

MARIPOSA COUNTY

Code Compliance Advisory Committee

MEETING #12 FINAL MINUTES

Approved 8/17/2022

DATE: July 20, 2022
TIME: 2:00 - 4:00 PM
LOCATION: Board of Supervisors Chambers, 2nd Floor
5100 Bullion Street, Mariposa CA

1. Call to Order and Welcome at 2:02 PM. By Chair Woblesky.

CCAC Members Present: Lydia Clary, Eileen Collins, Robert Fox, Nancy Kemp (via phone), Colleen Rhodes, Danette Toso and Karen Woblesky

CCAC Members Excused: Gabe Edwards and Karen Smith

Staff Present: Deb Willis, Corrina Miranda (via phone) and Sarah Williams

Public Members Present: Judy Burden (via phone), Al Golub and Ken Melton

2. Resolution of the Code Compliance Advisory Committee proclaiming a local emergency, ratifying the proclamation of a state of emergency by the Governor of the State of California on March 4, 2020 regarding an outbreak of respiratory illness due to a novel coronavirus (a disease now known as Covid-19), and authorizing remote teleconference meetings of the legislative bodies of the Code Compliance Advisory Committee for a 30-day period as specified pursuant to Brown Act provisions. (Previous resolution ended on July 15, 2022)

Motion by Rhodes to adopt the resolution as presented.

Second by Clary.

Motion passed. 7 ayes.

3. Approve Minutes of CCAC Meeting #11, 7/6/2022

Motion by Rhodes to approve the minutes as presented.

Second by Clary.

Motion passed. 6 ayes. Toso abstained.

4. Re-approve Minutes of CCAC Meeting #8, 5/4/2022

Motion by Rhodes to re-approve the minutes as presented.

Second by Collins.

Motion passed. 5 ayes. Clary and Fox abstained.

5. Re-approve Minutes of CCAC Meeting #9, 5/18/2022

Motion by Collins to re-approve the minutes as presented.

Second by Rhodes.

Motion passed. 6 ayes. Fox abstained.

6. Presentation/Discussion/Possible Action re: research of the Santa Cruz County Amnesty Program by CCAC Member Collins

Collins made presentation describing two programs:

1. Safe Structures Program. Inspector makes sure there are no safety violations. Property owner gets an “over the counter” permit. The red tag still exists but is not priority for code compliance. Situation is okay for owner until owner sells property or tries to finance property.
2. For second dwelling unit built without a permit, program uses code in place when original house was constructed. Permit is “over the counter”. Property owner must sign indemnity. The red tag is removed.

Woblesky asked about the current case log; would these programs potentially help some of these violations that are Built Without Permits (BWOPs)?

Willis stated that some of these provisions are already being implemented by the County.

Miranda said the County is filing non-compliances for people who can’t currently complete requirements. That document just sits there until the property owner is ready to complete improvements.

Willis described the difference between a red tag, which is posted on the property (not safe for occupancy) and the notice of non-compliance, which is a recorded disclosure document for the benefit of the future buyer. Willis said that the County won’t immediately record a notice of non-compliance if the property owner is working with staff. Willis said for construction projects being done without a permit, the first document issued is a Correction Notice. Next is a Red Tag.

Woblesky asked about how many of the current violations could be eligible for the Safe Structures Program if it was implemented.

Willis doesn’t have an answer to this specific question. There are marijuana grows being done within residential structures and there are significant issues associated with changes to the structure, mold, etc. She felt maybe 25% of violations might be eligible for a program like this.

Relative to the old case log, Miranda said the County’s initial communications with a current property owner identify that the County has an active case on their property and provide the opportunity for that owner to come in to talk with staff.

Clary emphasized that there are other entities involved in the permitting process, including for violations and building permits. Issuing a permit isn’t always simple.

Melton complimented Collins on her presentation. He suggested that the CCAC limit the topics being discussed – Collins’ item should be taken as one item. The types of violations should be looked at individually. The CCAC shouldn’t be talking about tiny homes and RVs and Park Trailers with this current conversation. Melton said the state law is not valid for RVs and Park Trailers. There is a way the county can address this legally to allow RVs and Park Trailers to be occupied.

Woblesky asked if the County's program allowing permitting for the year a structure was built was advertised. Willis said not actively. But it is in current code. Building would need something to substantiate when the structure was constructed.

Willis said the over-the-counter permit is \$410, which represents 2 hours of an inspector's time. This is the same cost for a permit anywhere in the county, even in more remote areas of the County. Inspections are coordinated for projects which are in remote areas of the county. Inspectors go to these locations one day per week.

Kemp asked if the ARPA funds could be used to help with these permit fees.

Willis confirmed that she's already discussed this idea with Dallin Kimble. There is a notice of available funds posted on the door downstairs.

Woblesky said there needs to be more advertising about the potential use of these funds for property owners.

7. Presentation/Discussion/Possible Action re: Communication: Website Evaluation and Recommendations by CCAC Member Nancy Kemp

This item was continued to the next meeting.

8. Discussion/Possible Action re: White Board Discussion on CCAC Next Steps and Possible Directions/Priorities

Woblesky said the CCAC has an opportunity as there are \$300,000 from ARPA funds for efforts. She suggested focusing on priorities and recommendations should be slated toward getting more effective code compliance.

Fox suggested that violations should be categorized, and potential solutions should be matched to these violations.

Woblesky felt it is important to have a discussion with the Board to get their buy in. The CCAC should be going down a road the Board can't support.

Rhodes said there is good experience with the County opening the landfill and transfer stations for a day for no cost disposal. This could help with junk issues. It provides a solution for getting rid of junk and the remedy represents a minimal time commitment for the County.

The following items were identified on the White Board for **Primary Objective / Priorities**. Items with an asterisk are highest priority:

- ****Communication.** Use words that are understood. Await Kemp's presentation.
- Free Landfill / Transfer Station days.
Invite Sam Cerveney to future meeting. How many times could the free dump day be scheduled and how much does a free dump day cost?

- Illegal Marijuana. Has potential for significant and residual environmental impacts. Has potential for significant increased fire danger.
- Abatement Program for Junk
- Health / Safety issues vs. Eyesore issues
- Roundtable each week with other county departments to discuss violations.
- ****Written Internal Process.** This will help people to know what to expect. Is important for due process; make process simplified and easier
- Housing. Ability to live in RVs.
Rhodes commented that Supervisor Menetrey represents the County at RCRC and CSAC. These organizations should be encouraged to pursue legislative changes for housing.
- ****ARPA Money** – help with permit fees (BWOPs) / off setting fees
- Limited Immunity Program – Santa Cruz
- ****Amnesty Program** – City of Rialto program? Board’s draft from December?
Rhodes stated the program needs to be better defined.

Homework Assignment – fill in gaps with respect to these four priorities; deadline is one week from today, Wednesday July 27 at 5 p.m.

9. Discussion/Possible Action: re: Should the CCAC have Ad-Hoc Committees? Review of Brown Act requirements with CCAC communications and ad-hoc committees. Establish Ad-Hoc Committees including purpose and membership

Collins prefers to work on her own doing research.

Kemp also prefers to work on her own.

Fox said that ad hoc committees are helpful if there is limited scope issue to be discussed and researched out of the full committee meetings. Supports continuing with 2 meetings per month.

Clary supports continuing with 2 meetings per month. Difficult for her to commit more than 2 meetings per month. Could have ad-hoc committees meet after the regularly scheduled CCAC meetings.

Motion by Rhodes to have Ad Hoc Committees created as the need arises, on specific subjects and plan to have their meetings at the end of the formal meetings. Those meetings will need to comply with the Brown Act and the Board’s adopted Committee Guidelines.

Second by Toso.

Motion passed. 6 ayes. Kemp abstained.

10. Discussion/Possible Action re: Future CCAC Agenda Items. Next CCAC Meeting is scheduled for August 3, 2022 (Meeting #13):

- a. Kemp's communication plan
- b. 4 priorities and homework
- c. Smith's vehicle abatement program

11. Correspondence

Williams briefly reviewed the memorandum included in the packet.

Rhodes questioned whether or not this applies to violations other than zoning. There are a number of squatter cases in Coulterville and Greeley Hill with very egregious violations...maybe 5 cases. These are very challenging code compliance cases without legal assistance from county counsel's office.

Clary advised that in Stockton, a similar issue was addressed by the Sheriff's Department as a trespassing matter. The property was cleaned up. The penal code requires that the deputy have authorization from the owner or owner's representative to access the property to take action.

12. Persons wishing to speak on a matter not on the agenda, but within the jurisdiction of the committee. No action will be taken by the CCAC.

Judy Burden's email was addressed.

Burden said the issue concerns the County's Animal Control division and their lack of enforcement. A neighbor in Greeley Hill took in a large numbers of pit bulls. They have no licenses, no collars and no tags. They are not confined on the property or they are chained up or are stuck in a 20-foot trailer. The entire neighborhood is impacted. The pit bulls are biting other dogs, chasing residents including a child on a bike, chasing vehicles and barking all day. The barking laws require a complainant to keep track of barking over a 2-week period. There has been between 7 – 16 hours per day of barking.

She said the property owners can't get information from the Sheriff's office on cases. They said they can't cite the dog owner but can't tell her why they can't cite the dog owner. Is not transparent government.

In last year and a half, the neighborhood made over 300 complaints. They are pursuing a private civil case now to recoup costs.

Toso offered to help Burden. They will communicate after the meeting.

13. Adjourn

Motion by Toso to adjourn the meeting at 4:17 p.m.

Second by Clary.

Motion passed. 7 ayes.

To: CCAC Minutes for 7/20/2022
Subject: White Board

primary →

- social media
- Communication • illegal marijuana
• concerns
• grows, environ
• doesn't fine
• process fine
- land fill (ARPA)
FREE DUMP DAY - county-wide
• abatement
junk
post stats
- Health/safety
vs eyesore
- internal (process) written - simplified
fines
ordinances, d.p.
- housing - RV
- ARPA - offset
• Santa Cruz - Santa Safe Structures
- Amnesty - small steps
working on it - complicated
The list

ITEMs DISTRIBUTED AT MEETING

1 July 12, 2022

2
3 From: Eileen Collins

4
5 TO: Code Compliance Advisory Committee Members

6
7 SUBJECT: Draft Memo to the Board of Supervisors

8
9 What follows is an updated Draft Memo to the Board of Supervisors from the CCAC discussing the past ~~six~~ eight
10 (NK) month's effort regarding Code Compliance. Let me emphasize that this is only a DRAFT.

11
12 I have received written input from Robert Fox and Nancy Kemp. Corrections have been made in red. Included
13 are the initials of the individual who made the suggestion. Colleen Rhodes voiced her concerns during the
14 meeting regarding fees that should potentially be fines. I therefore credited both Rob and Colleen with those
15 corrections.

16
17 Thank you,
18 Eileen

1 Date:

2
3 FROM: Code Compliance Advisory Committee – (CCAC)

4
5 TO: Board of Supervisors

6
7 SUBJECT: Code Compliance Advisory Committee Update

8
9 **BACKGROUND**

10 **June 8, 2021** - Resolution No. 2021-331 was adopted, establishing the (CCAC) Code Compliance Advisory
11 Committee

12 **August 17, 2021** - the Board appoints 9 members to the Code Compliance Advisory Committee.

13
14 **BRIEF SUMMARY OF PAST ~~SIX~~ EIGHT (NK) MONTHS**

15 During the past ~~six~~ eight (NK) months the CCAC have met ten (10) times beginning on November 3, 2021. The
16 first five meetings were held once a month, on the first Wednesday of each month. On the April 6, 2022 a
17 motion was made and ~~past~~ passed (NK) to meet twice a month. The Committee now meets on the first and
18 third Wednesday of each month.

19
20 The first four meetings were dedicated to bringing the Committee up to speed by way of presentations. We
21 heard from planning staff Sarah Williams and Corrina Miranda, County Counsel Steve Dahlem, DA Walter Wall,
22 Sheriff Jerome Briebe, County Administrator Dallin Kimble, Environmental Health officer Dave Conway, Interim
23 Building Director Debra Willis and Assessor-Recorder Vince Kehoe.

24
25 The discussions of the Committee for the following five meetings included:

- 26 1. ARPA funds (American Rescue Plan 2021)
- 27 2. Muir Lodge and the existing, long term violations
- 28 3. Discussion of a draft Amnesty Program
- 29 4. Discussion of a Draft Ordinance to establish authority to withhold permits when violations exist.
- 30 5. Discussion and possible action to the Board of Supervisors regarding an Amnesty Program
- 31 6. Discussion and possible action regarding Junk, Health and Safety issues.
- 32 7. Presentation by County Counsel Steve Dahlem regarding Abatement, Voluntary Abatement, Junk
33 and the status of enforcement issues.
- 34 8. Discussion and possible action regarding Junk yards and Health and Safety violations.
- 35 9. Discussion and possible recommendation regarding a Draft Civil Penalty Amnesty program.
- 36 10. Correspondence: Discussion and possible actions from:
 - 37 a. Barbara Cone addressing tipping fees for North County
 - 38 b. Short-term Landfill Voucher Program
 - 39 c. Draft from Rick Lobaugh – Required County Notices
 - 40 d. Victoria Trujillo Mariposa County Internal Code Compliance Process
 - 41 e. Visual presentation by Corrina Miranda regarding Junkyards, Health and Safety Violations.
 - 42 Discussion and possible action of Junkyards, Health and Safety Violations.
 - 43

11. Presentation and discussion on:

- a. City of Rialto's amnesty program,
- b. Background on County's notices
- c. County notices, impacts and recommended structure
- d. Different Notices, Lien Priorities and Lien Enforcement
- e. Rick Lobaugh, Inter-County Title Company – Clarification of County Notices of Existence of Non-Complying Structures vs. Notice of Non-Compliance

ISSUES IDENTIFIED WITH CURRENT CODE COMPLIANCE PROCESS

1. TRANSPARENCY

- a. A **Code Compliance (NK)** process needs to be proposed that is workable, easily understood, meets County requirements and is fair to the citizens of Mariposa County.
- b. **Due process** needs to be built in which gives ~~its~~ **(RF)** citizens the ability to question the County's decisions and present their reasoning with the Code Enforcement officer or through an Appeal process.
- c. **Appeals** ~~needs need~~ **(RF)** to be heard by an independent individual or board to provide citizens a high level of confidence that their concerns are being taken seriously. If either party disagrees with the decision then it would go to County Counsel for a resolution. Appeal fee, if any, **(RF)** to be discussed at a later date.

2. COMMUNICATION

Communication is imperative for any program to be successful. Messaging between the County and the citizens has not been ideal. The Committee has proposed several suggestions that are believed to have merit and would help to bridge the communication gap. These include but not limited to:

- a. Presentations to the Board of Realtors regarding the issue of buyers finding violations on their properties after purchase and how best to research a properties history.
- b. Flyers explaining why a ~~properties~~ **property's (RF)** history is crucial prior to closing escrow and how to best conduct a property history research. These flyers would potentially be available throughout the County at Real Estate offices, Visitor's Center, Hotels and Motels, etc.
- c. Flyers explaining how to resolve code violations and hopefully mitigate any fears one might have regarding the process.
- d. Informational webpage either as a standalone site or part of the Planning Department or Code Compliance website.
- e. Continue to encourage the public to participate actively in the Code Compliance Advisory Committees meetings. The members of the CCAC appreciate any and all suggestions on the issues being discussed.

1 3. **CURRENT CODE COMPLIANCE PROCESS – UPDATES/REVIEW NEEDED**
2

- 3 a. The CCAC is very concerned about the lack of housing in the County. The Committee
4 recommends that the County consider permitting both Tiny Homes and RV's as permanent
5 housing as long as they ~~conform to all~~ reasonably meet basic (RF) building and health code
6 requirements that are presently in place for any other permanent housing unit. The term
7 "reasonably" as used above means the application of reason and logic, not its common use as a
8 subjective value judgment.
9

10 "On November 2021 the Oakland City Council adopted the "Construction Innovation and
11 Expanded Housing Options Ordinance" to promote cost-effective construction methods and
12 housing types. Among other things, the Ordinance updated the City's zoning regulations to
13 authorize residential occupancy of recreational vehicles (RVs) and tiny homes by creating a new
14 residential facility type in the Oakland Planning Code called "Vehicular Residential Facilities."
15 (This statement is verbatim from the Oakland City printed material and therefore cannot be
16 changed.)(RF)
17

- 18 b. After reviewing the various types and numbers of violations, the Committee has decided to
19 initially concentrate time and energy on the issue of JUNK. It is obvious that there are a number
20 of reasons why violations have occurred and why they haven't been resolved. Although many of
21 the following recommendations were made regarding "Junk" the process should provide a good
22 working framework for all other types of violations as well.
23
24 c. The Committee will review and evaluate the existing codes as they pertain to code enforcement.
25 The Committee to make suggestions and/or recommendations, ~~if necessary where deemed~~
26 appropriate. (RF)
27
28 d. Pattern Mariposa County process after other jurisdictions, i.e. City of Rialto, Santa Cruz County,
29 Riverside County, etc. These jurisdictions all have very similar processes that been used for
30 years and have been proven successful.
31
32 e. An **Abatement Fund** is an important element that provides assistance to those in our
33 community that may need financial aid to resolve their violation. This was strongly suggested by
34 both the City of Rialto and Riverside County Code Enforcement Officers as an important tool for
35 Code Compliance. The CCAC was pleased to hear that **ARPA** funds in the amount of \$300,000
36 have been earmarked for this fund.
37

38 The **ARPA** fund does sunset in two years, in 2024. This should provide a sufficient amount of
39 time to evaluate the efficiency and need for an on-going Abatement Fund. The administrator of
40 these funds to be decided by the Board of Supervisors and distribution of these funds would be
41 determined on a case by case basis, which could include but not limited to:
42

- 43 1. Land Fill Vouchers,
44 2. Funds to hire individuals to help with physical work,
45 3. Funds needed for a truck for transporting junk to the Land Fill,
46 4. Debris box delivery and pick-up at properties,

- 5 Small, short term loans required for larger abatement issues. Time frame and
2 maximum amount of loan to be determined at a later date and on a case by case
3 basis.

4
5 Let's discuss the hazards of using ARPA funds to float loans to people of limited means.
6 I think items a through d may cover a majority of needs for assistance. (RF)
7

8 4. CREATE INTERNAL CODE COMPLIANCE STRUCTURE 9

- 10 a. The CCAC recommends ~~that~~(RF) the following process,(RF) be used to cure abatement issues. This
11 process is being used successfully in a number of other jurisdictions. Although the Committee has
12 agreed upon the following process the actual number of days given to resolve the violations and
13 ~~fees pay fines~~ (RF & CR), if any have not been debated.
14

15 ***It should be noted that Section 1101 of the Uniform Housing Code does address Notice and**
16 **Order. Although this appears to be outdated, SBSC still recognizes it and has adopted it.**
17

- 18 1. **Advisory Notice** – A letter sent to the owner which includes pictures taken from the
19 road. "Please fix the issue". State that if the violation is resolved within a given
20 number of days there will be **NO FEE FINES imposed (RF & CR)** and explain that if
21 the violation is not resolved within the given time frame the next step would be a
22 **Notice of Violation** where ~~fees fines~~ (RF & CR) will be ~~required~~ imposed (RF & CR).
23
- 24 2. **Notice of Violation** – A letter sent to the owner stating that since they have not
25 resolved the violation in the given time frame as specified in the **Advisory Notice**, a
26 ~~fee fine~~ (RF & CR) is now due. The owner is then given an additional number of days
27 to resolve the violation and is explained that if not resolved within the stated
28 number of days a **Notice of Order** will be sent, which includes ~~additional fees~~
29 ~~imposition of additional fines in order.~~ (RF & CR) (Riverside County charges \$400)
30
- 31 3. **Notice of Order** - A letter and a discussion with the owner stating that since they
32 have not resolved the violation they are being given an additional number of days
33 along with additional ~~fees fines~~ (RF & CR) to resolve the violation. Explain that the
34 next step is a **Notice of Pendency**, which means that the violation will be recorded
35 against their property and does cloud the title.
36
- 37 4. **Notice of Pendency** – If there still is no resolution to the violation a **Notice of**
38 **Pendency** against the property is recorded clouding the title. The owner is told that
39 if the violation is still not resolved within a given number of days an **Abatement**
40 **Warrant** will be issued which allows the County to enter their property, resolve the
41 violation and charge the owner. (Riverside County charges \$630)
42
- 43 5. **Abatement Warrant** – The County goes in and takes care of the violation and
44 charges the owner the cost of the abatement.
45

46 (RF) Just a thought: if a case reaches this stage, consider applying all paid fines toward the
47 abatement costs. Explain this as part of the process such that an owner knows that, as soon as

1 fines start to be imposed, he/she is actually stating to pay to have the violation resolved directly
2 by the County. In any case, the abatement costs must be actual, reasonable and transparent.

3
4 As to Colleen's comments with respect to fees vs fines, there may be some legal issues that
5 dictate whether or how the County can impose fees for fines – maybe something to look into.
6 Again, fees are payment for a service whereas fines are a punitive measure to drive desired
7 behavior.

8
9 Although there is still much work to be done by the Committee we believe that the above is a good start and an
10 accurate account of what has transpired in the past ~~six~~ eight (NK) months. The CCAC welcomes any and all input
11 the Board has to offer at this time.

12
13 Thank you,

14
15 Code Compliance Advisory Committee Members

Sarah Williams

To: CCAC Minutes
Subject: FW: Code Compliance Advisory Committee
Attachments: Public Comments Presentation.pdf

From: Judy Burden <jude1832@gmail.com>
Sent: Wednesday, July 20, 2022 7:54 AM
To: planningdept <planningdept@mariposacounty.org>
Subject: Code Compliance Advisory Committee

You don't often get email from jude1832@gmail.com. [Learn why this is important](#)

To: Chairperson Karen Woblesky

From: Judy Burden

I am requesting that the attached document regarding animal code compliance issues that are affecting many people in Mariposa County be distributed to the committee members before the meeting as I had wanted to get on the agenda but missed the deadline. I will speak briefly by phone during public remarks and hope to get on the agenda for the next meeting.

The issue in Greeley Hill, where I live, has become very dangerous to the point of possible life and death attacks by pit bulls and neighbors threatening the owner of the dogs and/or his pit bulls with rifles.

Thank you for your consideration.

Judy Burden

July 19, 2022

To: Chairperson Karen Woblesky
Mariposa County Code Compliance Advisory Committee

From: Judy Burden 707-486-5742 jude1832@gmail.com
6402 Millbrow Ln., Coulterville, CA 95311

Re: Dangerous public nuisance with pit bulls made worse by lack of
code enforcement.
Need for review and changes to animal regulations, procedures
and policies.
Request to be on your agenda at the August 3rd meeting.

Note:

I am not sure if this is the appropriate issue to bring to this committee, but have been encouraged by others who work with this committee to do so. My neighbors and I, at the least, are asking for your support and your help, if possible, in the review of and making of suggestions of the county animal codes, procedures, and policies, and for the enforcement of them, to the BOS.

If it is something you will consider, I request that I, along with other neighbors, be given time and an agenda item to present our review and suggestions and discuss them with the committee. If it is not an appropriate issue, please accept my apologies, but I hope that in the future this committee would be able to expand to deal with code compliance and enforcement issues in other departments.

I would like to thank the committee for all the work you are doing that is so vital to the county. Your time and work is very appreciated.

Problem: Neighbor & his pit bulls creating dangerous public nuisance

I live in Greeley Hill where our neighborhood has been harassed since February 2021 and our lives put in danger due to one person who has had up to 30 pit bulls. The dogs come and go - varying from about 6 to 15 most of the time. His daily violations of many of the animal regulations and

repeated complaints to Animal Control (AC) have made our lives miserable and we live in constant fear of being seriously injured or facing a horrible death the pit bulls,. There have been over 300 complaints made against him, according to AC staff, and basically nothing has changed and the situation has become more dangerous.

Here is a list of violations he has made repeatedly and other actions that have caused the harassment of our neighborhood:

1. He has taken in up to 30 pit bulls at any one time
2. The pit bulls run loose due to him not having any fenced outside area - only a small trailer and his house
3. He chains them up
4. The pit bulls run loose in packs onto private property harassing neighbors, children, pets and livestock
5. The packs run loose on Holtzel Rd - a public road - chasing and surrounding cars creating dangerous situations and scaring the drivers
6. At least 4 pit bulls have been killed in his care:
 - one I trapped and it was impounded and the owner never retrieved the dog and it was euthanized unnecessarily
 - one was accidentally ran over by the UPS driver when the owner refused to come outside to get his package and control his dogs and they then surrounded the truck barking and jumping aggressively and until one got under the tire (the UPS driver was so upset he took off 3 days after this)
 - two were fighting with the other pit bulls and were killed (the owner then asked a neighbor to help him bury the dogs)
7. The dogs have attacked people going to get their mail, causing most the neighbors to now drive to get their mail. The dogs have attacked people trying to walk to the store.
8. A pack of about 15 of his pit bulls attacked my two 12 lb dogs and me in my backyard - terrifying us and so close to being injured or killed. I'm 72 yrs. old, can only walk about 40' due to back issues, have poor balance and run out of breath if I walk about 35', and easily could have been knocked down.
9. A pack of 4 of his pit bulls again attacked my two dogs and me in my backyard and this time one of them got her hind leg into his mouth and bit her, requiring treatment by our vet. Again, we were so close to being killed.
10. A pack of about 4 of his pit bulls chased a young girl on her bike.

11. The pit bulls harass the neighborhood with their barking at all hours of the day and night. The Animal Control (AC) requests that if we want to make a complaint about the barking that we keep a 'Barking Log' for 2 weeks. I kept a log twice and the average hours the dogs barked was 7 hours/day. The longest amount of barking was for 16 hours one day.
12. The barking isn't just one or two dogs, though that does happen, too. Much of the time it is a large pack of them howling, yelping, growling, barking, etc. Neighbors that live about 1 mile away are harassed by the barking.
13. Especially in the middle of the night, he rides his quad around his 2-3 acres screaming at the pit bulls as they bark and chase him. This goes on for hours at a time.
14. We have never observed collars or tags on any of the dogs during this time. He has been cited for this and not having licenses or vaccinations for the dogs.
15. The DA has completed at least 2 filings with 10 infractions during all this time even though there have been over 300 complaints. We don't understand this lack of infractions.

My neighbor and I tried for months to work with the owner and even offered to build him a fenced area for the dogs which he refused. I have spoken personally with almost every neighbor within a 1/2 - 1 mile of his house and everyone stated their frustration, fear and anger about this situation. Several of us have tried to work with the various county departments to no avail.

At least 3 neighbors, frustrated and exhausted from this over a year long harassment have gone to the owner's house with rifles, and threatened him and his dogs. This is a tragedy just waiting to happen.

My dogs have been traumatized, Polly sleeps and stays under the bed most the day and has to be held much of the time and they both are scared to go into the backyard. I had been having a hard time before the pit bulls attacked us but since these attacks my life has been greatly affected. I only sleep about 4 hours/night, have anxiety attacks, have become very depressed and hardly leave my house. I am obsessed with ending this harassment. My time is taken up with complaints, talking with neighbors and county staff and trying to stop this situation with no success so far.

Problem: Codes not being enforced

The AC staff insist they are following all the regulations and citing for the complaints, but when we look at what the owner and dogs are doing, it seems clear they are not. And I'm not able to get answers from them to clarify what they are or aren't doing. There have been only two court filings by the DA through January 2022 with only 10 infractions listed. How can that be when there's been more than 300 complaints?

For example, I have yet to see one of his dogs with a collar and tag in all this time and yet he has been cited for that as it's one of the infractions on the court filings.

*County Code: 6.08.160 Collars for dogs. All dogs not specifically exempted in this chapter shall **bear a collar at all time**, to which is fastened a **metal license tag** which is issued by the authority of the county pursuant to this chapter and which is currently valid and unexpired.*

And yet AC has been out to visit him for many complaints. Why didn't they cite him for that? Are they citing only for the complaints or not? I don't understand why I can't find out if they cited him when I have made a complaint. The sheriff log in the newspaper states the name and reason for an arrest. Is this a law or just a policy by the sheriff's department? There are so many questions I can't get answers about from them. I have been told I can get copies of the reports if the court orders them to if I have a related hearing scheduled.

From questioning the staff, I don't believe he received any citations for the attack by the 15 dogs because i couldn't provide 'proof' - like a photo. They didn't go and visit him immediately to investigate the incident, though the regulations require them to. I asked them three times if they would check to see if all those dogs were still there as my neighbors and I weren't letting our pets or children outside. They wouldn't.

A few days later when they were conducting a vaccination clinic in Coulterville and they brought me a trap and again I asked them to find out if there were still lots of dogs at his house, they still wouldn't answer me. They did go to his house and I went and parked across the street from his house and observed the 3 officers standing and talking to him for 5

minutes. I observed 4 dogs running loose into the road chasing cars in direct view of them. They didn't appear to do anything about it and when they drove off, the dogs chased their truck. I just don't understand their lack of interest and actions.

County Code: 6.08.300 Vicious Dog Ordinance. 6.08.300.10

Purpose and intent. Within the County of Mariposa there are vicious dogs which constitute a public nuisance which should be abated. This section is intended to supplement rather than supplant any other remedy available under state law or the Mariposa County Code.

6.08.300.20 Vicious dog defined.

Any dog, except one assisting a peace officer engaged in law enforcement duties, which demonstrates any of the following behavior is presumed vicious:

A. An attack which requires a defensive action by any person to prevent bodily injury or property damage when such person is conducting himself or herself peacefully and lawfully.

C. An attack on another animal, livestock or poultry which occurs on property other than that of the owner of the attacking dog.

6.08.300.30 Investigation.

*Upon notification of the whereabouts of a vicious dog, the animal control **officer shall immediately conduct an investigation of the matter for the purpose of verifying the report.** If, after investigation, the animal control **officer determines that the dog has bitten or attacked a person or another animal the animal control officer shall either notify the owner of the dog in writing and direct that henceforth the dog be kept within a secured enclosure***

Problem: Procedures and Policies

We have spent countless hours over a year collecting evidence, making complaints and this past week found out that there was a misunderstanding or error in the way the AC was sending complaints to the DA. Apparently AC was sending in one complaint and then adding other complaints as supplemental information rather than as new complaints which the DA needed. We were told they have fixed this problem, but now have to start their procedures from scratch and aren't able to use all the information we had sent in.

This was a huge blow. How could these two departments have so many complaints about one person and not be communicating about such a simple, but vital, procedure? What a huge waste of time, energy and money. Why don't the county departments have regular meetings to discuss and review issues they have in common? I hear that this is very common in this county.

My experience with the AC, besides them not citing for violations, is that when they go to visit a property, I believe they don't pay attention to anything except the complaint that sent them out. They don't check where the dogs are kept, water, licenses, vaccinations or try to identify the dogs. Especially when an owner has so many complaints, how could they not be checking these other things?

After a complaint, the staff never called me or asked me questions or except if I had proof of what happened. If I didn't have proof, I don't know what they did, if anything, about the complaint. When i asked questions about this they just ignored me or wouldn't answer, like things were secretive, when almost all they do should be transparent.

Suggestions:

The staff need training in investigating, inspecting, dealing with citizens and perhaps checklists need to be created and used. I also would like to know what these "verbal" policies are that prevent them from enforcing regulations. I wince at how many animals they have observed that were being neglected or mistreated could possibly not been addressed.

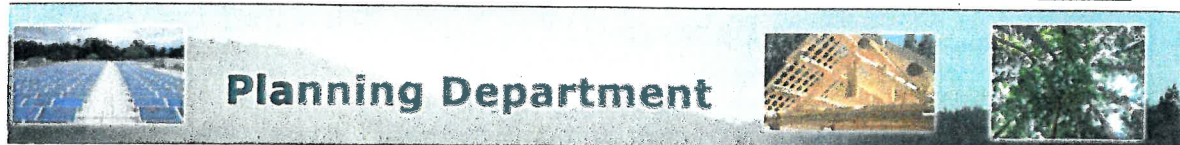
We haven't reviewed fees or fines to see if they are in line with other counties. I think it would save time and money if fees and fines were dealt with directly by the AC, except actually collecting the fines. Why send violations like no tags, licenses, or one time violations to the DA and then to the court? Isn't this overkill?

Currently, at least 4 departments - those three and then whoever collects the money. If there's an injury to an animal or person or a vicious/ dangerous dog situation, then perhaps the DA and court should be involved. In the end, I have to believe the county loses money on fining people like this and does it really solve the problem?

I also think more staff are needed for AC and, though I asked repeatedly if they need more room to impound animals and never received an answer, I think it may be needed, though I have never seen the facility. I am not sure if they work closely with other animal groups as most AC departments do. I have been told by one such group that there have been problems between them and AC. It is vital for the sake of the animals that they work together.

In reviewing the county code of regulations, it appears that most of them meet the needs and many are similar to other counties. The main addition we would want is to limit the number of animals on any one property. At a certain number, a person would need to get a breeder's license. Another change would be for every regulation that states if a dog hurts a person, or such, to add 'or animal' as we think it shouldn't matter whether it's a person or animal - either way the dog is showing signs of being vicious or dangerous.

We still need to do a more thorough review of other counties' regulations to be sure these would be sufficient changes in the regulations. We would like to review procedures and any policies - written or unwritten - that aren't online to see if any changes should be made. We also think all of this should be reviewed by other citizens with different issues, such as ranchers with livestock, and the staff that work in these departments.


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