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**CITY OF TEMPE  
HEARING OFFICER**

**Meeting Date: 02/06/2024  
Agenda Item: 4**

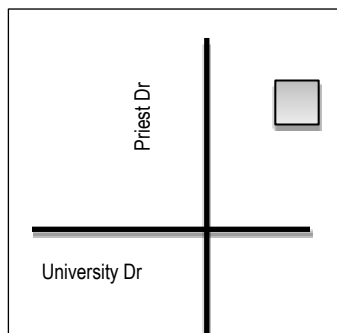
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**ACTION:** Request approval to abate public nuisance items at the THREE J's PALM VILLAGE located at 1090 W. 5<sup>th</sup> St. The applicant is the City of Tempe – Code Compliance.

**FISCAL IMPACT:** \$3,815.00.00 for abatement request: Remove graffiti on site.

**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 THREE J's PALM VILLAGE 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 CM231675.: Removal of graffiti on site.



Property Owner  
Applicant  
Zoning District:  
Code Compliance  
Inspector:

Three J's Palm Village LLC- C/O Zuhair Al-Haing  
City of Tempe – Code Compliance  
CSS- Commercial Shopping and Services District  
Michelle Van Etten

**ATTACHMENTS:** Supporting Attachment

**STAFF CONTACT:** Jack Scofield, Code Administrator (480-350-8967)

Department Director: Jeffrey Tamulevich, Department Director  
Legal review by: N/A  
Prepared by: Shawn Daffara, CPTED Coordinator  
Reviewed by: Jack Scofield, Code Administrator

**COMMENTS:**

Code Compliance is requesting approval to abate the THREE J's PALM VILLAGE located 1090 W. 5<sup>th</sup> St. in the CSS: Commercial Shopping and Services District. This case was initiated 08/15/2023, 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	Three J's Palm Village LLC - C/O Zuhair E Al-Haing, Property Abatement	EXISTING ZONING	CSS <input type="checkbox"/>
PROJECT ADDRESS	1090 W 5th St., Tempe AZ 85281	SUITE(S)	<input type="checkbox"/>
PROJECT DESCRIPTION	Abatement of CM231675 February 06, 2024	PARCEL No(s)	124-29-016B <input type="checkbox"/>

PROPERTY OWNER INFORMATION – REQUIRED (EXCEPT PRELIMINARY SITE PLAN REVIEW & SIGN TYPE K)			
BUSINESS NAME	Three J's Palm Village LLC	ADDRESS	6740 W Robin Ln
CONTACT NAME	C/O Zuhair E Al-Haing	CITY	Glendale
EMAIL		PHONE 1	
		PHONE 2	
		STATE	AZ
		ZIP	85310

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
EMAIL	michelle_vanetten@tempe.gov	PHONE 1	480-350-2895
		PHONE 2	
		STATE	AZ
		ZIP	85281

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	12/6/23
<i>Michelle Van Etten</i>			

BUSINESS INFORMATION – REQUIRED FOR USE PERMITS & SIGN DPRs			
BUSINESS NAME		ADDRESS	
CONTACT NAME		CITY	
TYPE OF BUSINESS		PHONE	
		STATE	
		ZIP	
		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:** December 06, 2023  
**TO:** Julie Scofield, Senior Code Inspector  
**FROM:** Michelle Van Etten, Code Inspector  
**SUBJECT:** CM231675, 1090 W 5<sup>th</sup> St., Tempe - Abatement

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**LOCATION:** 1090 W 5<sup>th</sup> St, Tempe, AZ 85281  
**PARCEL:** 124-29-016B  
**OWNER:** Three J's Palm Village LLC – C/O Zuhair Al-Haing  
6740 W Robin Ln  
Glendale, AZ 85310

**FINDINGS:**

On 08/15/2023 I inspected the property located at 1090 W 5<sup>th</sup> St, Tempe after receiving a complaint trash and debris in the parking lot and graffiti on a wall. I found trash and debris near the N/W corner of the property and graffiti along the north wall. A correction notice was sent.

On 09/04/2023 I reinspected the property and found that no improvements had been made. I sent a “final” notice to the owner.

On 09/20/2023 I spoke with the owner of the property who agreed to dispose of the trash and debris and cover the graffiti in order to avoid citations / abatement process.

On 10/23/2023 I reinspected the property and found that the violations weren't corrected. I sent another notice to an additional address I located and added an additional code which would allow for the graffiti violation to be abated.

I inspected the property on 11/08/2023 and noticed that the trash and debris items were disposed of. The graffiti was still not covered / removed. I monitored the property with the hope that the graffiti violation would be taken care of as well.

On 12/06/2023 I verified that the graffiti still had not been covered and mailed a Notice of Intent to Abate to the owner of the property.

**RECOMMENDATIONS:**

I recommend an abatement of the nuisance violations at 1090 W 5<sup>th</sup> St., Tempe due to the property owner's failure to bring the property into compliance with Tempe City Code 22-105 – Graffiti Violation. The owner was given ample time to come into compliance and maintain the property. There is no indication that the property will be brought into compliance in the near future. This 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,

Michelle Van Etten  
Code Inspector

ACTION TAKEN: Submitted  
NAME Julie Scofield  
DATE: 12/6/23



## NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 12/06/2023  
CASE # CM231675

**Three J's Palm Village LLC – C/O Zuhair E Al-Haing  
6740 W Robin Ln  
Glendale, AZ 85310**

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

**LOCATION:** 1090 W 5<sup>th</sup> St., Tempe AZ 85281  
**PARCEL:** 124-29-016B

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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 02/06/2024. 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 22-105      All Sidewalks, walls, buildings, fences, signs and other structures or surfaces shall be kept free from graffiti visible from the street or other public or private property.

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. REMOVE / COVER ALL GRAFFITI ON / NEAR THE NORTH WALL 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 **\$3815.00**. 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 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.**

September 21, 2023

City of Tempe  
Attn: Michelle Van Etten  
Code Inspector

RE: Clean-Up at 1090 W. 5<sup>th</sup> St.

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 at 1090 W.5<sup>th</sup> St, Tempe, AZ. Please give us a call for any questions you may have at 480-821-4966.

#### Scope of Work

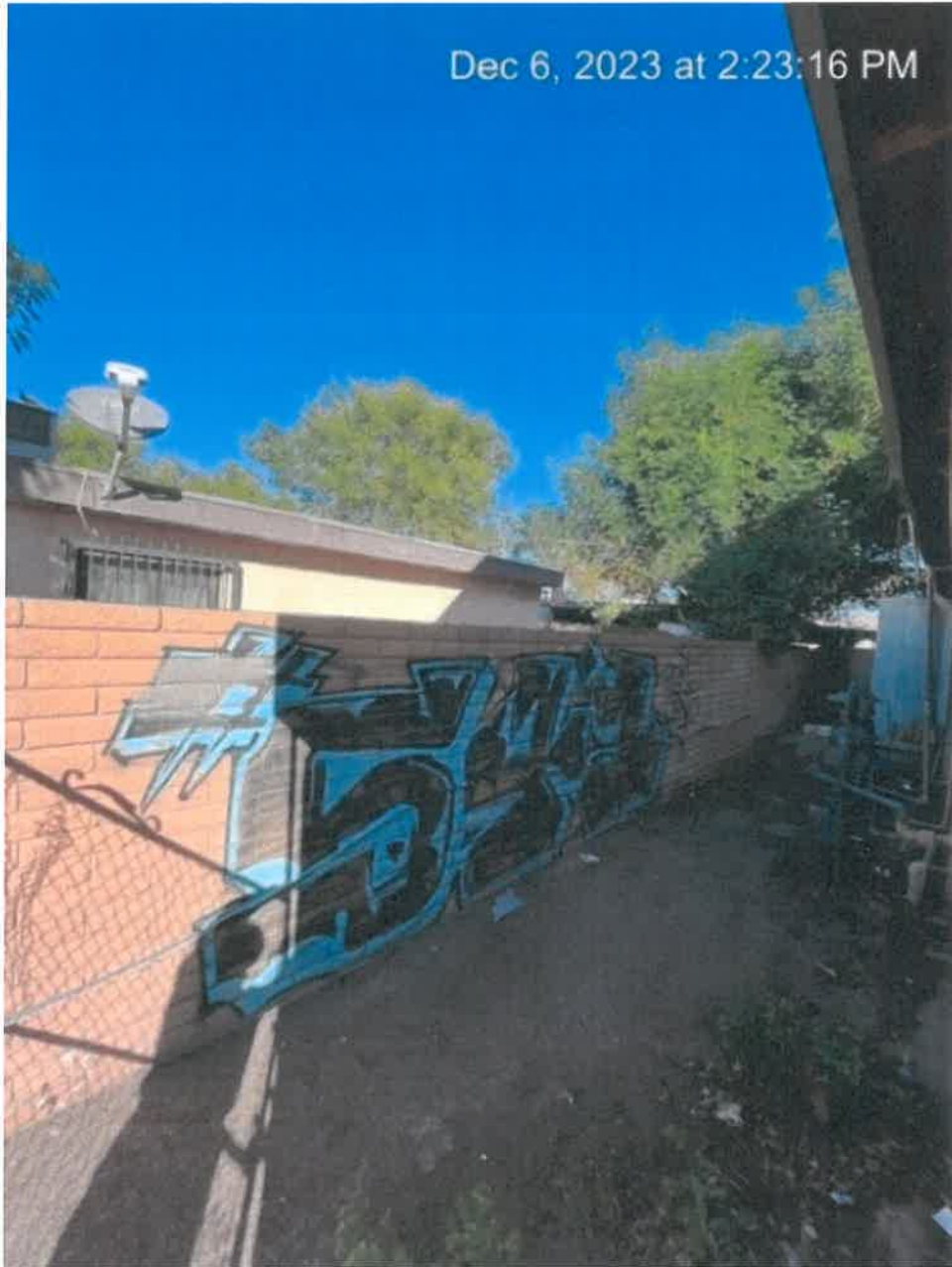
- Remove trash and debris items from the parking lot
- Cover / Remove graffiti that is on the north wall of the property
- Police presence for the duration of the visit

Total = \$3,815.00

Respectfully,

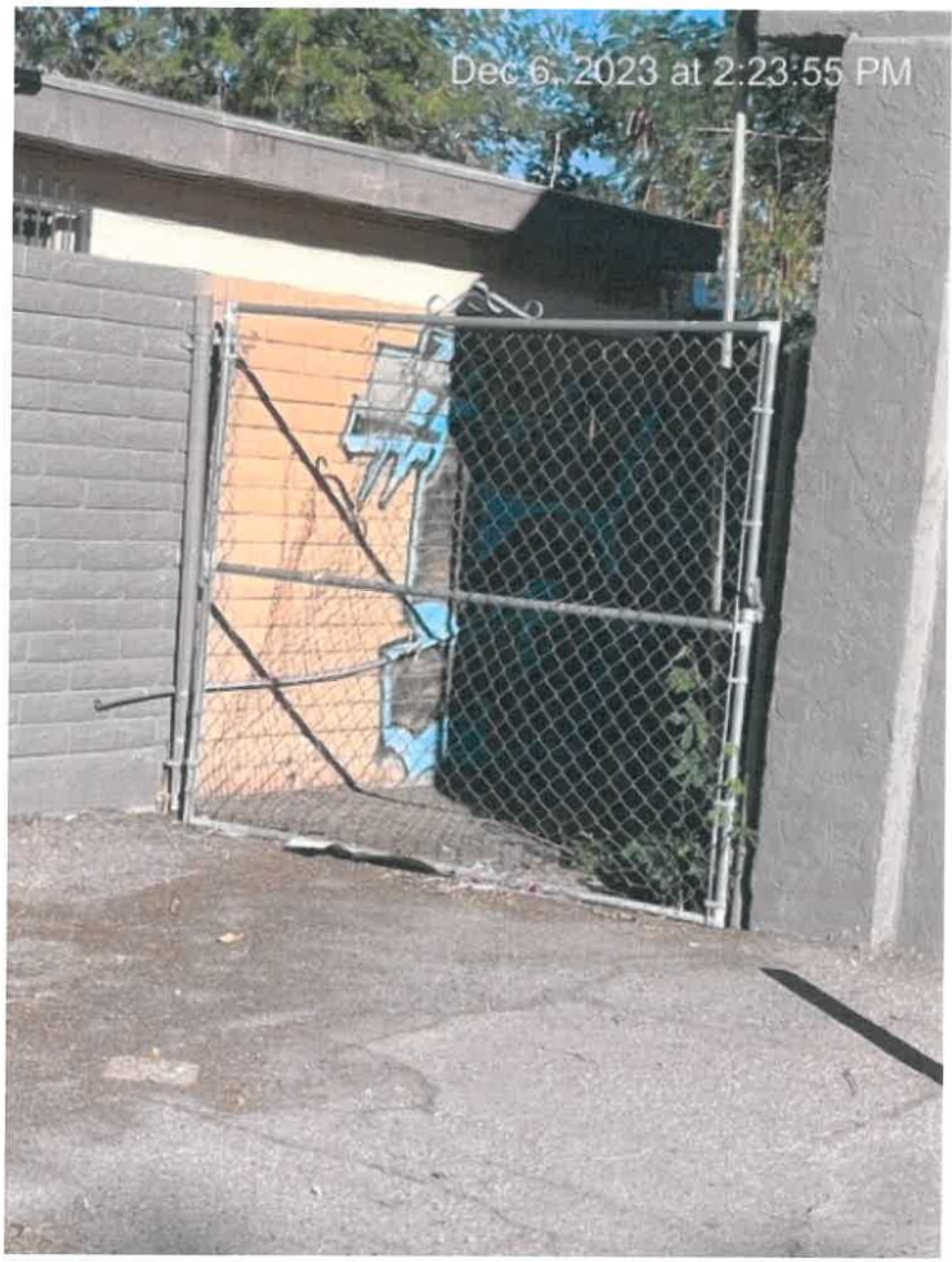
Jose Hernandez

Dec 6, 2023 at 2:23:16 PM





Dec 6, 2023 at 2:23:55 PM





COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
CORRECTION NOTICE

08/21/2023

THREE J'S PALM VILLAGE LLC - C/O ZUHAIR E AL-HAING  
1090 W 5TH ST  
TEMPE, AZ 85281

Case #: CM231675  
Site Address: 1090 W 5TH ST, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 08/21/2023 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.

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
ZDC 1-201.A.	Site &/or building changes made without City approval
Sec.22-105.	All sidewalks, walls, buildings, fences, signs, and other structures of surfaces shall be kept free from graffiti when the graffiti is visible from the street or other public or private property

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	PLEASE REMOVE ALL TRASH AND DEBRIS FROM THE PROPERTY (INCLUDING COUCH / PORTION NEAR THE S/W CORNER OF THE PROPERTY AND WOOD PIECES - PALLETS NEAR THE N/W CORNER OF THE PROPERTY. )	9/4/2023
ZDC 1-201.A.	PLEASE REMOVE GRAFFITI FROM THE NORTH WALL OF THE PROPERTY.	9/4/2023
Sec.22-105.	AS INDICATED ABOVE, PLEASE REMOVE GRAFFITI.	9/4/2023

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  
CORRECTION NOTICE

08/21/2023

THREE J'S PALM VILLAGE LLC - C/O ZUHAIR E AL-HAING  
PO BOX 13551  
CHANDLER, AZ 85248

Case #: CM231675  
Site Address: 1090 W 5TH ST, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 08/21/2023 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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PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	PLEASE REMOVE ALL TRASH AND DEBRIS FROM THE PROPERTY (INCLUDING COUCH / PORTION NEAR THE S/W CORNER OF THE PROPERTY AND WOOD PIECES - PALLETS NEAR THE N/W CORNER OF THE PROPERTY. )	9/4/2023
ZDC 1-201.A.	PLEASE REMOVE GRAFFITI FROM THE NORTH WALL OF THE PROPERTY.	9/4/2023
Sec.22-105.	AS INDICATED ABOVE, PLEASE REMOVE GRAFFITI.	9/4/2023

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

09/05/2023

THREE J'S PALM VILLAGE LLC - C/O ZUHAIR E AL-HAING  
1090 W 5TH ST  
TEMPE, AZ 85281

Case #: CM231675  
Site Address: 1090 W 5TH ST, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 09/05/2023 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.1	PLEASE REMOVE ALL TRASH AND DEBRIS FROM THE PROPERTY (INCLUDING COUCH / PORTION NEAR THE S/W CORNER OF THE PROPERTY AND WOOD PIECES - PALLETS NEAR THE N/W CORNER OF THE PROPERTY. )	9/19/2023
ZDC 1-201.A.	PLEASE REMOVE GRAFFITI FROM THE NORTH WALL OF THE PROPERTY.	9/4192023
Sec.22-105.	AS INDICATED ABOVE, PLEASE REMOVE GRAFFITI.	9/19/2023

**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**

09/05/2023

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PO BOX 13551  
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Michelle Van Etten  
Code Inspector

Direct: 480-350-2895  
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COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
**FINAL CORRECTION NOTICE**

10/23/2023

THREE J'S PALM VILLAGE LLC - C/O ZUHAIR E AL-HAING  
1090 W 5TH ST  
TEMPE, AZ 85281

Case #: CM231675  
Site Address: 1090 W 5TH ST, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 10/23/2023 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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ZDC 1-201.A.	PLEASE REMOVE GRAFFITI FROM THE NORTH WALL OF THE PROPERTY.	11/08/2023
Sec.22-105.	AS INDICATED ABOVE, PLEASE REMOVE GRAFFITI.	11/08/2023

**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**  
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**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**

10/23/2023

THREE J'S PALM VILLAGE LLC - C/O ZUHAIR E AL-HAING  
6740 W ROBIN LN  
GLENDALE, AZ 85310

Case #: CM231675  
Site Address: 1090 W 5TH ST, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 10/23/2023 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
ZDC 1-201.A.	Site &/or building changes made without City approval
Sec.22-105.	All sidewalks, walls, buildings, fences, signs, and other structures of surfaces shall be kept free from graffiti when the graffiti is visible from the street or other public or private property

<b>PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION</b>		<b>SITE REINSP ON OR AFTER</b>
CC 21-3.b.1	PLEASE REMOVE ALL TRASH AND DEBRIS FROM THE PROPERTY (INCLUDING COUCH / PORTION NEAR THE S/W CORNER OF THE PROPERTY AND WOOD PIECES - PALLETS NEAR THE NW CORNER OF THE PROPERTY. )	11/08/2023
ZDC 1-201.A.	PLEASE REMOVE GRAFFITI FROM THE NORTH WALL OF THE PROPERTY.	11/08/2023
Sec.22-105.	AS INDICATED ABOVE, PLEASE REMOVE GRAFFITI.	11/08/2023

**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.



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

10/23/2023

THREE J'S PALM VILLAGE LLC - C/O ZUHAIR E AL-HAING  
PO BOX 13551  
CHANDLER, AZ 85248

Case #: CM231675  
Site Address: 1090 W 5TH ST, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 10/23/2023 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
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CC 21-3.b.1	PLEASE REMOVE ALL TRASH AND DEBRIS FROM THE PROPERTY (INCLUDING COUCH / PORTION NEAR THE SW CORNER OF THE PROPERTY AND WOOD PIECES - PALLETS NEAR THE NW CORNER OF THE PROPERTY. )	11/08/2023
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