Fremont Drive. The applicant is the City of Tempe – Code Compliance.

**FISCAL IMPACT:** \$4754.20 for abatement request: removal trash, litter and debris from front & side yards; remove unregistered vehicles from the front & side yards.

**RECOMMENDATION:** Staff – Approval of 180-day open abatement

**BACKGROUND INFORMATION:** City of Tempe – Code Compliance Section requests approval to abate items in violation of the Tempe City Code at the MERCER PROPERTY. The details of this case represent several months of correspondence for compliance with the property owner. Staff requests the approval of abatement of the following nuisance items under Complaint CE230616: removal trash, litter and debris from front & side yards; remove unregistered vehicles from the front & side yards.



Property Owner  
Applicant  
Zoning District:  
Code Compliance  
Inspector:

Diane Mercer  
City of Tempe – Code Compliance  
R1-6 Single Family Residential  
Julie Scofield

**ATTACHMENTS:** Supporting Attachment

**STAFF CONTACT:** Drew Yocom, Code Administrator (480-858-2190)

Department Director: Jeffrey Tamulevich, Department Director  
Legal review by: N/A  
Prepared by: Barbara Simons, Code Inspector  
Reviewed by: Drew Yocom, Code Administrator

**COMMENTS:**

Code Compliance is requesting approval to abate the Mercer Property located at 2112 E. Fremont Drive, in the R1-6 Single Family Residential district. This case was initiated 01/31/2023, after which Code Compliance has attempted to obtain compliance through correspondence with the property owner regarding violations of the Tempe City Code.

Without the intervention of abatement, the property will continue to deteriorate. It is therefore requested that the City of Tempe Community Development Hearing Officer approve a 180-day open abatement of this public nuisance in accordance with Section 21-53 of the Tempe City Code.

**HISTORY & FACTS:**

The history and facts of this case are detailed in an attached memo from the Code Compliance Inspector.

ABATEMENT

# Planning Application Submittal Form

Part 1 of 2

City of Tempe  
Community Development Department  
31 East 5<sup>th</sup> Street, Garden Level, Tempe, Arizona 85281  
(480) 350-4311 Fax (480) 350-8677  
Planning Fax (480) 350-8872  
<http://www.tempe.gov/planning>



All applications must be accompanied by the required plans, submittal materials, and correct fee(s)

PROJECT INFORMATION – REQUIRED			
PROJECT NAME	MERCER PROPERTY ABATEMENT	EXISTING ZONING	R1-6 <input type="checkbox"/>
PROJECT ADDRESS	2112 E. FREMONT DR. TEMPE, AZ 85282	SUITE(S)	<input type="checkbox"/>
PROJECT DESCRIPTION	ABATEMENT OF CE230616 HEARING IS MAY 2ND, 2023	PARCEL No(s)	133-35-091 <input type="checkbox"/>

PROPERTY OWNER INFORMATION – REQUIRED (EXCEPT PRELIMINARY SITE PLAN REVIEW & SIGN TYPE K)			
BUSINESS NAME		ADDRESS	2112 E. FREMONT DR.
CONTACT NAME	DIANE MERCER	CITY	TEMPE
EMAIL		STATE	AZ
		ZIP	85282
		PHONE 1	
		PHONE 2	

I hereby authorize the applicant below to process this application with the City of Tempe.

PROPERTY OWNER SIGNATURE	X	DATE	
or attach written statement authorizing the applicant to file the application(s)			

APPLICANT INFORMATION – REQUIRED			
COMPANY / FIRM NAME		ADDRESS	21 E. 6TH ST.
CONTACT NAME	JULIE SCOFIELD	CITY	TEMPE
EMAIL	JULIE_SCOFIELD@TEMPE.GOV	STATE	AZ
		ZIP	85281
		PHONE 1	480-350-8951
		PHONE 2	

I hereby attest that this application is accurate and the submitted documents are complete. I acknowledge that if the application is deemed to be incomplete it will be returned to me without review, to be resubmitted with any missing information.

APPLICANT SIGNATURE	X	DATE	3/29/23

BUSINESS INFORMATION – REQUIRED FOR USE PERMITS & SIGN DPRs			
BUSINESS NAME		ADDRESS	
CONTACT NAME		CITY	
		STATE	
		ZIP	
TYPE OF BUSINESS		PHONE	
		EMAIL	

APPLICATION (Check all that apply)	QTY	SPECIFIC REQUEST (See Planning & Zoning Fee Schedule for types)	FOR CITY USE ONLY (Planning record tracking numbers)	
<input type="checkbox"/> A. PRELIMINARY SITE PLAN REVIEW			SPR	
<input type="checkbox"/> B. ADMINISTRATIVE APPLICATIONS			ADM	
<input type="checkbox"/> C. VARIANCES			VAR	
<input type="checkbox"/> D. USE PERMITS / USE PERMIT STANDARDS			ZUP	
<input type="checkbox"/> E. ZONING CODE AMENDMENTS			ZOA	ZON
<input type="checkbox"/> F. PLANNED AREA DEVELOPMENT OVERLAYS			PAD	REC
<input type="checkbox"/> G. SUBDIVISION / CONDOMINIUM PLATS			SBD	REC
<input type="checkbox"/> H. DEVELOPMENT PLAN REVIEW			DPR	
<input type="checkbox"/> I. APPEALS				
<input type="checkbox"/> J. GENERAL PLAN AMENDMENTS			GPA	
<input type="checkbox"/> K. ZONING VERIFICATION LETTERS			ZVL	
<input checked="" type="checkbox"/> L. ABATEMENTS			CE	CM
<input type="checkbox"/> M. SIGN TYPE K			GO	SE
TOTAL NUMBER OF APPLICATIONS	0			

FOR CITY USE ONLY			
DS TRACKING #		FILE APPLICATION WITH CE / CM / IP TRACKING #	DATE RECEIVED (STAMP)
PL TRACKING #			VALIDATION OF PAYMENT (STAMP)
SPR TRACKING # (if 2 <sup>nd</sup> or 3 <sup>rd</sup> submittal, please use Planning Resubmittal Form)			TOTAL APPLICATION FEES
			RECEIVED BY INTAKE STAFF (INITIALS)

SEE REVERSE SIDE FOR REQUIRED PROJECT DATA

**DATE:** March 29, 2023  
**FROM:** Julie Scofield, Code Inspector  
**SUBJECT:** CE230616, Mercer Property Abatement

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**LOCATION:** 2112 E. FREMONT DR. TEMPE, AZ 85282

**LEGAL:** CONTINENTAL EAST

**PARCEL:** 133-35-091

**OWNER:** DIANE MERCER  
2112 E. FREMONT DR.  
TEMPE, AZ 85282

**FINDINGS:**

01/31/2023 The Code Compliance Division received a complaint for junk, trash, and debris in the front and back yard, sidewalk obstruction, unregistered vehicles, lawn parking, and a trailer parked in the setback. Code Inspector Barbara Simmons went to the property and observed only the junk, trash and debris in the front and back of the property. A notice was mailed to the owner, Diane Mercer.

02/03/2023 I Inspected the property. There was a large number of items stored on the outside of the property, in the front and back yard. There was a truck obstructing the sidewalk, an unregistered vehicle in the driveway, a trailer parked in the setback, and the trailer was lawn parking. Mailed a notice to the owner for the violations.

02/21/2023 Inspected the property. The property remains in violation. Mailed a final notice.

03/09/2023 Inspected the property. The property is still in violation of items being stored in the front and back yard. The trailer was not at the property, there was no lawn parking, and no obstruction to the sidewalk. The vehicle had a temporary tag that was set to expire 03/10/2023.

03/21/2023 A citation was issued. Pictures were taken this day to show the condition of the property. The citation was for junk, trash, debris, lawn parking, sidewalk obstruction, unregistered vehicle and a trailer parked in the setback.

03/24/2022 Requested bids to abate the property. The owner has failed to appear or pay for the citation.

03/29/2022 Turning in the paperwork for the abatement hearing to be held May 2<sup>nd</sup>, 2023.

**PROPERTY HISTORY**

09/15/2020 An abatement hearing was held and approved for the removal of the items in the front and back yard.

10/29/2020 The cleanup of the property was conducted. The property was brought into compliance.

**RECOMMENDATIONS:**

I recommend an abatement of the nuisance violations at the property at 2112 E. Fremont Dr. due to property owner's failure to bring property into compliance with Tempe City Code 21-3. B.1 and 21-3. B.3. Diane Mercer has been given ample time to come into compliance and maintain the property. There has been no indication that the property owner will bring the property into compliance. The property represents an eyesore to the community.

Without the intervention of abatement, the property will continue to deteriorate. I therefore make a request to the City of Tempe Community Development Hearing Officer for authorization to abate this public nuisance in accordance with section 21-53 of the Tempe City Code and authorization of multiple abatements for a period not to exceed one hundred eighty (180) days from the previous abatement order.

Respectfully submitted,

Julie Scofield  
Code Inspector II

ACTION TAKEN: Submitted  
NAME Julie Scofield  
DATE: 3/29/23



## NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

Date: 03/29/2023  
Case #: CE230616

**MERCER DIANE C  
2112 E FREMONT  
TEMPE, AZ 85282**

This serves as notification of the City of Tempe's intentions regarding the abatement of code violations on the following described property:

Location: 2112 E. FREMONT DR. TEMPE, AZ 85282  
Parcel: 133-35-091

This office will submit this complaint to the Community Development Abatement Hearing Officer to be placed on the Hearing Officer agenda of **05/02/2023** located at the Tempe Council Chambers, 31 E 5th Street, at 5pm. We are requesting Hearing Officer Authorization to abate this public nuisance in accordance with Section 21-53 of the Tempe City Code by removal and repair of:

- CC 21-3.b.1 Filthy, littered, debris or trash-covered exterior areas
- CC 21-3.b.3 An unregistered vehicle outside of or under a roof area not enclosed

If the violations have not been corrected within thirty (30) days, our office will proceed with the abatement process. As owner of the property, you have thirty (30) days after receipt of this letter to abate or correct any violation as described below:

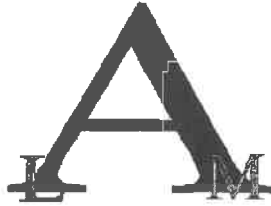
- CC 21-3.b.1 Please remove trash, litter and debris from property in the front and sides. Including items stored in the back of vehicles and or trailers.
- CC 21-3.b.3 Please register or remove unregistered vehicle(s) from the front and or sides of the property.

Upon receipt of the Hearing Officer approval to abate this public nuisance, the necessary work will be performed at the expense of the property owner. The cost of this work will be **\$4754.20.00**. In addition to the actual cost of abatement, an administrative charge of fifteen (15) percent of the actual cost of abatement or three hundred (\$300) dollars, whichever is greater, for expenses incurred by the City for abatement procedures, and the cost of recording liens and releases will be charged. The recorded lien may bear interest at the legal rate of judgments in the State of Arizona. Administrative charges and the cost of recording liens and releases shall become a lien on the property whether or not the public nuisance is abated by the City.

If you have questions regarding this matter, please contact our office at (480)350-4311.

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**Code Inspector: Julie Scofield**  
**Phone Number: 480-350-8951**  
**E-mail: julie\_scofield@tempe.gov**



Artistic Land Management, Inc.

March 27, 2023

City of Tempe  
Attn: Julie Scofield  
Code Inspector

RE: Clean-Up at 2112 E. Fremont Dr.

Thank you for giving Artistic Land Management, Inc the opportunity to serve your landscaping needs. Below is our price to provide all labor, equipment, landfill fees, and supervision to perform the work listed below at 2112 E. Fremont Dr, Tempe, AZ. Please give us a call for any questions you may have at 480-821-4966.

#### Scope of Work

- Remove junk, trash, and debris from the front and backyard
- Haul off and dispose of removed items
- Police presence on-site for duration of the visit

Total: \$4,355.00

Respectfully,

Jose Hernandez

# Customer Quotation

Date	Quote #
24-Mar-2023	57

## Apache Sands Towing

7602 E Main St  
 Mesa, Arizona 85207  
 Phone: (480) 986-5556  
 Fax: (480) 373-8766

### Quoted For:

Julie Scofield  
 City of Tempe (Nuisance Abatement Services)

Arizona

### Summary

**Location:** 2112 E Fremont Dr Tempe  
**Destination:** Tempe Impound  
**Reason:** Tow  
**Zone:**  
**Vehicle:** Honda Crv  
**Owner:**  
**Phone:**  
**VIN:**  
**Plate/Tag:**  
**Mileage:**

Service	Quantity	Rate	Amount
_4 - LD - T6 -Towing	1.00	104.20	104.20
		<b>Sub Total</b>	<b>104.20</b>
		<b>QUOTATION TOTAL</b>	<b>104.20</b>

The above quoted amounts are valid for 60 days from the date of this quotation.

Signature

Date





**City of Tempe**

Police Department

*Case Information*

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Address: 2112 E. FREMONT DR. TEMPE, AZ 85282

Case Number: CE230616

Inspector: JULIE SCOFIELD

*Requested Services*

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**OFFICER**

City of Tempe Off Duty  
Police Officer

**SERVICES**

Civil Standby: Abate  
Security for Towing

*Item Breakdown*

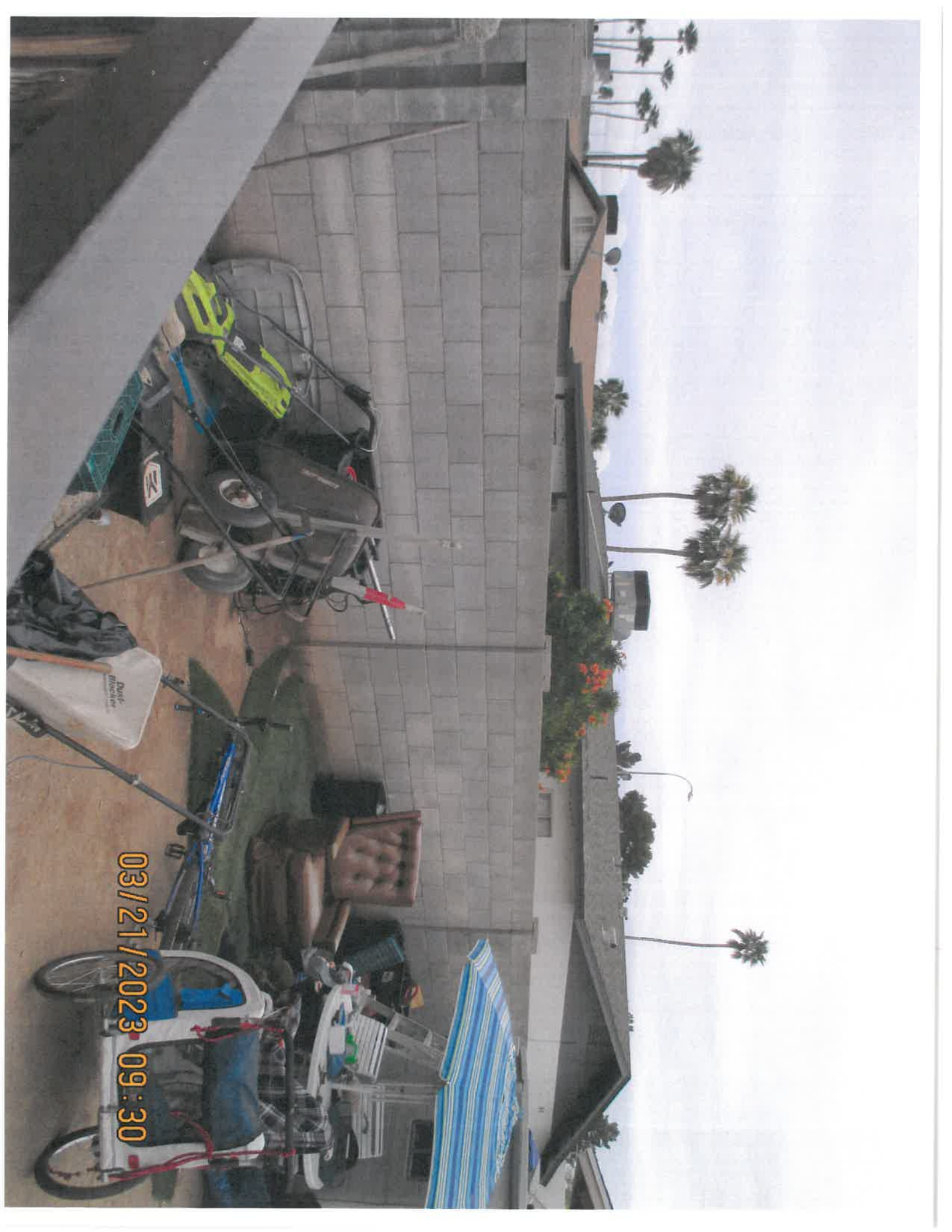
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ITEM	UNIT COST	QTY	TOTAL
Standard Hourly Rate (3 hours minimum)	\$80/hr	3	\$240
Additional Hourly Fee for Car (3 hours Minimum)	\$5/hr	3	\$15
Flat Fee for Car	\$40	1	\$40
		<b>TOTAL</b>	<b>\$295</b>

Approved By  
Drew Yocom  
480-858-2190



03/21/2023 09:25



03/21/2023 09:30





03/21/2023 09:30





03/21/2023 09:30





03/21/2023 09:27

2001

**ADOT**  
Motor Vehicle Division

**HOND**

3/10/2023

09720PP

Issue Date:  
3/7/2023

Vin:  
JHLRD18631C0393T0

3 Day Restricted Use

03/21/2023 09:24





03/21/2023 09:24





COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
CORRECTION NOTICE

01/31/2023

MERCER DIANE C  
2112 E FREMONT DR  
TEMPE, AZ 85282

Case #: CE230616  
Site Address: 2112 E FREMONT DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 01/31/2023 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation
CC 21-3.b.1	Filthy, littered, debris or trash-covered exterior areas, including exterior areas under any roof not enclosed by the walls, doors or windows of any building

**SITE REINSP  
ON OR  
AFTER**

**PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION**

CC 21-3.b.1	Please remove any junk, trash, debris, miscellaneous household items and any other stored items, including any tarps, from the back and west side yards.	02/20/2023
	Please remove any items not fully enclosed by the garage and keep the garage door closed.	

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

**Barbara Simons**  
Code Inspector

**Direct: 480-350-5460**  
**Code Compliance: 480-350-4311**  
**Email: Barbara\_Simons@tempe.gov**

**Please Note:** In the event of more than one violation occurring at this property in a calendar year, the property owner may be assessed a reinspection fee of \$82.00 pursuant to City Code Section 21-51, subsection (b).  
**Civil and Criminal Penalties**

City Code: Section 21-3, subsections (b) 1-8, 17-19 and 21; Sections 21-4; 21-13; Section 21-24; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$200 per violation, 2nd occurrence \$300 per violation, 3rd occurrence \$400 per violation | Sections 21-31; 21-32; 21-33; 21-35; 21-36: 1st occurrence \$300 per violation, 2nd occurrence \$500 per violation, 3rd occurrence \$700 per violation | Section 21-3, subsections (b) 9-16 and 20; Sections 21-34, 21-37; Section 21-38, subsection (l): 1st occurrence \$400 per violation, 2nd occurrence \$700 per violation, 3rd occurrence \$1,000 per violation. | Section 21-4 (b) Habitual Offender: 1st occurrence \$550 in addition to other fines, 2nd occurrence \$1,050 in addition to other fines, 3rd occurrence, \$1,550 in addition to other fines. | Section 21-25: \$1,050 per violation. | Zoning and Development Code: 1st occurrence \$170 per violation, 2nd occurrence \$420 per violation, 3rd occurrence \$820 per violation | The city has authority to abate the violation should the owner neglect, fail or refuse to correct the violation within 30 days and to assess a lien against the property for the cost of the abatement. | The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of these codes.



COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
**REVISED CORRECTION NOTICE**

02/03/2023

MERCER DIANE C  
OR TIFFANY MERCER  
2112 E FREMONT DR  
TEMPE, AZ 85282

Case #: CE230616  
Site Address: 2112 E FREMONT DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 02/03/2023 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation
CC 21-3.b.1	Filthy, littered, debris or trash-covered exterior areas, including exterior areas under any roof not enclosed by the walls, doors or windows of any building
CC 21-3.b.3	An unregistered vehicle outside of or under a roof area not enclosed
CC 21-3.b.4	To permit outside of any single-family or multifamily dwelling or accessory building any camper, vehicle or parts thereof in the front or side area of the building visible from the street that is not on an improved area intended for parking
CC 21-3.b.7	Object, building, tree, bush or vehicle that interferes with or obstructs a sidewalk or street
ZDC 4-602.B.7	Recreational vehicles exceeding twenty-one (21) feet in length and all boats, unmounted truck campers, and trailers shall not be parked in the front yard building setback or street side yard setback.

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	1. PLEASE REMOVE AND OR PROPERLY DISCARD THE ITEMS IN THE FRONT, SIDES, AND BACK YARD OF THE PROPERTY. THIS INCLUDES THE WOOD, METAL ITEMS, BUILDING MATERIALS, PILES OF ITEMS, ANY HOUSEHOLD ITEMS, RUGS, CLOTHING, CONTAINERS, AND ANY OTHER MISCELLANEOUS ITEMS. THE OUTSIDE OF THE PROPERTY MUST NOT BE USED TO STORE ITEMS. THIS ALSO INCLUDES ANYTHING STORED ON THE TRAILER OR UNDER TARPS, AND TARPS THEMSELVES. 2. REMOVE ANY ITEMS THAT ARE VISIBLE INSIDE THE GARAGE OR KEEP THE GARAGE DOORS CLOSED, EXCEPT WHEN IN USE.	2/17/2023
CC 21-3.b.3	VEHICLES OUT IN THE OPEN MUST BE REGISTERED AND APPEAR OPERABLE. PLEASE PROPERLY REGISTER ANY UNREGISTERED VEHICLE(S) WITH AZ MVD AND DISPLAY CURRENT PLATES AND OR TAGS. OR REMOVE THE VEHICLE(S) FROM THE FRONT OF THE PROPERTY. THIS INCLUDES THE WHITE HONDA THAT IS PARKED IN THE DRIVEWAY.	2/17/2023

CC 21-3.b.4	PLEASE DO NOT PARK OR ALLOW ANYONE TO PARK IN THE LANDSCAPING AREA OF THE FRONT AND OR SIDE OF THE PROPERTY. ADDITIONAL PARKING MUST MEET REQUIREMENTS OF 21-3-B-4. THIS INCLUDES THE WEST SIDE OF THE PROPERTY, IF VEGETATION IS STILL PRESENT.	2/17/2023
CC 21-3.b.7	DO NOT OBSTRUCT THE FREE PASSAGE OF THE SIDEWALK. THIS INCLUDES THE PARKING OF VEHICLES IN THE SIDEWALK.	2/17/2023
ZDC 4-602.B.7	PLEASE REMOVE THE TRAILER IMMEDIATELY FROM THE FRONT OF THE PROPERTY. IN ORDER TO KEEP THIS TRAILER PARKED IN THE FRONT OF THE PROPERTY, IT MUST BE PARKED BEYOND THE FRONT YARD SETBACK. FOR THIS AREA, THE SETBACK IS 20 FT.	2/17/2023

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

**Julie Scofield**  
Code Inspector

**Direct: 480-350-8951**  
**Code Compliance: 480-350-4311**  
**Email: julie\_scofield@tempe.gov**

**Please Note:** In the event of more than one violation occurring at this property in a calendar year, the property owner may be assessed a reinspection fee of \$82.00 pursuant to City Code Section 21-51, subsection (b).

**Civil and Criminal Penalties**

City Code: Section 21-3, subsections (b) 1-8, 17-19 and 21; Sections 21-4; 21-13; Section 21-24; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$200 per violation, 2nd occurrence \$300 per violation, 3rd occurrence \$400 per violation | Sections 21-31; 21-32; 21-33; 21-35; 21-36: 1st occurrence \$300 per violation, 2nd occurrence \$500 per violation, 3rd occurrence \$700 per violation | Section 21-3, subsections (b) 9-16 and 20; Sections 21-34, 21-37; Section 21-38, subsection (l): 1st occurrence \$400 per violation, 2nd occurrence \$700 per violation, 3rd occurrence \$1,000 per violation. | Section 21-4 (b) Habitual Offender: 1st occurrence \$550 in addition to other fines, 2nd occurrence \$1,050 in addition to other fines, 3rd occurrence, \$1,550 in addition to other fines. | Section 21-25: \$1,050 per violation. | Zoning and Development Code: 1st occurrence \$170 per violation, 2nd occurrence \$420 per violation, 3rd occurrence \$820 per violation | The city has authority to abate the violation should the owner neglect, fail or refuse to correct the violation within 30 days and to assess a lien against the property for the cost of the abatement. | The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of these codes.



COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
**FINAL CORRECTION NOTICE**

02/21/2023

MERCER DIANE C  
OR TIFFANY MERCER  
2112 E FREMONT DR  
TEMPE, AZ 85282

Case #: CE230616  
Site Address: 2112 E FREMONT DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 02/21/2023 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

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CC 21-3.b.3	An unregistered vehicle outside of or under a roof area not enclosed
CC 21-3.b.4	To permit outside of any single-family or multifamily dwelling or accessory building any camper, vehicle or parts thereof in the front or side area of the building visible from the street that is not on an improved area intended for parking
CC 21-3.b.7	Object, building, tree, bush or vehicle that interferes with or obstructs a sidewalk or street
ZDC 4-602.B.7	Recreational vehicles exceeding twenty-one (21) feet in length and all boats, unmounted truck campers, and trailers shall not be parked in the front yard building setback or street side yard setback.

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	1. PLEASE REMOVE AND OR PROPERLY DISCARD THE ITEMS IN THE FRONT, SIDES, AND BACK YARD OF THE PROPERTY. THIS INCLUDES THE WOOD, METAL ITEMS, BUILDING MATERIALS, PILES OF ITEMS, ANY HOUSEHOLD ITEMS, RUGS, CLOTHING, CONTAINERS, AND ANY OTHER MISCELLANEOUS ITEMS. THE OUTSIDE OF THE PROPERTY MUST NOT BE USED TO STORE ITEMS. THIS ALSO INCLUDES ANYTHING STORED ON THE TRAILER OR UNDER TARPS, AND TARPS THEMSELVES. 2. REMOVE ANY ITEMS THAT ARE VISIBLE INSIDE THE GARAGE OR KEEP THE GARAGE DOORS CLOSED, EXCEPT WHEN IN USE.	03/07/2023
CC 21-3.b.3	VEHICLES OUT IN THE OPEN MUST BE REGISTERED AND APPEAR OPERABLE. PLEASE PROPERLY REGISTER ANY UNREGISTERED VEHICLE(S) WITH AZ MVD AND DISPLAY CURRENT PLATES AND OR TAGS. OR REMOVE THE VEHICLE(S) FROM THE FRONT OF THE PROPERTY. THIS INCLUDES THE WHITE HONDA THAT IS PARKED IN THE DRIVEWAY.	03/07/2023

CC 21-3.b.4	PLEASE DO NOT PARK OR ALLOW ANYONE TO PARK IN THE LANDSCAPING AREA OF THE FRONT AND OR SIDE OF THE PROPERTY. ADDITIONAL PARKING MUST MEET REQUIREMENTS OF 21-3-B-4. THIS INCLUDES THE WEST SIDE OF THE PROPERTY, IF VEGETATION IS STILL PRESENT.	03/07/2023
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ZDC 4-602.B.7	PLEASE REMOVE THE TRAILER IMMEDIATELY FROM THE FRONT OF THE PROPERTY. IN ORDER TO KEEP THIS TRAILER PARKED IN THE FRONT OF THE PROPERTY, IT MUST BE PARKED BEYOND THE FRONT YARD SETBACK. FOR THIS AREA, THE SETBACK IS 20 FT.	03/07/2023

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

**Julie Scofield**  
Code Inspector

**Direct: 480-350-8951**  
**Code Compliance: 480-350-4311**  
**Email: julie\_scofield@tempe.gov**

**Please Note:** In the event of more than one violation occurring at this property in a calendar year, the property owner may be assessed a reinspection fee of \$82.00 pursuant to City Code Section 21-51, subsection (b).

**Civil and Criminal Penalties**

City Code: Section 21-3, subsections (b) 1-8, 17-19 and 21; Sections 21-4; 21-13; Section 21-24; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$200 per violation, 2nd occurrence \$300 per violation, 3rd occurrence \$400 per violation | Sections 21-31; 21-32; 21-33; 21-35; 21-36: 1st occurrence \$300 per violation, 2nd occurrence \$500 per violation, 3rd occurrence \$700 per violation | Section 21-3, subsections (b) 9-16 and 20; Sections 21-34, 21-37; Section 21-38, subsection (l): 1st occurrence \$400 per violation, 2nd occurrence \$700 per violation, 3rd occurrence \$1,000 per violation. | Section 21-4 (b) Habitual Offender: 1st occurrence \$550 in addition to other fines, 2nd occurrence \$1,050 in addition to other fines, 3rd occurrence, \$1,550 in addition to other fines. | Section 21-25: \$1,050 per violation. | Zoning and Development Code: 1st occurrence \$170 per violation, 2nd occurrence \$420 per violation, 3rd occurrence \$820 per violation | The city has authority to abate the violation should the owner neglect, fail or refuse to correct the violation within 30 days and to assess a lien against the property for the cost of the abatement. | The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of these codes.

# Arizona Traffic Ticket and Complaint

City of Tempe  
Maricopa County  
State of Arizona



Complaint Number <b>1702591</b>		Case Number		Social Security Number		Military		<input type="checkbox"/> Serious Physical Injury		<input type="checkbox"/> Accident <input type="checkbox"/> Fatality <input type="checkbox"/> Commercial		<input type="checkbox"/> 16 Passenger Vehicle <input type="checkbox"/> Haz. Material			
Driver's License No.				DLP <input type="checkbox"/>		State		Class		Endorsements M H N P T X D				Incident Report Number <b>CE2306060</b>	
Interpreter Required? <input type="checkbox"/> Spanish <input type="checkbox"/> Other Language													Juvenile		
Defendant		Name (First, Middle, Last) <b>Diane C. Mercer</b>													
Residence Address, City, State, Zip Code <b>2112 E. Fremont Dr, Tempe AZ 85282</b>										Telephone: (cell phone) <input type="checkbox"/>					
Sex	Height	Weight	Eyes	Hair	Origin	Date of Birth	Restrictions	Email Address							
Business Address, City, State, Zip Code										Business Phone No.					
Vehicle		Color	Year	Make	Model	Style	License Plate	State	Expiration Date						
Registered owner & address, City, State, Zip Code							Vehicle Identification Number								
The Undersigned Certifies That:															
On	Month <b>03</b>	Day <b>21</b>	Year <b>2023</b>	Time <b>0924</b>	<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	Speed	Approx.	Posted	R & P	Speed Measurement Device <input type="checkbox"/> Radar <input type="checkbox"/> Laser <input type="checkbox"/> Pace			Direction of Travel		
At	Location <b>2112 E Fremont Dr,</b>							<input checked="" type="checkbox"/> Tempe <b>85282</b>		State of Arizona		Area	Dist.		
The Defendant Committed the Following:															
<b>A</b>	Section: <b>TCC 21-3A</b>		ARS Violation: <b>21-3-B-1</b>		Description: <b>Junk, trash, debris</b>		Domestic Violence Case <input type="checkbox"/>		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic		<input checked="" type="checkbox"/> Municipal Code				
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense		MVD				
<b>B</b>	Section: <b>TCC 21-3A</b>		ARS Violation: <b>21-3-B-3</b>		Description: <b>Unregistered Vehicle</b>		Domestic Violence Case <input type="checkbox"/>		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic		<input checked="" type="checkbox"/> Municipal Code				
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense		MVD				
<b>C</b>	Section: <b>TCC 21-3A</b>		ARS Violation: <b>21-3-B-4</b>		Description: <b>Lawn Parking</b>		Domestic Violence Case <input type="checkbox"/>		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic		<input checked="" type="checkbox"/> Municipal Code				
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense		MVD				
<b>D</b>	Section: <b>TCC 21-3A</b>		ARS Violation: <b>21-3-B-7</b>		Description: <b>Sidewalk Obstruction</b>		Domestic Violence Case <input type="checkbox"/>		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic		<input checked="" type="checkbox"/> Municipal Code				
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense		MVD				
<b>E</b>	Section: <b>ZDC 1-201A</b>		ARS Violation: <b>ZDC 4-602B.7</b>		Description: <b>trailer in setback</b>		Domestic Violence Case <input type="checkbox"/>		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic		<input checked="" type="checkbox"/> Municipal Code				
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense		MVD				
You must appear on the date and time indicated at:		Tempe Municipal Court 140 E. 5th Street Tempe, AZ 85281 Court No. 0753			<input checked="" type="checkbox"/> Traffic Court Suite 150, 1st Floor		Date: <b>04/04/2023</b>		Time: Between 9AM & 4PM						
					<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor		Date: _____		Time: _____		<input type="checkbox"/> AM <input type="checkbox"/> PM				
		Court: _____					Date: _____		Time: _____		<input type="checkbox"/> AM <input type="checkbox"/> PM Court No. _____				
Court Address, City, State, Zip Code															
Criminal: <input type="checkbox"/> Without admitting guilt, I promise to appear as directed hereon.							Victim? <input type="checkbox"/>							Victim Notified? <input type="checkbox"/>	
Civil: <input type="checkbox"/> Without admitting responsibility, I acknowledge receipt of this complaint.							I certify that upon reasonable grounds I believe the defendant committed the act described contrary to law and I have served a copy of this complaint upon the defendant.								
<b>x mailed/cert</b>							<b>Julie Bergfeld</b>							<b>8022</b>	
							Complainant							PSN	
Comments:		A = \$ 200		D = \$ 200		Total = \$ 970.00									
Juvenile Notification:		B = \$ 200		E = \$ 170											
Failure to appear or comply as ordered will result in a suspension of your driver's license/driving privileges until you comply or reach your 18th birthday. Initials _____		C = \$ 200													
Date issued if not violation date															

COMPLAINT

If you were charged with a civil ordinance violation and you fail to appear as directed in this complaint, a default judgement will be entered, and a monetary penalty will be imposed.

1st citation



1702591