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**CITY OF TEMPE  
HEARING OFFICER**

**Meeting Date: 10/15/2024  
Agenda Item: 2**

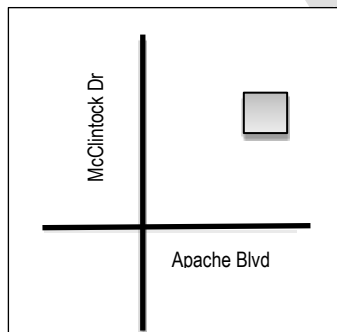
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**ACTION:** Request approval to abate public nuisance items at the ARVAYO PROPERTY located at 1122 E. Holbrook Ln. The applicant is the City of Tempe – Code Compliance.

**FISCAL IMPACT:** \$4179.00 for abatement request: Remove all junk and debris and inoperable/unregistered vehicle from the exterior of the property.

**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 ARVAYO 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 CE234894: Remove all junk and debris and inoperable/unregistered vehicle from the exterior of the property.



Property Owner  
Applicant  
Zoning District:  
Code Compliance  
Inspector:

Eliberto & Marcelina Arvayo  
City of Tempe – Code Compliance  
R-4: Multi Family Residential  
Andres Lara-Reyes

**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 ARVAYO PROPERTY located 1122 S Holbrook Ln. in the R-4 Multi Family Residential District. This case was initiated 09/05/2023, 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

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	ELIBERTO & MARCELINA ARVAYO	EXISTING ZONING	R-4 <input type="checkbox"/>
PROJECT ADDRESS	1122 S HOLBROOK LN	SUITE(S)	CE234894 <input type="checkbox"/>
PROJECT DESCRIPTION	TRASH, DEBRIS IN THE FRONT & BACK YARDS; INOPERABLE VEHICLES. HEARING DATE: OCTOBER 15, 2024	PARCEL No(s)	132-67-005A <input type="checkbox"/>

PROPERTY OWNER INFORMATION - REQUIRED (EXCEPT PRELIMINARY SITE PLAN REVIEW)			
BUSINESS NAME	ELIBERTO & MARCELINA ARVAYO	ADDRESS	1122 S HOLBROOK LN
CONTACT NAME		CITY	TEMPE, AZ 85281
EMAIL		PHONE 1	STATE AZ ZIP
		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	ADDRESS	
CONTACT NAME	ANDRES LARA-REYES	CITY	STATE ZIP
EMAIL		PHONE 1 (480) 350-8963	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	9/5/2024
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BUSINESS INFORMATION - REQUIRED FOR USE PERMITS & SIGN DPRs			
BUSINESS NAME		ADDRESS	
CONTACT NAME		CITY	STATE ZIP
TYPE OF BUSINESS		PHONE	EMAIL

<input checked="" type="checkbox"/>	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. SUBDIVISIONS / CONDOMINIUMS			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
TOTAL NUMBER OF APPLICATIONS		0		

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

SEE REVERSE SIDE FOR REQUIRED PROJECT DATA



**DATE:** September 5, 2024  
**TO:** John Salazar, Senior Code Inspector  
**FROM:** Andres Lara-Reyes, Code Inspector  
**SUBJECT:** CE234894 ELIBERTO & MARCELINA ARVAYO Property Abatement

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**LOCATION:** 1122 S HOLBROOK LN, TEMPE AZ 85281

**PARCEL:** 132-67-005A

**OWNER:** ELIBERTO & MARCELINA ARVAYO  
1122 S HOLBROOK LN  
TEMPE, AZ 85281

**FINDINGS:**

09/05/2023 The Code Compliance Division received complaint for trash, litter & debris and over height grass and weeds in the front and back yards; inoperable unregistered vehicles.

9/11/2023 Inspected the property and observed trash, litter, debris, ladders, scrap, lawn mower, grill, wood, vehicle parts & tires, boxes, refrigerator, discarded tvs, engine block, buckets in the front area of the property; trash, litter, debris, scrap, metals, vehicle parts & tires, wood, vehicle rims, vehicle bumpers, vehicle dollies, evap cooler parts in the back yard; 3 dismantled vehicles in the back yard; need to provide proof of registration for 2 Chevrolet trucks, a yellow sedan vehicle & a gold Mercury sedan vehicle in the front area of the property; oh g/w back yard - notice mailed

9/27/2023 received a call & spoke Mr. Albert Arvayo requesting a month extension. explained that the office is not allowing me to give months extension. i schedule a re-inspection for 10/26. at that time if enough improvements are made i will try to get him another 2 weeks, he understood.

10/26/2023 Property inspected part of the front north side area cleaned, the rest is the same, some trash, litter, debris. 3 dismantled vehicles in the back yard; needed to provide proof of registration for any unregistered vehicles in the front area of the property; need to stop working on vehicles within the next 2 weeks in the front or back of the property; oh g/w front & back yard cut - final notice mailed

11/14/2023 1st citation mailed & posted to the property for trash, litter, debris; dismantled vehicles; inoperable vehicles in the front & back yards, owner to pay fine or request a hearing by 11/27/23.

11/28/2023 Note: 1st citation \$600.00 fine was paid. Met Mr. Albert Arvayo at the property, explained that the back must be completely clean, there has been no improvements. some of the front yard areas were cleaned, but there is still work to be done. offered him an emergency abatement if he wanted to, he declined. explained to him that major improvements must be done in the next 2 weeks in order to avoid a 2nd citation.

12/19/2023 some clean up done in the front south side of the property, the front north side is clean, back yard remains the same no changes or improvements.

12/21/23 contacted Mr. Albert Arvayo and asked him to continue making improvements. he stated that some of the vehicles will be gone. i will re-inspect by 01/11/2024, asked him to keep me posted of any improvements, i am trying to avoid a 2nd citation, he understood.

01/16/2024 improvements done, appliances in the front area removed, pile of scrap placed for bulk pick up Feb 12-16; about 20 percent clean up done in the back yard - will monitor for more improvements before issuing a 2nd citation.

03/04/2024 minimum improvements done. 2nd citation issued to pay fine or request a hearing by 03/18/24.

03/19/2024 2nd citation fines & fees paid. Improvements were done, about 20% removed from the back yd - will continue to monitor for completion.

04/04/2024 improvements done but needs to remove the remaining items & vehicles - 2nd final mailed with photos attached giving specific items that need to be removed by 04/18 to avoid a 3rd citation.

04/18/2024 major improvements done, front area cleaned, back yard about 90% done - will monitor for completion.

05/02/2024 more improvements done, some items neatly stacked in the edges of the back yard fence. Spoke to the owner at the property, asked him to continue working on the back yard until complete. He stated he has a couple of loads to remove today - will reinspect in a couple of weeks, he understood.

05/16/2024 improvements done, front yard area cleaned; lawn cut. Back yard work has continued - will monitor for completion

06/04/2024 met Mr. Arvayo at the property to explained that even though improvements have been made, there is still work to do. i hand deliver a photo & explained that all scrap, metals, tubing, crates, any appliances stored against the back yard wall & fence

must be removed to be in compliance. asked him to take advantage of the Bulk pick up schedule for June 17-21. he can start placing items for bulk pick up this Friday. I explained that I am trying to avoid issuing a 3rd Citation or possible file abatement. any questions, I asked him to call me, he understood. will monitor the next 2 weeks to make sure he complies.

06/11/2024 Inspected the back & front. Not much has been place for bulk pick up sch for next week June 17-21. Will continue to monitor & inspect after bulk before issuing a 3rd citation.

06/25/2024 Inspected the back yard thru the neighbor complex, it does appear that the owner has continued to make major improvements. owner did take advantage of Bulk pick up scheduled for 06/17 - 06/21. Spoke to Mr. Arvayo in front of the property. noticed a pile of scrap. per owner, he is waiting for it to be picked up & it should get done by Friday. asked him to continue making improvements to avoid a 3rd citation, he understood.

07/11/2024 More clean up done, back yard has a few more piles to haul away; front is clean - will monitor for completion

08/15/2024 Some improvements done but back yard remains in violation. bid request will be submitted to file for an abatement.

### **RECOMMENDATIONS:**

I recommend an abatement of the nuisance violations at the property 1122 S HOLBROOK LN due to property owner's failure to bring property into compliance with Tempe City Code 21-3.B.1 & 21-3.b.3. Mr. Arvayo has been given ample time to come into compliance and maintain the property. The property owner was issued two civil citations. Owner paid both citation fines but there is still no indication that the property owner will bring the property into full compliance. 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,

Andres Lara-Reyes  
Code Inspector

ACTION TAKEN: Submit

NAME J SAZAN

DATE: 9/5/24



## NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 09/05/2024  
CASE #: CE234894

**ELIBERTO & MARCELINA ARVAYO**  
**1122 S HOLBROOK LN**  
**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:** 1122 S HOLBROOK LN TEMPE, AZ 85281  
**PARCEL:** 13267005A

This office will submit this complaint to the Community Development Abatement Hearing Officer located at the Tempe City Council Chambers **10/15/2024 5 PM**. 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, including exterior areas under any roof not enclosed by the walls, doors or windows of any building
- CC 21-3.b.3 Any inoperable or unregistered vehicle, or parts thereof, outside of or under a roof area not enclosed by walls, doors or windows of any building on any lot, except the safe and neat keeping of:
  - b. A vehicle undergoing repair, titled to the owner or resident of the property, provided that the repair is complete within fourteen (14) days after the repair was begun, provided that not more than three (3) such fourteen (14) day repairs will be permitted in any twelve (12) month period;

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 all trash, litter, debris tubing, scrap, wood, vehicle parts, vehicle tires, discarded lawn equipment, crates, any discarded appliances, propane gas tanks, buckets, a dismantled off road vehicle, a vehicle hood part in the back yard.
- CC 21-3.b.3 Please repair or remove the vehicle(s) being worked on in front 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 **\$4179.00**. In addition to the actual cost of abatement, an administrative charge of fifteen percent (15%) 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: Andres Lara-Reyes**  
**Phone Number: 480-350-8963**  
**E-mail: [andres\\_lara-reyes@tempe.gov](mailto:andres_lara-reyes@tempe.gov)**

# Customer Quotation

Date	Quote #
04-Sep-2024	114

## Apache Sands Towing

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

### Quoted For:

Andres Lara-Reyes  
 City of Tempe (Nuisance Abatement Services)

Arizona

Summary	
<b>Location:</b>	1122 S Holbrook Ln, Tempe, AZ 85281
<b>Destination:</b>	Tempe Impound
<b>Reason:</b>	Tow
<b>Zone:</b>	
<b>Vehicle:</b>	GMC TRUCK
<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 #
04-Sep-2024	115

## Apache Sands Towing

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

### Quoted For:

Andres Lara-Reyes  
 City of Tempe (Nuisance Abatement Services)

Arizona

Summary	
<b>Location:</b>	1122 S Holbrook Ln Tempe, AZ 85281
<b>Destination:</b>	Tempe Impound
<b>Reason:</b>	Tow
<b>Zone:</b>	
<b>Vehicle:</b>	Dodge Neon
<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



## Skunky's Junk Removal

1122 South Holbrook Lane  
Tempe, AZ 85281

✉ emailprocurementofficerdirectly@none.com

ESTIMATE	#607
SERVICE DATE	Aug 20, 2024
EXPIRATION DATE	Oct 3, 2024
<b>TOTAL</b>	<b>\$3,970.00</b>

### CONTACT US

2618 W. First Street, Suite 7  
Tempe, AZ 85281

☎ (844) 758-6597

✉ info@skunkysjunk.com

## ESTIMATE

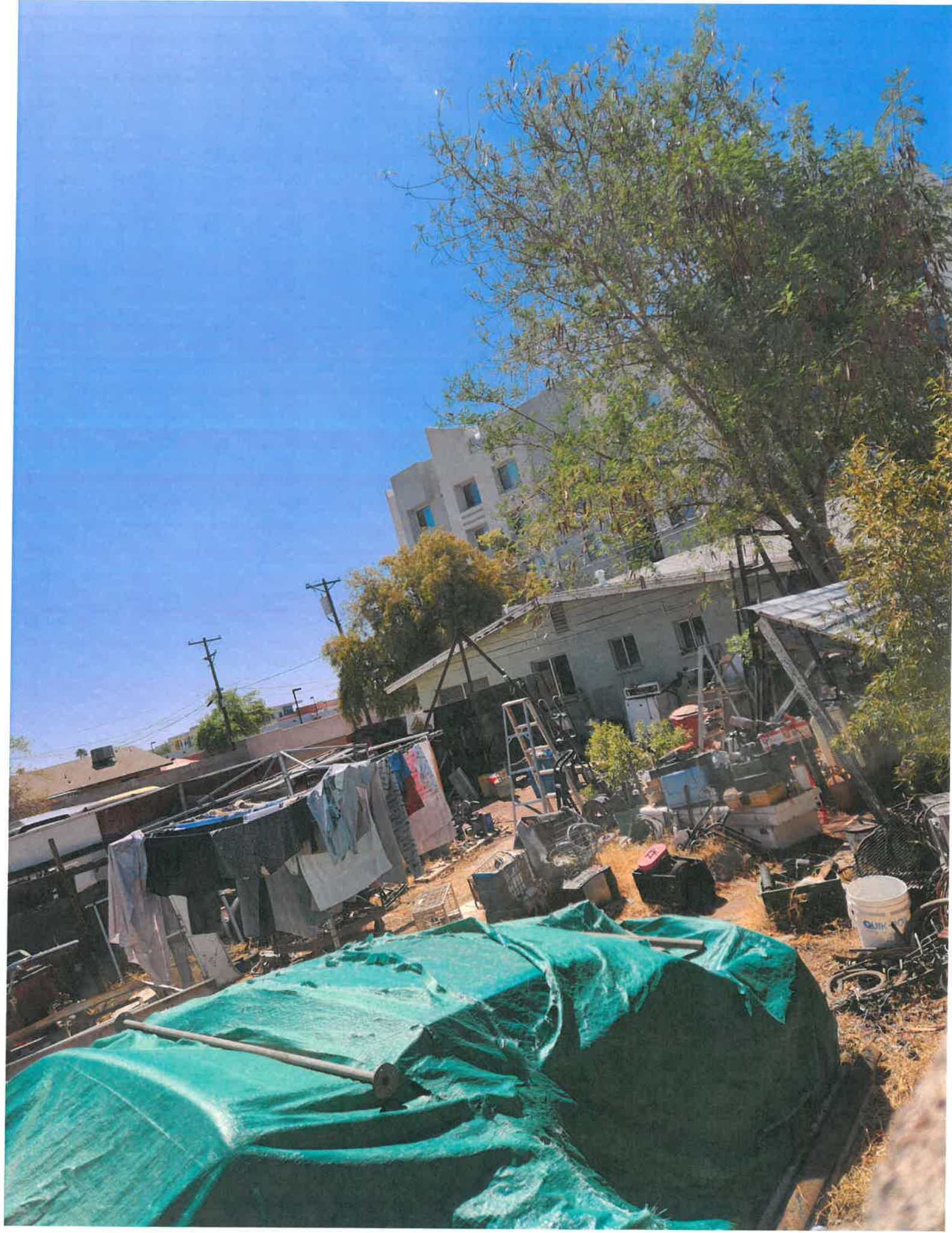
Services	amount
CE234894 Removal of all trash, litter, debris front and back yards Police officer presence needed	\$3,250.00
Security (Off-Duty Tempe PD) 3 hr. minimum	\$720.00
	Services subtotal: \$3,970.00
	Subtotal \$3,970.00
<b>Total</b>	<b>\$3,970.00</b>

Skunky's Junk Removal is a full service Junk removal company located in Tempe Arizona. Skunky's is dedicated to diverting waste from landfills and donates salvageable items to local charity's.

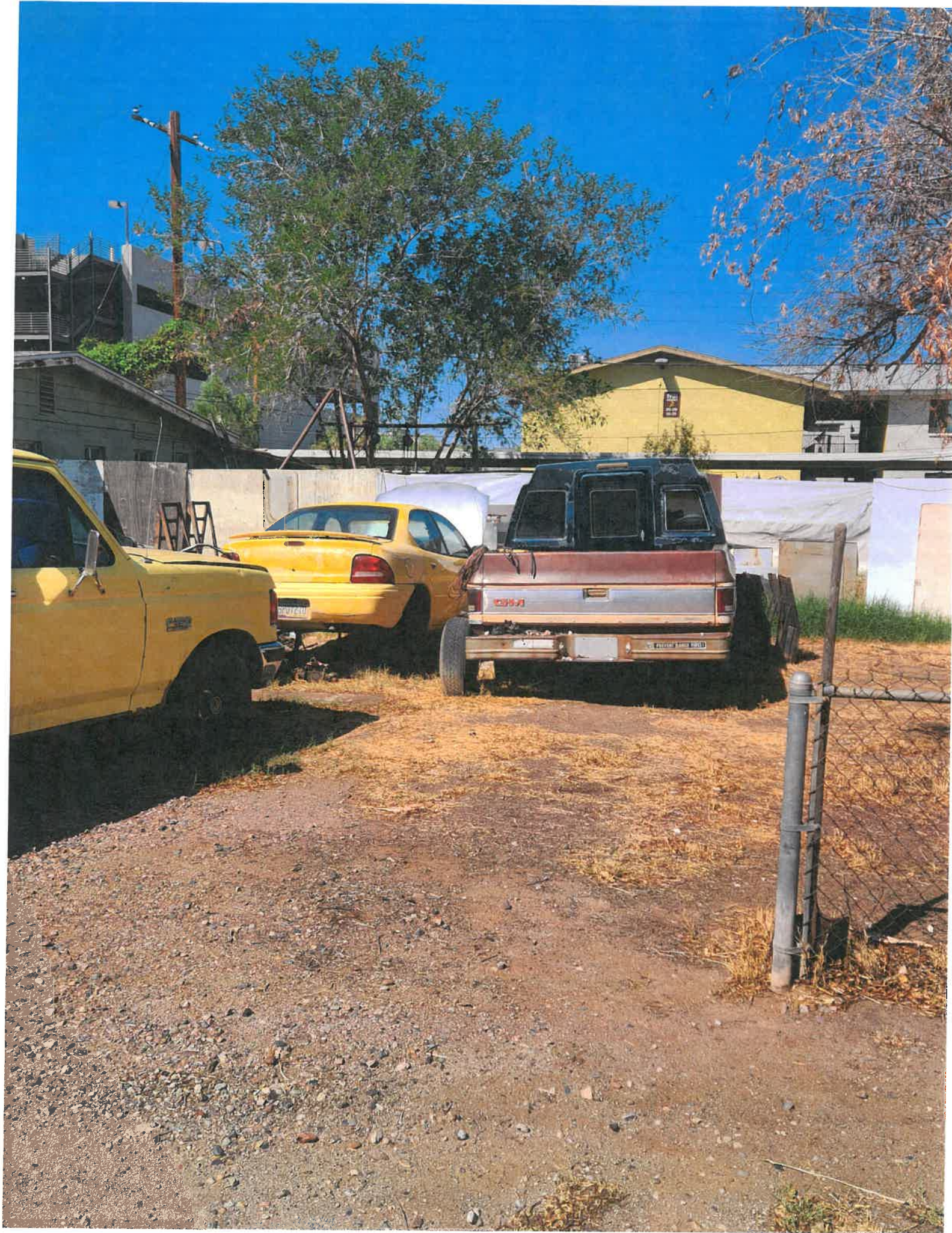














COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
CORRECTION NOTICE

09/12/2023

ELIBERTO & MARCELINA ARVAYO  
1122 S HOLBROOK LN  
TEMPE, AZ 85281

Case #: CE234894  
Site Address: 1122 S HOLBROOK LN, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 09/11/2023 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; including, but not limited to, areas that contain items such as cans, bottles, wood, metal, plastic, rags, boxes, paper, tires, auto parts; unused, inoperable, worn out or discarded appliances or other household items
CC 21-3.b.2	Exterior areas used or maintained as junkyards or dumping grounds, except: a. Any automobile wrecking yard or other junkyard where the same are permitted by the city zoning regulations; or b. The disassembling, repair, rebuilding, storage or keeping of vehicles, machinery or any of the parts thereof on any farm or ranch where such disassembling, repair, rebuilding, storage or keeping are customary and incidental to such farming or ranching activities
CC 21-3.b.3	Any inoperable or unregistered vehicle, or parts thereof, outside of or under a roof area not enclosed by walls, doors or windows of any building on any lot, except the safe and neat keeping of: a. Substantially complete inoperable or unregistered vehicles with inflated tires under the roof area of any building; b. A vehicle undergoing repair, titled to the owner or resident of the property, provided that the repair is complete within fourteen (14) days after the repair was begun, provided that not more than three (3) such fourteen (14) day repairs will be permitted in any twelve (12) month period; c. Not more than two (2) ongoing restoration projects or inoperable or unregistered vehicles in a backyard area, screened by a substantially opaque fence at a minimum height of five (5) feet or the height of the vehicles, whichever is more, provided that any fence constructed or modified pursuant to this subsection must meet any and all other requirements of the city code
CC 21-3.b.8	Any landscaping, visible from public property, that is substantially dead, damaged, or characterize by uncontrolled growth, or presents a deteriorated appearance

<b>PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION</b>		<b>SITE REINSP ON OR AFTER</b>
CC 21-3.b.1	Please remove all trash, litter, debris, ladders, scrap, lawn mower, grill, wood, vehicle parts & tires, boxes, refrigerator, discarded tvs, engine block, buckets in the front area of the property;	10/11/2023
CC 21-3.b.1	Please remove all trash, litter, debris, scrap, metals, vehicle parts & tires, wood, vehicle rims, vehicle bumpers, vehicle dollies, evap cooler parts in the back yard;	10/11/2023
CC 21-3.b.2	Please remove three (3) dismantled vehicles in the back yard;	10/11/2023
CC 21-3.b.3	Please provide proof of registration or remove two (2) Chevrolet trucks, a yellow sedan vehicle & a gold Mercury sedan vehicle in the front area of the property;	10/11/2023
CC 21-3.b.3	Please repair or remove any vehicle(s) being worked on in the front area of the property within fourteen (14) days of this notice.	10/11/2023
CC 21-3.b.8	Please cut all over height grass and weeds in the back yard.	10/11/2023

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

**Andres Lara-Reyes**  
Code Inspector

**Direct: 480-350-8963**  
**Code Compliance: 480-350-4311**  
**Email: andres\_lara-reyes@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

10/26/2023

ELIBERTO & MARCELINA ARVAYO  
1122 S HOLBROOK LN  
TEMPE, AZ 85281

Case #: CE234894  
Site Address: 1122 S HOLBROOK LN, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 10/26/2023 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.2	Exterior areas used or maintained as junkyards or dumping grounds, except: a. Any automobile wrecking yard or other junkyard where the same are permitted by the city zoning regulations; or b. The disassembling, repair, rebuilding, storage or keeping of vehicles, machinery or any of the parts thereof on any farm or ranch where such disassembling, repair, rebuilding, storage or keeping are customary and incidental to such farming or ranching activities
CC 21-3.b.3	Any inoperable or unregistered vehicle, or parts thereof, outside of or under a roof area not enclosed by walls, doors or windows of any building on any lot, except the safe and neat keeping of: a. Substantially complete inoperable or unregistered vehicles with inflated tires under the roof area of any building; b. A vehicle undergoing repair, titled to the owner or resident of the property, provided that the repair is complete within fourteen (14) days after the repair was begun, provided that not more than three (3) such fourteen (14) day repairs will be permitted in any twelve (12) month period; c. Not more than two (2) ongoing restoration projects or inoperable or unregistered vehicles in a backyard area, screened by a substantially opaque fence at a minimum height of five (5) feet or the height of the vehicles, whichever is more, provided that any fence constructed or modified pursuant to this subsection must meet any and all other requirements of the city code

<b>PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION</b>		<b>SITE REINSP ON OR AFTER</b>
CC 21-3.b.1	Please remove the remaining trash, litter, debris, ladders, scrap, vehicle parts & tires, boxes, refrigerator, discarded tvs in the front area of the property;	11/13/2023
CC 21-3.b.1	Please remove all trash, litter, debris, scrap, metals, vehicle parts & tires, wood, vehicle rims, vehicle bumpers, vehicle dollies, evap cooler parts in the back yard;	11/13/2023
CC 21-3.b.2	Please remove from the property three (3) dismantled vehicles in the back yard;	11/13/2023
CC 21-3.b.3	Please provide proof of registration or remove any unregistered vehicles in the front area of the property;	11/13/2023
CC 21-3.b.3	Please repair or remove any vehicle(s) being worked on in the front or the back areas of the property within fourteen (14) days of this notice.	11/13/2023

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

**Andres Lara-Reyes**  
Code Inspector

**Direct: 480-350-8963**  
**Code Compliance: 480-350-4311**  
**Email: andres\_lara-reyes@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

04/04/2024

ELIBERTO & MARCELINA ARVAYO  
 1122 S HOLBROOK LN  
 TEMPE, AZ 85281

Case #: CE234894  
 Site Address: 1122 S HOLBROOK LN, TEMPE, AZ 85281

**PLEASE CORRECT ALL VIOLATIONS BY 04/18/2024 TO AVOID A 3<sup>RD</sup> CITATION.**

This is a notice to inform you that this site was inspected on 04/04/2024 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.2	Exterior areas used or maintained as junkyards or dumping grounds
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 ANY REMAINING trash, litter, debris, vehicle parts in the front area of the property;	4/18/2024
	Please remove THE REMAINING trash, litter, debris, scrap, metals, vehicle parts & tires, wood, vehicle rims, vehicle bumpers, vehicle dollies, evap cooler parts in the back yard;	
CC 21-3.b.2	Please remove three (any) dismantled vehicles in the back yard;	4/18/2024
CC 21-3.b.3	Please provide proof of registration or remove any unregistered vehicles in the front area of the property;	4/18/2024
	Please repair or remove any vehicle(s) being worked on in the front or the back areas of the property within fourteen (14) days of this notice.	

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

**Andres Lara-Reyes**  
 Code Inspector

**Direct: 480-350-8963**  
**Code Compliance: 480-350-4311**  
**Email: andres\_lara-reyes@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>1789912</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"/> Haz. Material		
Driver's License No.				DLP <input type="checkbox"/>	State	Class	Endorsements M H N P T X D					Incident Report Number <b>CE 234894</b>		
Interpreter Required? <input type="checkbox"/> Spanish <input type="checkbox"/> Other Language														
<b>Defendant</b>		Name (First, Middle, Last) <b>ELIBERTO ARVAYO</b>										Juvenile		
Residence Address, City, State, Zip Code <b>1122 S HOLBROOK LN 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	License Plate		State	Expiration Date				
Registered owner & address, City, State, Zip Code								Vehicle Identification Number						
The Undersigned Certifies That:														
On	Month	Day	Year	Time	<input checked="" type="checkbox"/> AM <input 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>1122 S HOLBROOK LN</b>								<input checked="" type="checkbox"/> Tempe <b>85281</b>		State of Arizona		Area Dist.	
The Defendant Committed the Following:														
<b>A</b>	Section: <b>TCC 21-3 A</b>			ARS Violation: <b>CC 21-3.B.1 TRASH, LITTER, DEBRIS</b>	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>TCC 21-3 A</b>			ARS Violation: <b>CC 21-3.B.2 DISMANTLED VEHICLES</b>	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: <b>TCC 21-3 A</b>			ARS Violation: <b>CC 21-3.B.3 IMPERABLE VEHICLES</b>	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>D</b>	Section:			ARS Violation:	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:	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>		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>11/27/2023</b>	Time: <b>Between 9AM &amp; 4PM</b>							
		<input type="checkbox"/> 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</b>	<b>MAILES</b>	<b>Arish</b>	<b>8036</b>											
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	<b>1st Violation</b>	<b>\$600.00</b>	<b>CODE COMPLIANCE</b>							

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.

COMPLAINT



1789912



# Arizona Traffic Ticket and Complaint

City of Tempe  
Maricopa County  
State of Arizona



Complaint Number <b>1789916</b>		Case Number		Social Security Number		Military <input type="checkbox"/>		<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>CE 234894</b>		
Interpreter Required? <input type="checkbox"/> Spanish <input type="checkbox"/> Other Language													
<b>Defendant</b>		Name (First, Middle, Last) <b>ELIBERTO ARVAYO</b>										Juvenile <input type="checkbox"/>	
Residence Address, City, State, Zip Code <b>1122 S HOLBROOK LN TEMPE AZ 85281</b>												Telephone: (cell phone) <b>480-492-5273</b>	
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>03</b>	Day <b>04</b>	Year <b>2024</b>	Time <b>9:03</b>	<input checked="" type="checkbox"/> AM <input 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>1122 S HOLBROOK LN</b>							<input checked="" type="checkbox"/> Tempe <b>85281</b>		State of Arizona		Area	Dist.
The Defendant Committed the Following:													
<b>A</b>	Section: <b>TCC 21-3 A</b>		ARS CC	Violation: <b>21.3.B.1 TRASH, LITTER, DEBRIS</b>	Domestic Violence Case <input type="checkbox"/>		<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		MVD	
	Docket Number	Disp. Code:	Date of Disposition:		Sanction:								
<b>B</b>	Section: <b>TCC 21-3 A</b>		ARS CC	Violation: <b>21.3.B.2 DISMANTLED VEHICLES</b>	Domestic Violence Case <input type="checkbox"/>		<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		MVD	
	Docket Number	Disp. Code:	Date of Disposition:		Sanction:								
<b>C</b>	Section: <b>TCC 21-3 A</b>		ARS CC	Violation: <b>21.3.B.3 INOPERABLE VEHICLES</b>	Domestic Violence Case <input type="checkbox"/>		<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		MVD	
	Docket Number	Disp. Code:	Date of Disposition:		Sanction:								
<b>D</b>	Section:		ARS CC	Violation:	Domestic Violence Case <input type="checkbox"/>		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic	<input type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense		MVD	
	Docket Number	Disp. Code:	Date of Disposition:		Sanction:								
<b>E</b>	Section:		ARS CC	Violation:	Domestic Violence Case <input type="checkbox"/>		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic	<input type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense		MVD	
	Docket Number	Disp. Code:	Date of Disposition:		Sanction:								
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>03/18/2024</b>	Time: <b>Between 9AM &amp; 4PM</b>							
	<input type="checkbox"/> 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.	Civil: <input type="checkbox"/> Without admitting responsibility, I acknowledge receipt of this complaint.	<input checked="" type="checkbox"/> MAILED	Victim? <input type="checkbox"/>	Victim Notified? <input type="checkbox"/>	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.		8036						
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.	2ND VIOLATION \$900.00	CODE COMPLIANCE	Complainant	ID #	Initials	Date issued if not violation date							

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.

COMPLAINT



1789916