

**CITY OF TEMPE  
HEARING OFFICER**

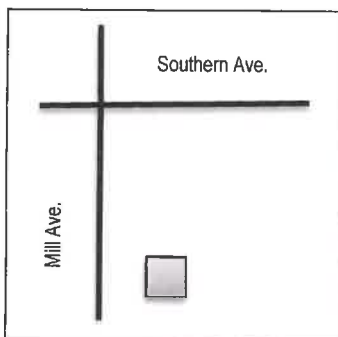
**Meeting Date: 09/20/2022  
Agenda Item: 5**

**ACTION:** Request approval to abate public nuisance items at the Jomsky Property located at 140 E. Riviera Drive. The applicant is the City of Tempe – Code Compliance.

**FISCAL IMPACT:** \$1,189 for abatement request: front yard landscape cleanup, remove junk and debris from front yard.

**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 JOMSKY 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 CE221321: front yard landscape cleanup, remove junk and debris from front yard.



Property Owner	Tobey Z. Jomsky
Applicant	City of Tempe – Code Compliance
Zoning District:	R1-6, Single Family Residential
Code Compliance Inspector:	Hector Heredia

**ATTACHMENTS:** Supporting Attachment

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

Department Director: Jeffrey Tamulevich, Department Director

Legal review by: N/A

Prepared by: Barbara Simons, Code Inspector

Reviewed by: Drew Yocom, Code Administrator

**COMMENTS:**

Code Compliance is requesting approval to abate the Jomsky Property located at 140 E. Riviera Drive, in the R1-6 Single Family Residential district. This case was initiated 02/28/2022, 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

# Project Submittal Application

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



### Project Information - Required

Project Name: Tobey Z. Jomsky Property Abatement

Project Address: 148 E RIVERS Dr Suite No.:

Proposed Use of Building/Suite: \_\_\_\_\_ Existing Zoning: R1-6

Legal Description:  Attached Tempe Gardens Unit #2 Parcel No.: 133.57.161

Description of Work/Request: Hearing Officer: 09/20/22 | CE221321

Valuation (for building plan review only): \_\_\_\_\_

### Applicant Information - Required

Company or Firm Name: City of Tempe: Code Compliance Telephone 1: ( ) 480 350 Ext: 5462

Applicant's Name: Hector Hernandez: Code Inspector Telephone 2: ( ) Ext: \_\_\_\_\_

Applicant's Street Address: 21 E 6<sup>th</sup> St Ste 208 Fax: ( ) \_\_\_\_\_

City: Tempe State: AZ Zip: 85281 Email Address(es): \_\_\_\_\_

Applicant Signature: Hector Hernandez Date: \_\_\_\_\_

### For City Use Only

<p><b>Planning</b></p> <input type="checkbox"/> Recordation <input type="checkbox"/> SPR <input type="checkbox"/> PL Dev Plan Review <input type="checkbox"/> Sign Permit <input type="checkbox"/> Use Permit <input type="checkbox"/> Variance <input type="checkbox"/> General Plan Amend <input type="checkbox"/> Zoning Amend <input type="checkbox"/> Zoning Verification Letter <input type="checkbox"/> Subdivision/Condo <input type="checkbox"/> PAD Overlay <input type="checkbox"/> Legal Posting Signs <input type="checkbox"/> Administrative Decision <input checked="" type="checkbox"/> Abatement <input type="checkbox"/> Shared Parking <input type="checkbox"/> CCR Review <input type="checkbox"/> Continuance <input type="checkbox"/> Appeal <input type="checkbox"/> Other _____	<p><b>Fees</b></p>	<p><b>Building</b></p> <input type="checkbox"/> New Building <input type="checkbox"/> Com Add/Alt <input type="checkbox"/> TI <input type="checkbox"/> MF <input type="checkbox"/> NRes <input type="checkbox"/> Res Remodel/Add <input type="checkbox"/> Pool <input type="checkbox"/> Demo <input type="checkbox"/> Grading Only <input type="checkbox"/> Phased Constr <input type="checkbox"/> Phased Constr w/UG MEP <input type="checkbox"/> Structural Frame <input type="checkbox"/> MEP Only <input type="checkbox"/> Mobile Home <input type="checkbox"/> Factory Built Bldg <input type="checkbox"/> Deferred submittal <input type="checkbox"/> Revision <input type="checkbox"/> New Standard <input type="checkbox"/> Permits based on Standard #	<p><b>Engineering</b></p> <input type="checkbox"/> Engineering <input type="checkbox"/> Revision <p><b>Tracking Nos.:</b></p> DS _____ BP _____ RA _____ FR _____ RAF _____ EN _____ RAE _____ PL _____ SPR _____ SGN _____ GO _____ GOB _____ SE _____ ZP _____	<p><b>Submitted Materials:</b></p> <p>_____ Building _____ Fire        _____ Planning _____ Signs        _____ Engineering</p> <p><input type="checkbox"/> Spec Book(s)      <input type="checkbox"/> Soils Report  <input type="checkbox"/> Structural Calcs      <input type="checkbox"/> Report  <input type="checkbox"/> Truss Calcs      <input type="checkbox"/> Materials  <input type="checkbox"/> Hydraulic Calcs      <input type="checkbox"/> Color Board  <input type="checkbox"/> Parking Analysis      <input type="checkbox"/> Haz Mat Form  <input type="checkbox"/> Lighting Cut Sheets      <input type="checkbox"/> Other:</p> <p><b>Total Valuation:</b> _____</p> <p><b>Total Submittal Fees:</b> _____</p> <p><b>Validation:</b> _____</p> <p><b>Date Stamp:</b> _____</p>			
<p><b>Fire</b></p> <input type="checkbox"/> Tanks <input type="checkbox"/> AFES (O/H) <input type="checkbox"/> Spray Paint Booth <input type="checkbox"/> Special Extinguishing <input type="checkbox"/> Fire Alarm <input type="checkbox"/> Kitchen Hood System <input type="checkbox"/> Rack Storage <input type="checkbox"/> Hazmat <input type="checkbox"/> Other _____				<p><input type="checkbox"/> Suiting  <input type="checkbox"/> Other _____</p>		<p><b>MCA Code:</b> _____</p> <p><b>File With:</b> _____</p> <p><b>Received By:</b> _____</p>	



**DATE:** 08.11.2022  
**TO:** Julie Scofield, Senior Code Inspector  
**FROM:** Hector Heredia, Code Inspector  
**SUBJECT:** CE221321 : TOBEY Z JOMSKY PROPERTY ABATEMENT FINDINGS

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**LOCATION:** 140 E RIVIERA DR TEMPE, AZ 85282

**PARCEL:** 133.57.161

**OWNER:** TOBEY Z JOMSKY  
140 E RIVIERA DR  
TEMPE, AZ 85282

**FINDINGS:**

02.28.2022: Code Compliance received anonymous complaints regarding junk / debris including a deteriorated landscape with over height and lawn parking on the front yard areas. These concerns were verified, and a first notice was mailed to the property owner.

03.15.2022: At the second inspection no corrective actions had taken place and a final notice was mailed to the property.

04.04.2022: At the third inspection no corrective actions had taken place and a final notice was mailed to the property.

04.11.2022: The case was restarted after a technicality where notices went to the wrong address. A first notice was issued and mailed to the new property owners regarding junk / debris including a deteriorated landscape with over height and lawn parking on the front yard areas.

04.26.2022: At the second inspection, to the new owners, no corrective actions had taken place and a final notice was mailed to the property.

05.17.2022: A citation was issued after the property was not brought into compliance.

06.15.2022: A second citation was issued after the property was not brought into compliance.

08.11.2022: After multiple failed attempts to reach the property owner and citation the

abatement packet was turned in for the September 20<sup>th</sup> , 2022, Hearing Officer.

**RECOMMENDATIONS:**

I recommend an abatement of the nuisance violations at the property located at **140 E RIVIERA DR** due to property owner's failure to bring property into compliance with Tempe City Code 21-3.B.1 & 21-3.B.8. Tobey Z Jomsky has been given ample time to come into compliance and maintain the property. The property owner has been issued a civil citation and has failed to appear to court. There has been no indication that the property owner will bring the property into 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,

Hector Heredia  
Code Inspector

ACTION TAKEN: Submitted  
NAME Twice Scoguel  
DATE: 8/12/22



## NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 08.11.2022  
CASE # CE221321

**TOBEY Z JOMSKY  
140 E RIVIERA DR  
TEMPE, AZ 85282**

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

**LOCATION:** 140 E RIVIERA DR TEMPE, AZ 85282  
**PARCEL:** 133.57.161

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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 09.20.2022. 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

#### **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; 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.

#### **CC 21-3.b.8**

Any landscaping, visible from public property, that is substantially dead, damaged, or characterized by uncontrolled growth, or presents a deteriorated 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.

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 ALL JUNK AND DEBRIS IN THE FRONT YARD PERMANENTLY.
2. REMOVE GRASS AND WEEDS FROM THE GRAVEL AREAS OF THE FRONT YARD LANDSCAPE.

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 **\$1,189.00**. 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.

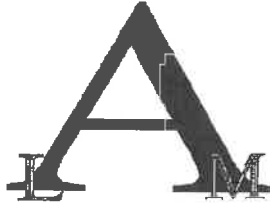
**If you have questions regarding this matter, please contact our office at (480) 350-4311.**

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**Code Inspector: Hector Heredia**

**Phone Number: 480.350.5462**

**E-mail: [hector\\_heredia@tempe.gov](mailto:hector_heredia@tempe.gov)**



**Artistic Land Management, Inc.**

August 10, 2022

City of Tempe  
Attn: Hector Heredia  
Code Inspector

RE: Clean-Up at 140 E. Riviera Dr.

Thank you for giving Artistic Land Management, Inc the opportunity to serve your landscaping needs. Below is our price to provide all labor, equipment, landfill fees, and supervision to perform the work listed below at 140 E. Riviera Dr, Tempe, AZ. Please give us a call for any questions you may have at 480-821-4966.

#### Scope of Work

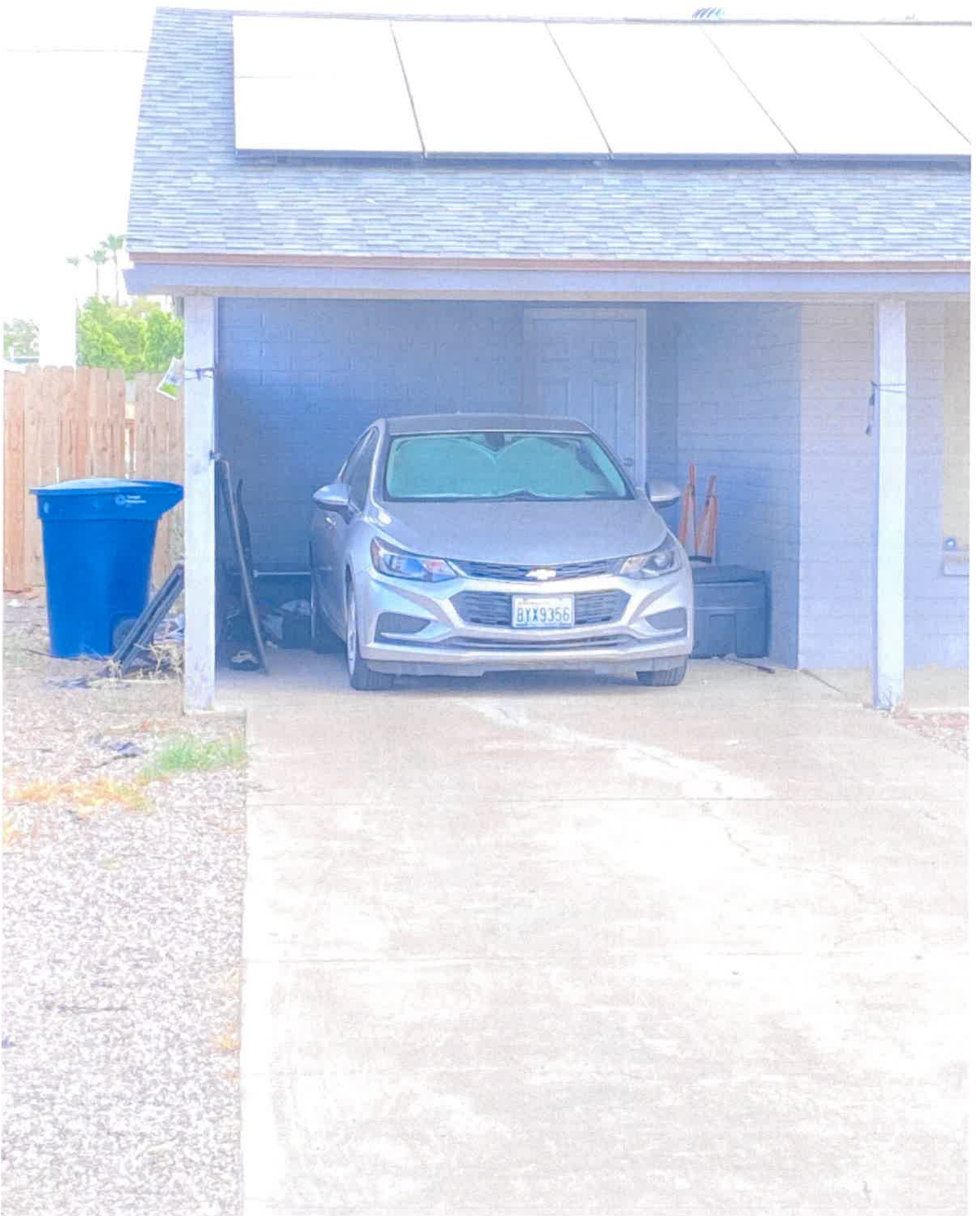
- Clean-up deteriorated overgrown landscape through gravel front yard
- Remove junk and debris from the front yard (including carport)
- Dispose of removed items off-site
- PD presence on-site for duration of the visit

Total = \$1,189.00

Respectfully,

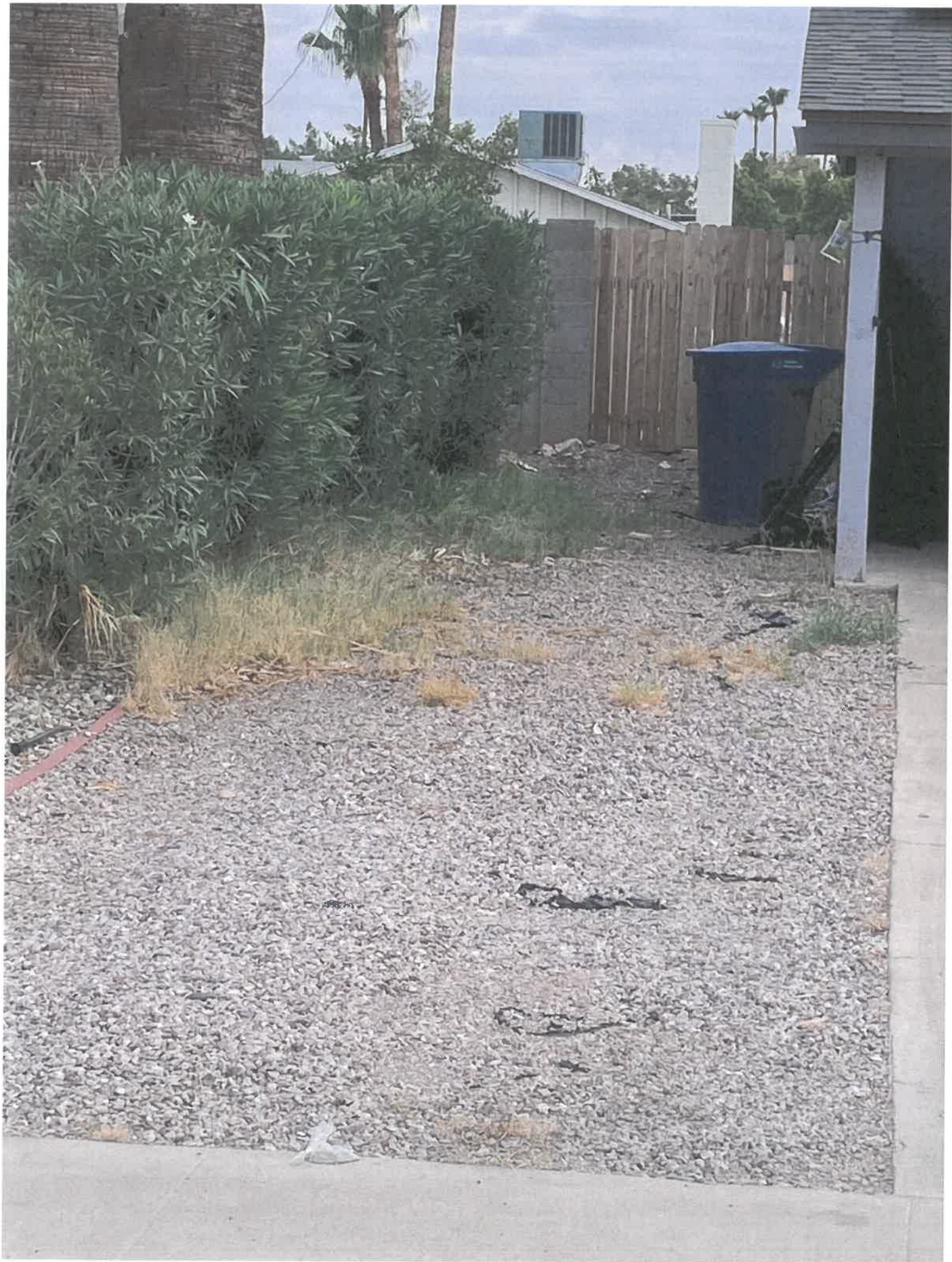
Jose Hernandez













COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
CORRECTION NOTICE

02/25/2022

JOMSKY JULES C / LORI / TOBEY Z  
140 E RIVIERA DR  
PHOENIX, AZ 85048

Case #: CE221321  
Site Address: 140 E RIVIERA DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 02/25/2022 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation
CC 21-3.b.1	Filthy, littered, debris or trash-covered exterior areas, including exterior areas under any roof not enclosed by the walls, doors or windows of any building
CC 21-3.b.4	To permit outside of any single-family or multifamily dwelling or accessory building any camper, vehicle or parts thereof in the front or side area of the building visible from the street that is not on an improved area intended for parking
CC 21-3.b.8	Uncultivated weeds in gravel landscape, or a lawn higher than 12 inches

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	Please remove all the trash, litter, debris, and stored items from your property's front yard including underneath the carport. All storage items must be kept in an enclosed unit classified as a building with four walls and a door / window. An un-enclosed area cannot be maintained as outdoor storage. All debris must be discarded appropriately at city dump sites or designated bins to help diminish a deteriorated appearance. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	03/15/2022
CC 21-3.b.4	Please remove your vehicle, the Red Toyota license plate #53106Z1, from the front yard area to the allowed designated parking location. This also always includes all vehicles from parking in the prohibited areas. Only 35% of the front yard is allowed for parking purposes. Please familiarize yourself with additional in-depth information regarding parking regulations provided under the conditions stated in article 21-3.b.4 of the nuisance's codes. Or please remove that vehicle to a more discrete location permanently.	03/15/2022
CC 21-3.b.8	Please completely address and cut the over height grass and weeds from your front yard graveled areas including any visible surrounding areas up against property walls and fence lines, as necessary. Make sure to address and maintain city right of way areas that you are responsible for. Please make sure that all growth is always eliminated from the graveled area. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	03/15/2022

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

**Hector Heredia Jr**  
**Code Inspector**

**Direct: 480-350-5462**  
**Code Compliance: 480-350-4311**  
**Email: Hector\_Heredia@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

04/04/2022

JOMSKY JULES C / LORI / TOBEY Z  
 140 E RIVIERA DR  
 PHOENIX, AZ 85048

Case #: CE221321  
 Site Address: 140 E RIVIERA DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 04/04/2022 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation
CC 21-3.b.1	Filthy, littered, debris or trash-covered exterior areas, including exterior areas under any roof not enclosed by the walls, doors or windows of any building
CC 21-3.b.8	Uncultivated weeds in gravel landscape, or a lawn higher than 12 inches

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CC 21-3.b.8	Please completely address and cut the over height grass and weeds from your front yard graveled areas including any visible surrounding areas up against property walls and fence lines, as necessary. Make sure to address and maintain city right of way areas that you are responsible for. Please make sure that all growth is always eliminated from the graveled area. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	04/11/2022

**This is the final attempt to reach you regarding the above noted. These issues must be addressed. If your property is not brought into compliance before or on the due date a citation will be issued. There will be no more notices sent to your property due to negligence of the pending violations in a twelve-month period. As a final reminder, if your yard is out of compliance again in this period for the same violation/s, citations will be issued without further warning or notice. Please contact me by phone at your earliest convenience to discuss the details or for clarification.**

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

Hector Heredia Jr  
Code Inspector

Direct: 480-350-5462  
Code Compliance: 480-350-4311  
Email:Hector\_Heredia@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  
 CORRECTION NOTICE

04/11/2022

JOMSKY JULES C / LORI / TOBEY Z  
 140 E RIVIERA DR  
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CC 21-3.b.4	Please remove your vehicle, the Red Toyota license plate #53106Z1, from the front yard area to the allowed designated parking location. This also always includes all vehicles from parking in the prohibited areas. Only 35% of the front yard is allowed for parking purposes. Please familiarize yourself with additional in-depth information regarding parking regulations provided under the conditions stated in article 21-3.b.4 of the nuisance's codes. Or please remove that vehicle to a more discrete location permanently.	4/25/2022
CC 21-3.b.8	Please completely address and cut the over height grass and weeds from your front yard graveled areas including any visible surrounding areas up against property walls and fence lines, as necessary. Make sure to address and maintain city right of way areas that you are responsible for. Please make sure that all growth is always eliminated from the graveled area. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	4/25/2022

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Hector Heredia Jr  
Code Inspector

Direct: 480-350-5462  
Code Compliance: 480-350-4311  
Email: Hector\_Heredia@tempe.gov

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COMMUNITY DEVELOPMENT DEPARTMENT  
 CODE COMPLIANCE  
 CORRECTION NOTICE

04/11/2022

JOMSKY JULES C / LORI / TOBEY Z  
 140 E RIVIERA DR  
 TEMPE, AZ 85282

Case #: CE221321  
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Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

Héctor Heredia Jr  
Code Inspector

Direct: 480-350-5462  
Code Compliance: 480-350-4311  
Email:Hector\_Heredia@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

04/26/2022

JOMSKY JULES C / LORI / TOBEY Z  
 140 E RIVIERA DR  
 TEMPE, AZ 85282

Case #: CE221321  
 Site Address: 140 E RIVIERA DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 04/26/2022 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation
CC 21-3.b.1	Filthy, littered, debris or trash-covered exterior areas, including exterior areas under any roof not enclosed by the walls, doors or windows of any building
CC 21-3.b.8	Uncultivated weeds in gravel landscape, or a lawn higher than 12 inches

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	Please remove all the trash, litter, debris, and stored items from your property's front yard including underneath the carport. All storage items must be kept in an enclosed unit classified as a building with four walls and a door / window. An un-enclosed area cannot be maintained as outdoor storage. All debris must be discarded appropriately at city dump sites or designated bins to help diminish a deteriorated appearance. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	05/12/2022
CC 21-3.b.8	Please completely address and cut the over height grass and weeds from your front yard graveled areas including any visible surrounding areas up against property walls and fence lines, as necessary. Make sure to address and maintain city right of way areas that you are responsible for. Please make sure that all growth is always eliminated from the graveled area. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	05/12/2022

**This is the final attempt to reach you regarding the above noted. These issues must be addressed. If your property is not brought into compliance before or on the due date a citation will be issued. There will be no more notices sent to your property due to negligence of the pending violations in a twelve-month period. As a final reminder, if your yard is out of compliance again in this period for the same violation/s, citations will be issued without further warning or notice. Please contact me by phone at your earliest convenience to discuss the details or for clarification.**

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

**Hector Heredia Jr**  
**Code Inspector**

**Direct: 480-350-5462**  
**Code Compliance: 480-350-4311**  
**Email: Hector\_Heredia@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>1702514</b>		Case Number		Social Security Number		Military		<input type="checkbox"/> Serious Physical Injury		<input type="checkbox"/> Accident <input type="checkbox"/> Fatality		<input type="checkbox"/> Commercial		
Driver's License No.		DLP <input type="checkbox"/>		State		Class		Endorsements M H N P T X D				Incident Report Number <b>CE221321</b>		
Interpreter Required? <input checked="" type="checkbox"/> Spanish <input type="checkbox"/> Other Language													Juvenile	
<b>Defendant</b>		Name (First, Middle, Last) <b>Tobey Z. Jansky</b>										Telephone: (cell phone) <input type="checkbox"/>		
Residence Address, City, State, Zip Code <b>140 E Riviera Dr Tempe AZ 85282</b>													Telephone: (cell phone) <input type="checkbox"/>	
Sex	Height	Weight	Eyes	Hair	Origin	Date of Birth	Restrictions	Email Address					Business Phone No. ( )	
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>140 E Riviera Dr</b>							<input checked="" type="checkbox"/> Tempe	<b>85282</b>		State of Arizona		Area	Dist.
The Defendant Committed the Following:														
<b>A</b>	Section: <b>TC2139</b>			ARS Violation: <b>21368 Deceitful</b>			<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic	<input checked="" type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense
	Docket Number			Disp. Code:		Date of Disposition:		Sanction: <b>landscape</b>						
MVD														
<b>B</b>	Section: <b>TC2139</b>			ARS Violation: <b>21361 Ink/Debris</b>			<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic	<input checked="" type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense
	Docket Number			Disp. Code:		Date of Disposition:		Sanction:						
MVD														
<b>C</b>	Section:			ARS Violation: <b>CC</b>			<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic	<input type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense
	Docket Number			Disp. Code:		Date of Disposition:		Sanction:						
MVD														
<b>D</b>	Section:			ARS Violation: <b>CC</b>			<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic	<input type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense
	Docket Number			Disp. Code:		Date of Disposition:		Sanction:						
MVD														
<b>E</b>	Section:			ARS Violation: <b>CC</b>			<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic	<input type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense
	Docket Number			Disp. Code:		Date of Disposition:		Sanction:						
MVD														
<b>You must appear on the date and time indicated at:</b>	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>0503/22</b>		Time: Between 9AM & 4PM					
	<input type="checkbox"/> Court:			<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor			Date: _____		Time: _____		<input type="checkbox"/> AM <input type="checkbox"/> PM	Court 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"/> Certified Mail	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.									
<b>X</b>			<b>2025</b>	<b>2025</b>	<b>2025</b>									
Comments: <b>Juvenile Notification:</b> Failure to appear or comply as ordered will result in a suspension of your driver's license/driving privileges until you comply or reach your 18th birthday. Initials _____														
<b>First citation \$400.00</b>										Date issued if not violation date: <b>051722</b>				

COMPLAINT



1702514

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

# Arizona Traffic Ticket and Complaint

City of Tempe  
Maricopa County  
State of Arizona



Complaint Number <b>1702516</b>		Case Number		Social Security Number		Military		<input type="checkbox"/> Serious Physical Injury	<input type="checkbox"/> Accident	<input type="checkbox"/> Fatality	<input type="checkbox"/> Commercial	
Driver's License No.		<input type="checkbox"/> DLP	State	Class	Endorsements M H N P T X D			Incident Report Number <b>CE221321</b>				
Interpreter Required? <input type="checkbox"/> Spanish <input type="checkbox"/> Other Language												
<b>Defendant</b>		Name (First, Middle, Last) <b>Tobey Z Jomsky</b>								Juvenile		
Residence Address, City, State, Zip Code <b>140 E Riviera Dr Tempe AZ 85282</b>										Telephone: (cell phone) ( ) ( )		
Sex	Height	Weight	Eyes	Hair	Origin	Date of Birth	Restrictions	Email Address				
Business Address, City, State, Zip Code										Business Phone No. ( ) ( )		
<b>Vehicle</b>		Color	Year	Make	Model	Style	License Plate	State	Expiration Date			
Registered owner & address, City, State, Zip Code							Vehicle Identification Number					
The Undersigned Certifies That:												
On	Month	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>140 E Riviera Dr</b>							<input checked="" type="checkbox"/> Tempe	State of Arizona		Area	Dist.
The Defendant Committed the Following:												
<b>A</b>	Section: <b>CC2139</b>		ARS Violation: <b>21368 Detekrated</b>	<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal		<input type="checkbox"/> Criminal Traffic				
	Docket Number		Disp. Code:	Date of Disposition:	Sanction: <b>Land scape</b>		<input checked="" type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic		<input type="checkbox"/> Petty Offense	
MVD												
<b>B</b>	Section: <b>CC2139</b>		ARS Violation: <b>21361 Junk / Debris</b>	<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal		<input type="checkbox"/> Criminal Traffic				
	Docket Number		Disp. Code:	Date of Disposition:	Sanction:		<input checked="" type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic		<input type="checkbox"/> Petty Offense	
MVD												
<b>C</b>	Section:		ARS Violation:	<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal		<input type="checkbox"/> Criminal Traffic				
	Docket Number		Disp. Code:	Date of Disposition:	Sanction:		<input type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic		<input type="checkbox"/> Petty Offense	
MVD												
<b>D</b>	Section:		ARS Violation:	<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal		<input type="checkbox"/> Criminal Traffic				
	Docket Number		Disp. Code:	Date of Disposition:	Sanction:		<input type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic		<input type="checkbox"/> Petty Offense	
MVD												
<b>E</b>	Section:		ARS Violation:	<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal		<input type="checkbox"/> Criminal Traffic				
	Docket Number		Disp. Code:	Date of Disposition:	Sanction:		<input type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic		<input type="checkbox"/> Petty Offense	
MVD												
<b>You must appear on the date and time indicated at:</b>		<b>Tempe Municipal Court</b> 140 E. 5th Street Tempe, AZ 85281 Court No. 0753		<input checked="" type="checkbox"/> Traffic Court Suite 150, 1st Floor		Date: <b>072022</b>		Time: Between 9AM & 4PM				
		<input type="checkbox"/> Court:		<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor		Date: _____		Time: _____		<input type="checkbox"/> AM <input type="checkbox"/> PM		
		Court Address, City, State, Zip Code										
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"/> Certified Mail		Victim? <input type="checkbox"/>		Victim Notified? <input type="checkbox"/>				
<b>X</b>						I certify that upon reasonable grounds I believe the defendant committed the act described contrar to law and I have served a copy of this complaint upon the defendant.		Complainant: <b>Hoffman 8045</b> PSN				
Comments: <b>Juvenile Notification:</b> 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. <b>Initials</b>		<b>2nd Citation \$600.00</b>						Date issued if not violation date: <b>070622</b>				

COMPLAINT



1702516

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.