

**RESOLUTION NO. 14-023**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE  
APPROVING RECORDATION OF A LIEN AT 1009 FOREST AVENUE**

**FACTS**

1. On May 31, 2013 the owner of 1009 Forest Avenue in Pacific Grove, Rose Marie Coleman (Property Owner), was issued a Compliance Order identifying violations of Pacific Grove Municipal Code Section 18.04.010, subdivision (a) (9) as that subdivision incorporates by reference the International Property Maintenance Code (IPMC) and § 308.1, §304.12, § 604.3, §704.2, §304.7, §602.5 under the IPMC. A Compliance Date of June 30, 2013 was given to the Property Owner.

2. The Property Owner failed to remedy the Municipal Code violations as required.

3. A duly noticed Administrative Hearing was held on July 30, 2013.

4. On August 22, 2013, Administrative Hearing Officer Carl A. Mounter issued an Administrative Decision/Order. Pursuant to the Decision/Order to date the Property Owners must pay the City the following sums:

Administrative penalty from 7/1/13:	\$ 100 per day
Administrative penalty from 10/8/13:	\$ 2,500 per day
City enforcement costs:	\$ 796

5. To date, compliance has not been met.

6. Pursuant to PGMC 1.19.200(a), administrative penalties are limited to \$100,000, exclusive of costs. The maximum administrative penalty amount has now been reached.

7. The time to appeal the Administrative Decision/Order has expired.

8. The property owner failed to comply with the Compliance Order and penalties and fines continue to accrue.

9. Section 1.19.260 of the Pacific Grove Municipal Code authorizes liens on real property when a penalty and/or administrative costs imposed by a hearing officer have not been timely paid.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF PACIFIC GROVE DOES RESOLVE AS FOLLOWS:**

SECTION 1. The City Council finds the Facts set forth above to be true and correct, and by this reference incorporates each as an integral part of this Resolution.

SECTION 2. The total amount payable to the City shall constitute a lien against the property at 1009 Forest Avenue in the amount of \$100,796.

SECTION 3. The City Manager is directed to take all action necessary to implement this Resolution.

SECTION 4. This Resolution shall take effect immediately following its adoption.

**PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE**  
this 7th day of May, 2014, by the following vote:

AYES: Mayor Kampe, Councilmembers Cohen, Cuneo, Fischer, Huitt, Lucius, Miller

NOES: None

ABSENT: None

APPROVED:

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BILL KAMPE, Mayor

ATTEST:

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ANN CAMEL, Interim City Clerk

APPROVED AS TO FORM:

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DAVID C. LAREDO, City Attorney