

**CITY OF TEMPE  
HEARING OFFICER**

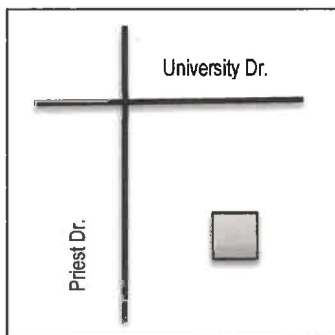
**Meeting Date: 07/05/2023  
Agenda Item: 2**

**ACTION:** Request approval to abate public nuisance items at the McCauley Property located 1048 S. Parkside Drive. The applicant is the City of Tempe – Code Compliance.

**FISCAL IMPACT:** \$4973.60 for abatement request: back yard landscape cleanup, trash and debris removal and removal of excess number of unregistered/inoperable vehicles.

**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 MCCAULEY 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 CE226328: back yard landscape cleanup, trash and debris removal and removal of excess number of unregistered/inoperable vehicles.



Property Owner	Richard D. McCauley
Applicant	City of Tempe – Code Compliance
Zoning District:	R1-6 Single Family Residential District
Code Compliance Inspector:	Michelle Van Etten

**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 McCauley Property located at 1048 S. Parkside Drive, in the Single Family Residential District. This case was initiated 10/20/22, 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	Richard D McCauley - Property Abatement	EXISTING ZONING	R1-6 <input type="checkbox"/>
PROJECT ADDRESS	1048 S Parkside Dr., Tempe AZ 85281	SUITE(S)	<input type="checkbox"/>
PROJECT DESCRIPTION	Abatement of CE226328 July 05, 2023	PARCEL No(s)	124-77-014 <input type="checkbox"/>

PROPERTY OWNER INFORMATION – REQUIRED (EXCEPT PRELIMINARY SITE PLAN REVIEW & SIGN TYPE K)					
BUSINESS NAME		ADDRESS	1048 S Parkside Dr		
CONTACT NAME	Richard D McCauley	CITY	Tempe	STATE	AZ ZIP 85281
EMAIL		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	City of Tempe Code Enforcement	ADDRESS	21 E 6th St. Ste 208		
CONTACT NAME	Michelle Van Etten, Code Inspector	CITY	Tempe	STATE	AZ ZIP 85281
EMAIL	michelle_vanetten@tempe.gov	PHONE 1	480-350-2895	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 <i>Michelle Van Etten</i>	DATE	5/5/23
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BUSINESS INFORMATION – REQUIRED FOR USE PERMITS & SIGN DPRs					
BUSINESS NAME		ADDRESS		STATE	ZIP
CONTACT NAME		CITY		STATE	ZIP
TYPE OF BUSINESS		PHONE		EMAIL	

APPLICATION (Check all that apply)	QTY	SPECIFIC REQUEST (See <a href="#">Planning &amp; Zoning Fee Schedule</a> 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)	VALIDATION OF PAYMENT (STAMP)
PL TRACKING #			TOTAL APPLICATION FEES
SPR TRACKING # (if 2 <sup>nd</sup> or 3 <sup>rd</sup> submittal, please use Planning Resubmittal Form)			RECEIVED BY INTAKE STAFF (INITIALS)

**SEE REVERSE SIDE FOR REQUIRED PROJECT DATA**



**DATE:** May 22, 2023  
**TO:** Jack Scofield, Senior Code Inspector  
**FROM:** Michelle Van Etten, Code Inspector  
**SUBJECT:** CE226328, 1048 S Parkside Dr, Tempe - Abatement

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**LOCATION:** 1048 S Parkside Dr, Tempe, AZ. 85281

**PARCEL:** 124-77-014

**OWNER:** Richard D McCauley  
1048 S Parkside Dr.  
Tempe, AZ. 85281

**FINDINGS:**

On 10/20/2022 I inspected the property located at 1048 S Parkside Dr., Tempe regarding a complaint of junk, trash and debris in the front yard and missing house numbers on the property. A violation notice was sent to the listed homeowner.

On 11/04/2022 I saw that an additional complaint came in regarding violations in the back yard. I inspected the property on that day and observed trash and debris in the back yard, as well as five inoperable / unregistered vehicles. I sent a final notice to the homeowner which included the original violations as well as the new violations pertaining to the rear yard.

On 12/14/2022 I reinspected the property and found that the trash and debris and inoperable vehicle(s) violations in the rear yard were not taken care of and issued a citation to the homeowner. That citation was ultimately satisfied with the Tempe City Court.

On 01/31/2023 I inspected the property once again and found that the trash and debris and inoperable / unregistered vehicle(s) violations were not taken care of. I issued a second citation for the violations. That citation was never satisfied with the Tempe City Court and was sent to collections.

On 03/24/2023 I inspected the property to prepare to begin the abatement process. I observed that the rear grass was very tall. That violation was never included in any previous notices, so I sent an additional notice to the homeowner.

On 05/05/2023 I inspected the property to see if there was any progress made. The trash and debris and inoperable / unregistered vehicle(s), and landscape violations in the rear yard were still not taken care of. I posted a notice of intent to abate to the property.

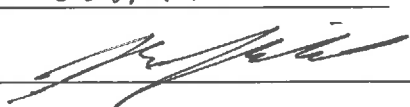
**RECOMMENDATIONS:**

I recommend an abatement of the nuisance violations at the property at 1048 S Parkside Dr., Tempe due to property owner's failure to bring property into compliance with Tempe City Code 21-3.B.1, Trash and Debris; City Code 21-3.B.3, Inoperable / Unregistered Vehicles, and City Code 21-3.B.8, Landscape Violation. The owner was given ample time to come into compliance and maintain the property. The listed owner was issued two civil citations and only satisfied one of them with the Tempe City Court. There is no indication that the property will be brought into compliance in the near future. The property represents a health hazard and 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,

Michelle Van Etten  
Code Inspector

ACTION TAKEN: submit  
NAME   
DATE: 5/8/23



## NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 05/05/2023  
CASE # CE226328

**Richard D McCauley**  
**1048 S Parkside Dr.**  
**TEMPE, AZ 85281**

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

**LOCATION:** 1048 S Parkside Dr., Tempe AZ 85281  
**PARCEL:** 124-77-014

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This office will submit this complaint to the Community Development Abatement Hearing Officer located at the Tempe City Council Chambers on 07/05/2023. 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.8 Any landscaping, visible from public property, that is substantially dead, damaged, or characterized by uncontrolled growth, or presents a deteriorated appearance
- 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 Unregistered / Inoperable vehicles – excess of number allowed in rear yard

If the violations have not been corrected within thirty 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:

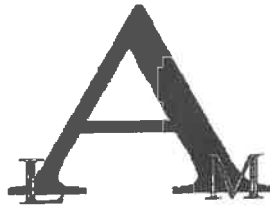
- 1. CUT OVERHEIGHT GRASS AND REMOVE WEEDS FROM THE REAR LANDSCAPE AREAS.**
- 2. REMOVE ALL TRASH AND DEBRIS FROM THE REAR YARD.**
- 3. REMOVE EXCESS NUMBER OF UNREGISTERED / INOPERABLE VEHICLES IN THE REAR YARD.**

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 **\$4973.60**. 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 for 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: Michelle Van Etten**  
**Phone Number: 480-350-2895**  
**E-mail: michelle\_vanetten@tempe.gov**



**Artistic Land Management, Inc.**

March 29, 2023

City of Tempe  
Attn: Michelle Van Etten  
Code Inspector

RE: Clean-Up at 1048 S. Parkside 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 1048 S. Parkside Dr, Tempe, AZ. Please give us a call for any questions you may have at 480-821-4966.

#### Scope of Work

- Remove grass, weeds, trash, and debris from the backyard
- Remove vegetation debris from the front gravel landscape and driveway
- Police presence on-site for duration of visit

Total: \$4,661.00

Respectfully,

Jose Hernandez

# Customer Quotation

Date	Quote #
11-Apr-2023	58

## Apache Sands Towing

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

### Quoted For:

City of Tempe (Nuisance Abatement Services)  
  
 Arizona

Summary	
<b>Location:</b>	1048 S Parkside Dr, Tempe, AZ 85281
<b>Destination:</b>	Tempe Impound
<b>Reason:</b>	Tow
<b>Zone:</b>	
<b>Vehicle:</b>	Chevy Covair
<b>Owner:</b>	
<b>Phone:</b>	
<b>VIN:</b>	
<b>Plate/Tag:</b>	
<b>Mileage:</b>	

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



# Customer Quotation

Date	Quote #
11-Apr-2023	59

## Apache Sands Towing

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

### Quoted For:

City of Tempe (Nuisance Abatement Services)  
  
 Arizona

Summary	
<b>Location:</b>	1048 S Parkside Dr, Tempe, AZ 85281
<b>Destination:</b>	Tempe Impound
<b>Reason:</b>	Tow
<b>Zone:</b>	
<b>Vehicle:</b>	Chevy Covair
<b>Owner:</b>	
<b>Phone:</b>	
<b>VIN:</b>	
<b>Plate/Tag:</b>	
<b>Mileage:</b>	

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

# Customer Quotation

Date	Quote #
11-Apr-2023	60

## Apache Sands Towing

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

### Quoted For:

City of Tempe (Nuisance Abatement Services)  
  
 Arizona

Summary	
<b>Location:</b>	1048 S Parkside Dr, Tempe, AZ 85281
<b>Destination:</b>	Tempe Impound
<b>Reason:</b>	Tow
<b>Zone:</b>	
<b>Vehicle:</b>	Chevy Covair
<b>Owner:</b>	
<b>Phone:</b>	
<b>VIN:</b>	
<b>Plate/Tag:</b>	
<b>Mileage:</b>	

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

May 5, 2023 at 11:17:23 AM



May 5, 2023 at 11:17:31 AM



May 5, 2023 at 11:17:51 AM



May 5, 2023 at 11:17:54 AM



May 5, 2023 at 11:17:58 AM



May 5, 2023 at 11:18:11 AM







COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
CORRECTION NOTICE

10/20/2022

MCCAULEY RICHARD D  
1048 S PARKSIDE DR  
TEMPE, AZ 85281

Case #: CE226328  
Site Address: 1048 S PARKSIDE DR, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 10/20/2022 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.8	Landscaping that is substantially dead, damaged or characterized by uncontrolled growth, or presents a deteriorated appearance; or any dead trees, bushes, shrubs or portions thereof, including stumps
CC 21-4.a.3	Outside of any building, any required address numbers which are not mounted to the building in a permanent and stationary manner, or are not visible at all times from public access areas to the dwelling

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	PLEASE REMOVE THE TREE AND VEGETATION DEBRIS THAT IS COVERING THE GROUND THROUGHOUT THE FRONT YARD AREAS AND THE DRIVEWAY / CARPORT AREAS.	11/3/2022
CC 21-3.b.8	PLEASE REMOVE ANY DEAD TREES OR PORTIONS THEREOF AS WELL AS DEAD VEGETATION OR PORTIONS THEREOF IN THE FRONT YARD LANDSCAPE AREAS. IF TREES OR SHRUBS / VEGETATION ARE REMOVED COMPLETELY, THE "STUMPS" MUST BE CUT DOWN AT OR BELOW GROUND LEVEL.	11/3/2022
CC 21-4.a.3	PLEASE TRIM THE TREE(S) IN THE FRONT YARD SO THAT THEY DO NOT OBSTRUCT THE HOUSE NUMBERS DISPLAYED ABOVE THE CARPORT. THANK YOU	11/3/2022

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

Michelle Van Etten  
Code Inspector

Direct: 480-350-2895  
Code Compliance: 480-350-4311  
Email:michelle\_vanetten@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**

11/04/2022

MCCAULEY RICHARD D  
 1048 S PARKSIDE DR  
 TEMPE, AZ 85281

Case #: CE226328  
 Site Address: 1048 S PARKSIDE DR, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 11/04/2022 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.8	Landscaping that is substantially dead, damaged or characterized by uncontrolled growth, or presents a deteriorated appearance; or any dead trees, bushes, shrubs or portions thereof, including stumps
CC 21-4.a.3	Outside of any building, any required address numbers which are not mounted to the building in a permanent and stationary manner, or are not visible at all times from public access areas to the dwelling
CC 21-3.b.3	An inoperable vehicle or parts thereof outside of or under a roof area not enclosed

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	PLEASE REMOVE THE TREE AND VEGETATION DEBRIS THAT IS COVERING THE GROUND THROUGHOUT THE FRONT YARD AREAS AND THE DRIVEWAY / CARPORT AREAS.	12/4/2022
	PLEASE ALSO REMOVE "TRASH AND DEBRIS" FROM THE BACK YARD. (INCLUDING WOOD PIECES, SINK, PIPES, PLASTIC BAGS, HOUSEHOLD ITEMS, MISC. OTHER ITEMS)	
CC 21-3.b.8	PLEASE REMOVE ANY DEAD TREES OR PORTIONS THEREOF AS WELL AS DEAD VEGETATION OR PORTIONS THEREOF IN THE FRONT YARD LANDSCAPE AREAS. IF TREES OR SHRUBS / VEGETATION ARE REMOVED COMPLETELY, THE "STUMPS" MUST BE CUT DOWN AT OR BELOW GROUND LEVEL.	12/4/2022
CC 21-4.a.3	PLEASE TRIM THE TREE(S) IN THE FRONT YARD SO THAT THEY DO NOT OBSTRUCT THE HOUSE NUMBERS DISPLAYED ABOVE THE CARPORT. THANK YOU	12/4/2022
CC 21-3.b.3	NOT MORE THAN TWO ONGOING RESTORATION PROJECTS OR INOPERABLE OR UNREGISTERED VEHICLES ARE ALLOWED IN A BACKYARD AREA. PLEASE REMOVE THE EXCESS NUMBER OF INOPERABLE / UNREGISTERED VEHICLES.	12/4/2022

**CORRECTIVE ACTION MUST BE COMPLETED OR CITATIONS WILL BE ISSUED**

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

**Michelle Van Etten**  
**Code Inspector**

**Direct: 480-350-2895**  
**Code Compliance: 480-350-4311**  
**Email: michelle\_vanetten@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**

03/24/2023

MCCAULEY RICHARD D  
1048 S PARKSIDE DR  
TEMPE, AZ 85281

Case #: CE226328  
Site Address: 1048 S PARKSIDE DR, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 03/24/2023 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 inoperable vehicle or parts thereof outside of or under a roof area not enclosed
CC 21-3.b.8	Landscaping that is substantially dead, damaged or characterized by uncontrolled growth, or presents a deteriorated appearance; or any dead trees, bushes, shrubs or portions thereof, including stumps

<b>PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION</b>		<b>SITE REINSP ON OR AFTER</b>
CC 21-3.b.1	PLEASE REMOVE THE TREE AND VEGETATION DEBRIS THAT IS COVERING THE GROUND THROUGHOUT THE FRONT YARD AREAS AND THE DRIVEWAY / CARPORT AREAS.  PLEASE ALSO REMOVE "TRASH AND DEBRIS" FROM THE BACK YARD. (INCLUDING WOOD PIECES, SINK, PIPES, PLASTIC BAGS, HOUSEHOLD ITEMS, MISC. OTHER ITEMS)	04/07/2023
CC 21-3.b.3	NOT MORE THAN TWO ONGOING RESTORATION PROJECTS OR INOPERABLE OR UNREGISTERED VEHICLES ARE ALLOWED IN A BACKYARD AREA. PLEASE REMOVE THE EXCESS NUMBER OF INOPERABLE / UNREGISTERED VEHICLES.	04/07/2023
CC 21-3.b.8	PLEASE CUT GRASS AND WEEDS IN THE REAR YARD. GRASS LANDSCAPE AREAS MUST BE FREE OF WEEDS AND LESS THAN 12" IN HEIGHT. GRAVEL LANDSCAPE AREAS MUST BE FREE OF ALL GRASS AND WEEDS.	04/07/2023

**CORRECTIVE ACTION MUST BE COMPLETED OR ABATEMENT PROCEEDINGS WILL BEGIN**

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

**Michelle Van Etten**  
**Code Inspector**

**Direct: 480-350-2895**  
**Code Compliance: 480-350-4311**  
**Email:michelle\_vanetten@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>1702745</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	
Driver's License No.		DLP <input type="checkbox"/>	State	Class	Endorsements M H N P T X D		Incident Report Number <b>CE226328</b>		
Interpreter Required? <input type="checkbox"/> Spanish <input type="checkbox"/> Other Language									
<b>Defendant</b>		Name (First, Middle, Last) <b>RICHARD D MCCAULEY</b>						Juvenile	
Residence Address, City, State, Zip Code <b>1048 S PARKSIDE DR. TEMPE, AZ. 85281</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.		
<b>Vehicle</b>				Color	Year	Make	Model	Style	
Registered owner & address, City, State, Zip Code						License Plate			
Registered owner & address, City, State, Zip Code						Vehicle Identification Number			
The Undersigned Certifies That:									
On	Month <b>12</b>	Day <b>14</b>	Year <b>2022</b>	Time <b>1108</b>	<input checked="" type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Speed	Approx.	Posted	
At	Location <b>1048 S. PARKSIDE DR</b>					<input checked="" type="checkbox"/> Tempe	<b>85281</b>	State of Arizona	
The Defendant Committed the Following:									
<b>A</b>	Section: <b>TC 21-3 A</b>		ARS Violation: <b>CC 21-3.b.1 TRASH + DEBRIS</b>		<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic		
	Docket Number		Disp. Code:		Date of Disposition:		Sanction: <input checked="" type="checkbox"/> Municipal Code <input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense		
<b>B</b>	Section: <b>TC 21-3 A</b>		ARS Violation: <b>CC 21-3 b.3 INOP. VEHICLE(S)</b>		<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic		
	Docket Number		Disp. Code:		Date of Disposition:		Sanction: <input checked="" type="checkbox"/> Municipal Code <input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense		
<b>C</b>	Section:		ARS Violation:		<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic		
	Docket Number		Disp. Code:		Date of Disposition:		Sanction: <input type="checkbox"/> Municipal Code <input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense		
<b>D</b>	Section:		ARS Violation:		<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic		
	Docket Number		Disp. Code:		Date of Disposition:		Sanction: <input type="checkbox"/> Municipal Code <input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense		
<b>E</b>	Section:		ARS Violation:		<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic		
	Docket Number		Disp. Code:		Date of Disposition:		Sanction: <input type="checkbox"/> Municipal Code <input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense		
<b>You must appear on the date and time indicated at:</b>		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>12/28/2022</b> Time: Between 9AM & 4PM			
		<input type="checkbox"/> Court:		<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor		Date: _____ Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM			
Court Address, City, State, Zip Code		Date:		Time:		<input type="checkbox"/> AM <input type="checkbox"/> PM Court No.			
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</b> <b>MAILED</b>		<b>M. VAN ETEN</b>		<b>#8060</b>		Complainant PSN			
Comments: Juvenile Notification: 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 _____		<b>VIOLATION A - FIRST CITATION = \$200</b>		<b>VIOLATION B - FIRST CITATION = \$200</b>		<b>\$400.00</b>			
		Date issued if not violation date							

COMPLAINT



1702745

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.

# Arizona Traffic Ticket and Complaint

City of Tempe  
Maricopa County  
State of Arizona



Complaint Number <b>1789728</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			
Driver's License No.		DLP <input type="checkbox"/>		State		Class		Endorsements M H N P T X D				Incident Report Number <b>CE226328</b>			
Interpreter Required? <input type="checkbox"/> Spanish <input type="checkbox"/> Other Language													Juvenile		
<b>Defendant</b>		Name (First, Middle, Last) <b>RICHARD McCAWLEY</b>													
Residence Address, City, State, Zip Code <b>1048 S PARKSIDE DR, TEMPE AZ 85281</b>										Telephone: (cell phone) ( ) ( ) ( )					
Sex	Height	Weight	Eyes	Hair	Origin	Date of Birth	Restrictions	Email Address							
Business Address, City, State, Zip Code										Business Phone No. ( ) ( ) ( )					
<b>Vehicle</b>		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>01</b>	Day <b>31</b>	Year <b>2023</b>	Time <b>12:11</b>	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	<b>Speed</b>	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>1048 S PARKSIDE DR</b>						<input checked="" type="checkbox"/> Tempe <b>85281</b>		State of Arizona		Area	Dist.			
The Defendant Committed the Following:															
<b>A</b>	Section: <b>TC 21-3 A</b>		ARS Violation: <b>CC 21-3.b.1 TRASH + DEBRIS</b>		<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic		<input checked="" type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense				
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:								
MVD															
<b>B</b>	Section: <b>TC 21-3 A</b>		ARS Violation: <b>CC 21-3.b.3 INOP. VEHICLE(S)</b>		<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic		<input checked="" type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense				
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:								
MVD															
<b>C</b>	Section:		ARS Violation:		<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic		<input type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense				
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:								
MVD															
<b>D</b>	Section:		ARS Violation:		<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic		<input type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense				
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:								
MVD															
<b>E</b>	Section:		ARS Violation:		<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic		<input type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense				
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:								
MVD															
<b>You must appear on the date and time indicated at:</b>	<b>Tempe Municipal Court</b> 140 E. 5th Street Tempe, AZ 85281 Court No. 0753			<input checked="" type="checkbox"/> Traffic Court Suite 150, 1st Floor		Date: <b>2/14/2023</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 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</b> <b>MAILED</b>						<b>M. VAN ETTEN</b>				<b>8060</b>					
						Complainant		ID #							
Comments: Juvenile Notification: 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 _____						Date Issued if not violation date									

COMPLAINT

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1789728