

**CITY OF TEMPE
HEARING OFFICER**

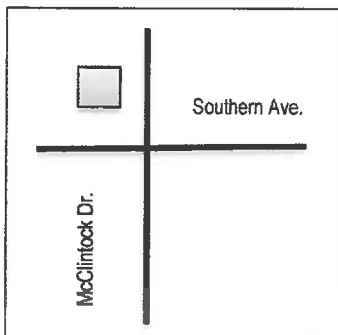
**Meeting Date: 8/06/2019
Agenda Item: 5**

ACTION: Request approval to abate public nuisance items at the Patron Property located at 1515 E. Del Rio Drive. The applicant is the City of Tempe – Code Compliance.

FISCAL IMPACT: \$1442.00 for abatement request, cut over-height grass and weeds from front and side of property, remove stored items from front and side of 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 PATRON 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 CE192204: cut over-height grass and weeds from front and side of property, remove stored items from front and side of property.



Property Owner	Patron Enterprises LLC
Applicant	City of Tempe – Code Compliance
Zoning District:	R1-6, Single Family Residential
Code Compliance Inspector:	Julie Scofield, Code Inspector

ATTACHMENTS: Supporting Attachment

STAFF CONTACT: Drew Yocom, Planning & Research Analyst (480-858-2190)

Department Director: Chad Weaver, Community Development Director

Legal review by: N/A

Prepared by: Barbara Simons, Code Inspector

Reviewed by: Drew Yocom, Planning & Research Analyst

COMMENTS:

Code Compliance is requesting approval to abate the Patron Property located at 1515 E. Del Rio Drive, in the R1-6, Single Family Residential district. This case was initiated 03/26/2019, 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 5th 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	Patron Property Abatement			EXISTING ZONING	R1-6 <input type="checkbox"/>
PROJECT ADDRESS	1515 E Del Rio Dr Tempe AZ 85282			SUITE(S)	<input type="checkbox"/>
PROJECT DESCRIPTION	Abatement of CE192204 Hearing August 6th 2019			PARCEL No(s)	133-33-131A <input type="checkbox"/>
PROPERTY OWNER INFORMATION - REQUIRED (EXCEPT PRELIMINARY SITE PLAN REVIEW)					
BUSINESS NAME	Patron Enterprises LLC	ADDRESS	P.O. Box 63		
CONTACT NAME	Renate Patron	CITY	MariCopa	STATE	AZ ZIP 85355
EMAIL		PHONE 1		PHONE 2	
<i>I hereby authorize the applicant below to process this application with the City of Tempe.</i>					
PROPERTY OWNER SIGNATURE X or attach written statement authorizing the applicant to file the application(s)				DATE	
APPLICANT INFORMATION - REQUIRED					
COMPANY / FIRM NAME	Community Development	ADDRESS	21 E 6th St		
CONTACT NAME	Julie Scofield	CITY	Tempe	STATE	AZ ZIP 85281
EMAIL	Julie_scofield@tempe.gov	PHONE 1	480 350 8951	PHONE 2	
<i>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.</i>					
APPLICANT SIGNATURE X				DATE 6/18/19	
BUSINESS INFORMATION - REQUIRED FOR USE PERMITS & SIGN DPRs					
BUSINESS NAME		ADDRESS			
CONTACT NAME		CITY		STATE	ZIP
TYPE OF BUSINESS		PHONE		EMAIL	
APPLICATION (check all that apply)	QTY	SPECIFIC REQUEST (see planning & zoning fee schedule for types)	FOR CITY USE ONLY (planning record tracking numbers)		
<input type="checkbox"/> A. PRELIMINARY SITE PLAN REVIEW			SPR		
<input type="checkbox"/> B. ADMINISTRATIVE APPLICATIONS			ADM		
<input type="checkbox"/> C. VARIANCES			VAR		
<input type="checkbox"/> D. USE PERMITS / USE PERMIT STANDARDS			ZUP		
<input type="checkbox"/> E. ZONING CODE AMENDMENTS			ZOA	ZON	
<input type="checkbox"/> F. PLANNED AREA DEVELOPMENT OVERLAYS			PAD	REC	
<input type="checkbox"/> G. 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	1		CE	CM	
TOTAL NUMBER OF APPLICATIONS	0				
FOR CITY USE ONLY					
DS TRACKING #		FILE THIS APPLICATION WITH CE / CM TRACKING #	DATE RECEIVED (STAMP)	VALIDATION OF PAYMENT (STAMP)	
PL TRACKING #					
SPR TRACKING # (if 2 nd or 3 rd submittal, use planning resubmittal form)				TOTAL APPLICATION FEES	
				RECEIVED BY INTAKE STAFF (INITIALS)	

SEE REVERSE SIDE FOR REQUIRED PROJECT DATA

DATE: 06/18/2019
TO: Jeff Tamulevich, Code Administrator
FROM: Julie Scofield
SUBJECT: Patron Property Abatement

LOCATION: 1515 E. Del Rio Dr. Tempe, AZ 85282

PARCEL: 133-33-131A

OWNER: Patron Enterprises LLC
C/O Renato Patron
P.O. Box 63
Maricopa, AZ 85355

FINDINGS:

- 03/26/2019 Complaint came into Neighborhood Enhancement (CE192204) for this property regarding junk and debris in the front, side, and back yard. Inspected the property and found the front yard to have over height grass and weeds. There were vehicles parking in an area that is not an improved surface. There was also a lot of items being stored in the carport. Checked the back yard and did not find a violation. Mailed a notice to the owner and tenant regarding the violations.
- 04/11/2019 Re-inspected the property and found the property to be in the same condition as before. Mailed final notices.
- 05/03/2019 There has been no change to the property. A pink hanger was hung on the door asking for compliance or contact by 05/07/19 to avoid possible citations.
- 05/10/2019 Issued a citation (#1701795) for the landscape, lawn parking, and junk and debris. The citation was mailed certified mail. Pictures of the property were taken at this time as well.
- 06/13/2019 The certified citation came back in the mail labeled "unclaimed". Lawn parking has ceased at this time.
- 06/18/2019 Received an abatement bid in the amount of \$1442.00 to have the property cleaned up.

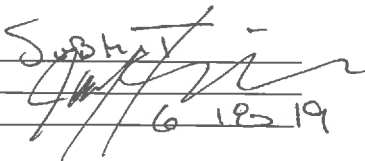
RECOMMENDATIONS:

I am recommending the approval for the abatement at 1515 E. Del Rio Dr. The property is owned by Patron Enterprises LLC. The owner has been given ample time and opportunities to bring this property into compliance and has failed to take any corrective action. Several notices were mailed, and a citation was issued. Would also like to request a 180-day open abatement in the event the property comes into violation in the future.

Respectfully submitted,

Julie Scofield

ACTION TAKEN:
NAME
DATE:



6/18/19

CASE # CE192204



NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

06/18/2019

Patron Enterprises LL
C/O Renato Patron
P.O. Box 63
Maricopa, AZ 85355

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

Legal: HUGHES ACRES
Location: 1515 E. DEL RIO DR. TEMPE, AZ 85282
Parcel: 133-33-131A

This office will submit this complaint to the Community Development Abatement Hearing Officer to be placed on the Hearing Officer agenda of **08/06/2019**. 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:

Violation of City of Tempe Code 21-3-B-8

Any landscaping, visible from public property, that is substantially dead, damaged, or characterized by uncontrolled growth, or presents a deteriorated or slum-like appearance; uncultivated plants, weeds, tall grass, uncultivated shrubs or growth (whether growing or otherwise) higher than twelve (12) inches; or any dead trees, bushes, shrubs or portions thereof, including stumps; or any palm or similar type tree having dead or dry fronds descending downward from the base of the lowest living frond more than eight (8) feet or dry fronds longer than five (5) feet and closer than eight (8) feet to the ground.

Violation of City of Tempe Code 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; lumber, scrap iron, tin and other metal not neatly piled, or anything whatsoever that is or may become a hazard to public health and safety, or that may harbor insect, rodent or vermin infestation. This subsection shall not be deemed to include items kept in covered bins or metal receptacles approved by the county health officer or this code or any other ordinance of the city.

1. **CUT ALL OVER HEIGHT GRASS/WEEDS FROM THE FRONT AND SIDES OF THE PROPERTY.**
2. **REMOVE ALL ITEMS STORED IN THE FRONT AND OR SIDE OF THE PROPERTY.**

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

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 **\$1442.00**. 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) 350-8372.

Code Inspector: Julie Scofield

Phone Number: (480)350-8951

E-mail: julie_scofield@tempe.gov



June 20, 2019

City of Tempe
Attn: Julie Scofield
Code Inspector

RE: Clean up – 1515 E Del Rio Drive

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 1515 E Del Rio Drive in the City of Tempe. Please give us a call for any questions you may have at 480-821-4966.

Scope of Work

- Clean up landscape from front and side yards
- Removal of items being stored in driveway
- PD presence on site for duration of visit

Total = \$886.00

Respectfully,

Jose Hernandez

HAMANN ENTERPRISES, LLC

2925 N 19TH AVE UNIT 97

PHOENIX, AZ 85015

(602) 575-4455

hamannenterprises@yahoo.com

THE FOLLOWING DOCUMENT IS FOR:

NAME: JULIE SCOFIELD

FIRM: CITY OF TEMPE

DATE: 6/16/19

PROPOSAL

WE PROPOSE TO DO THE FOLLOWING WORK FOR THE CITY OF TEMPE
UNDER CONTRACT # T18-011-03

ADDRESS: 1515 E DEL RIO DR

1 LANDSCAPE FRONT AND SIDE YARDS REMOVE JUNK AND DEBIS IN CARPORT	\$840.00
2 ESTAMATED DUMP FEES	\$50.00
3 SECURITY BY TEMPE POLICE	\$552.00
4	\$0.00
5	\$0.00
6	\$0.00
TOTAL COST OF JOB	\$1,442.00

THANK YOU FOR YOUR BUSINESS

BOB HAMANN

Arizona Traffic Ticket and Complaint

City of Tempe
Maricopa County,
State of Arizona



Complaint Number 1701795	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 CE192204		
Interpreter Required? <input type="checkbox"/> Spanish <input type="checkbox"/> Other Language							
Defendant	Name (First, Middle, Last) Patron Enterprises LLC / Renato Patron						Juvenile
Residence Address, City, State, Zip Code PO Box 63 Maricopa, AZ 85355							Telephone: (cell phone) <input type="checkbox"/>
Sex	Height	Weight	Eyes	Hair	Origin	Date of Birth	Restrictions
Business Address, City, State, Zip Code							Business Phone No. ()
Vehicle	Color	Year	Make	Model	Style	License Plate	State
Registered owner & address, City, State, Zip Code						Vehicle Identification Number	

The Undersigned Certifies That:

On	Month 05	Day 10	Year 19	Time 10:09	<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	Speed	Approx.	Posted	R & P	Speed Measurement Device <input type="checkbox"/> Radar <input type="checkbox"/> Laser <input type="checkbox"/> Pace	Direction of Travel	
At	Location 1515 E. DCL RIO DR.								<input checked="" type="checkbox"/> Tempe <input type="checkbox"/> State of Arizona	85282	Area	Dist.

The Defendant Committed the Following:

A	Section: 21-3-B-1	ARS CC	Violation: Junk, trash, debris	<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:					
B	Section: 21-3-B-8	ARS CC	Violation: Deteriorated Landscape	<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:					
C	Section: 21-3-B-4	ARS CC	Violation: LAWN PARKING	<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:					
D	Section:	ARS CC	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:					
E	Section:	ARS CC	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:					

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: 05/24/19	Time: Between 9AM & 4PM
		<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor	Date: _____	Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM
	Court: _____	Date: _____	Time: _____	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.	
x cert mail	Furie Scofield	8022
	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 _____

1st citation
A = \$200.00 C = \$200.00
B = \$200.00

Total \$600.00

Date issued if not violation date

If the defendant fails to appear within the time specified, and either pay the fine for the violation or request a hearing, judgment by default will be entered in the amount of the fine designated on the citation for the violation charged plus a penalty amount.





**COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
CORRECTION NOTICE**

03/27/19

PATRON ENTERPRISES LLC
C/O RENATO/CERISE PATRON
4901 S CALLE LOS CERROS DR UNIT 117
TEMPE, AZ 85282-6215

Case#: CE192204
Site Address: 1515 E. DEL RIO DR. TEMPE, AZ 85282

SITE REINSPECTION ON OR AFTER: 04/10/2019

This is a notice to inform you that this site was inspected on 03/27/2019 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.

VIOLATION SECTION:

Violation of City of Tempe Code 21-3-B-8

Any landscaping, visible from public property, that is substantially dead, damaged, or characterized by uncontrolled growth, or presents a deteriorated or slum-like appearance; uncultivated plants, weeds, tall grass, uncultivated shrubs or growth (whether growing or otherwise) higher than twelve (12) inches; or any dead trees, bushes, shrubs or portions thereof, including stumps; or any palm or similar type tree having dead or dry fronds descending downward from the base of the lowest living frond more than eight (8) feet or dry fronds longer than five (5) feet and closer than eight (8) feet to the ground.

Violation of City of Tempe Code 21-3-B-4

To leave or permit to remain outside of any single-family or multifamily dwelling or accessory building any camper, vehicle, or part thereof in any portion of the front or side area of the building visible from the street that is not on an improved area designed or intended for such use. An improved area shall:

- a. Be contiguous to, parallel with, and share an access point with, the required driveway;
- b. Have a consistent length and width, but not necessarily the same dimensions of the parking area or required driveway;
- c. Be no greater than thirty-five percent (35%) of the front and side areas visible from the street;
- d. Be a minimum of three (3) inches in depth if gravel, crushed rock or other aggregate. If using materials other than asphalt or concrete, an improved surface containing material such as gravel or crushed rock must be contained within a permanent border, imbedded in the ground, delineating the improved area from the remainder of the yard; and
- e. Be maintained free of all vegetation, including, but not limited to grasses, trees and bushes.

Violation of City of Tempe Code 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; lumber, scrap iron, tin and other metal not neatly piled, or anything whatsoever that is or may become a hazard to public health and safety, or that may harbor insect, rodent or vermin infestation. This subsection shall not be deemed to include items kept in covered bins or metal receptacles approved by the county health officer or this code or any other ordinance of the city.

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION:

1. PLEASE CUT ALL OVER HEIGHT GRASS AND OR WEEDS IN THE FRONT AND OR SIDES OF THE PROPERTY.
2. PLEASE DO NOT PARK OR ALLOW ANYONE TO PARK IN THE LANDSCAPING AREA OF THE FRONT AND OR SIDE OF THE PROPERTY. ADDITIONAL PARKING MUST MEET REQUIREMENTS OF 21-3-B-4. THIS INCLUDES THE AREA TO THE EAST OF THE DRIVEWAY.
3. PLEASE REMOVE AND OR PROPERLY DISCARD THE ITEMS IN THE FRONT AND OR SIDES OF THE PROPERTY. THIS INCLUDES THE FURNITURE, CONTAINERS, COUCHES, ANY HOUSEHOLD ITEMS, AND ANY OTHER MISCELLANEOUS ITEMS.

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

Julie Scofield
Code Inspector II
E-Mail

Direct: 480-350-8951
Code Compliance: 480-350-8372
julie_scofield@tempe.gov

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.

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 \$75.00 pursuant to City Code Section 21-51, subsection (b).



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

04/11/19

PATRON ENTERPRISES LLC
C/O RENATO/CERISE PATRON
4901 S CALLE LOS CERROS DR UNIT 117
TEMPE, AZ 85282-6215

Case#: CE192204
Site Address: 1515 E. DEL RIO DR. TEMPE, AZ 85282

SITE REINSPECTION ON OR AFTER: 04/25/2019

This is a notice to inform you that this site was inspected on 04/11/2019 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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- d. Be a minimum of three (3) inches in depth if gravel, crushed rock or other aggregate. If using materials other than asphalt or concrete, an improved surface containing material such as gravel or crushed rock must be contained within a permanent border, imbedded in the ground, delineating the improved area from the remainder of the yard; and
- e. Be maintained free of all vegetation, including, but not limited to grasses, trees and bushes.

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Julie Scofield
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Direct: 480-350-8951
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CODE COMPLIANCE
CORRECTION NOTICE**

03/27/19

PATRON ENTERPRISES LLC
C/O RENATO/CERISE PATRON
P O BOX 63
MARICOPA, AZ 85139

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VIOLATION SECTION:

Violation of City of Tempe Code 21-3-B-8

Any landscaping, visible from public property, that is substantially dead, damaged, or characterized by uncontrolled growth, or presents a deteriorated or slum-like appearance; uncultivated plants, weeds, tall grass, uncultivated shrubs or growth (whether growing or otherwise) higher than twelve (12) inches; or any dead trees, bushes, shrubs or portions thereof, including stumps; or any palm or similar type tree having dead or dry fronds descending downward from the base of the lowest living frond more than eight (8) feet or dry fronds longer than five (5) feet and closer than eight (8) feet to the ground.

Violation of City of Tempe Code 21-3-B-4

To leave or permit to remain outside of any single-family or multifamily dwelling or accessory building any camper, vehicle, or part thereof in any portion of the front or side area of the building visible from the street that is not on an improved area designed or intended for such use. An improved area shall:

- a. Be contiguous to, parallel with, and share an access point with, the required driveway;
- b. Have a consistent length and width, but not necessarily the same dimensions of the parking area or required driveway;
- c. Be no greater than thirty-five percent (35%) of the front and side areas visible from the street;
- d. Be a minimum of three (3) inches in depth if gravel, crushed rock or other aggregate. If using materials other than asphalt or concrete, an improved surface containing material such as gravel or crushed rock must be contained within a permanent border, imbedded in the ground, delineating the improved area from the remainder of the yard; and
- e. Be maintained free of all vegetation, including, but not limited to grasses, trees and bushes.

Violation of City of Tempe Code 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; lumber, scrap iron, tin and other metal not neatly piled, or anything whatsoever that is or may become a hazard to public health and safety, or that may harbor insect, rodent or vermin infestation. This subsection shall not be deemed to include items kept in covered bins or metal receptacles approved by the county health officer or this code or any other ordinance of the city.

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION:

1. PLEASE CUT ALL OVER HEIGHT GRASS AND OR WEEDS IN THE FRONT AND OR SIDES OF THE PROPERTY.
2. PLEASE DO NOT PARK OR ALLOW ANYONE TO PARK IN THE LANDSCAPING AREA OF THE FRONT AND OR SIDE OF THE PROPERTY. ADDITIONAL PARKING MUST MEET REQUIREMENTS OF 21-3-B-4. THIS INCLUDES THE AREA TO THE EAST OF THE DRIVEWAY.
3. PLEASE REMOVE AND OR PROPERLY DISCARD THE ITEMS IN THE FRONT AND OR SIDES OF THE PROPERTY. THIS INCLUDES THE FURNITURE, CONTAINERS, COUCHES, ANY HOUSEHOLD ITEMS, AND ANY OTHER MISCELLANEOUS ITEMS.

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

Julie Scofield
Code Inspector II
E-Mail

Direct: 480-350-8951
Code Compliance: 480-350-8372
julie_scofield@tempe.gov

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.

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 \$75.00 pursuant to City Code Section 21-51, subsection (b).



COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
FINAL CORRECTION NOTICE

04/11/19

PATRON ENTERPRISES LLC
C/O RENATO/CERISE PATRON
P O BOX 63
MARICOPA, AZ 85139

Case#: CE192204
Site Address: 1515 E. DEL RIO DR. TEMPE, AZ 85282

SITE REINSPECTION ON OR AFTER: 04/25/2019

This is a notice to inform you that this site was inspected on 04/11/2019 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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