

**ADMINISTRATIVE CITATION**

Citation Number:	CEAC265648	Violation Address:	<b>2095 DAISY AVE</b>	ERIK ALVAREZ
Citation Issuance Date:	January 07, 2020		LONG BEACH, CA 90806	2095 DAISY AVE
Citation Issuance Time:	9:03 AM			LONG BEACH, CA 90806-4154
Citation Service Date:	January 07, 2020			
Correction Date:	<b>February 06, 2020</b>	APN: 7202-038-030		

**On January 07, 2020 Long Beach City Code Enforcement inspected property located at 2095 DAISY AVE , LONG BEACH, CA 90806 and observed the following Long Beach Municipal Code (LBMC) violations. Pursuant to LBMC Chapter 9.65, these violations are subject to the following specified fines. Violation correction must be completed no later than February 06, 2020. Fine payment must be received thirty (30) days from the date of this citation. (PLEASE BE ADVISED: Fine payment information, an explanation of consequences for failure to timely correct cited violations and remit fine payments, and notice of right to appeal the administrative citation are found on 'Attachment 1' of this Administrative Citation.)**

PM 1st Citation **\$100.00**

1. LBMC 8.76.010 (K) Trash Cans

Trash and garbage cans cannot be stored in front or side yards visible from public streets. Remove the trash cans and/or trash bins stored or kept in yard areas visible from public streets.

**CEASE STORING TRASH & RECYCLE CONTAINERS IN VIEW**

2. LBMC 8.60.70 Placement of receptacles

Each receptacle or bundle shall be placed for collection no earlier than the evening preceding, nor later than six a.m. on the day of regular collection. Receptacles placed at the curb shall be removed within twelve hours after the refuse has been collected.

**Corrective Action: Remove trash cans visible from the public right of way.**

**TRASH AND RECYCLE CONTAINERS**

WA 1st Citation **\$100.00**

3. LBMC 9.65.030 Weeds

Property must be clean and free from all weeds and/or debris at all times. Remove all weeds and/or debris from the property.

**REMOVE LARGE WOOD PLANK IN FRONT PLANTER**

Should you have any questions regarding this notice we **ENCOURAGE** you to contact your inspector Michael Duda between the hours of 7:30 - 8:30 a.m. and 3:30 - 4:30 p.m. Monday through Thursday and 7:30 - 8:30 a.m. and 3:00 - 4:00 p.m. on Friday. **Meeting with inspector is by appointment only.**

By:

A handwritten signature in black ink that reads "Michael Duda". The signature is written in a cursive, flowing style with a large initial 'M' and 'D'.

Michael Duda  
Combination Building Inspector  
(562)570-6338

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**TOTAL FINES DUE \$200.00**

Pay the **TOTAL FINES DUE** as shown above and make the check out to the City of Long Beach.  
Also be sure to write the Citation number on the check.

Please include this receipt with payment and mail to:

**Department of Development Services  
Code Enforcement Citation  
411 W. Ocean Blvd, 4th Floor  
Long Beach, CA 90802**

This information is available in alternative format by request at 562.570.6257.  
For an electronic version of this document, visit our website at [longbeach.gov/lbds](http://longbeach.gov/lbds).

## ATTACHMENT 1 ADMINISTRATIVE CITATION INFORMATION SHEET

Long Beach Municipal Code Chapter 9.65 provides for the issuance of administrative citations for Long Beach Municipal Code violations. The administrative citation program and the establishment of appropriate fines are intended to act as a reasonable deterrent in preventing Municipal Code violations.

### **Fine Schedule**

Each day a violation exists constitutes a separate and distinct offense. Fines are imposed as follows. A \$100 fine will be imposed for the initial violation. A \$200 fine will be imposed for each instance of a second violation of the same code section committed within one year from the date of the initial violation. A \$500 fine will be imposed for any subsequent violation of the same code section committed within one year from the date of the initial violation. A \$500 fine will be imposed for each violation of Municipal Code Section 21.51.227 relating to illegal automotive repair work. A \$1000 fine will be imposed for each violation of LBMC Sections: 21.41.170 relating to illegal garage conversion for residential use, 18.02.050 relating to dangerous buildings, 18.08.010 relating to illegal change in occupancy, 18.09.010 for failure to comply with Title 18, Section 21.31.245(C) relating to unlawful dwelling units and LBMC Sections 18.04.010A, 18.04.010C, 18.04.010E and 18.04.010D all relating to unpermitted construction.

### **Consequence of Failure to Pay the Fine**

Failure to pay fine(s) within the specified time period may result in a 25% late charge, imposition of a special assessment and/or lien against the real property on which the violation occurred, filing of a claim with the small claims court for recovery of the fine and all costs associated with such filing, suspension and/or revocation of any City permits, business licenses, or land use approvals, or any legal remedy available to the City to collect such money.

### **Consequence of Failure to Correct Violations**

Failure to correct violations within the specified time period may result in civil penalties, abatement, criminal prosecution, civil litigation, recording the violation with the County Recorder, and forfeiture of certain State tax benefits for substandard residential rental property. In the event violations for LBMC Section 9.65.030 Weed/Debris Abatement and LBMC Section 9.65.040 Inoperative Vehicle Abatement are not corrected by the specified date, in addition to the above consequences, **the City may undertake abatement efforts**, and thereafter impose a lot-cleaning/inoperative vehicle abatement levy for costs incurred by the City. Notice of Imposed Levy will be served on the Cited Party and must be paid no later than thirty (30) calendar days from the date of issuance of the Notice. Levy computation may include but is not limited to the following costs: administration and processing costs, cost of cleaning or removal of weed/debris/vehicle, photographs, dump fees, labor hours, equipment, staff (inspector, clerical, supervisor) time @ \$110.00 per hour, law enforcement assistance (if needed), and court costs. Failure to pay imposed levies as specified is subject to the same consequences established for failure to pay fines and/or correct violations as previously stated.

### **Rights of Appeal**

A Cited Party may appeal administrative citations and imposed levies. For cited code violations, the appeal must be requested within thirty (30) calendar days from the date of service of the Citation. Appeals for imposed Weed/Debris and/or Inoperative Vehicle Abatement Levies must be requested within fifteen (15) calendar days from the date the levy notice was served. In order to appeal, a completed Request for Hearing form (available from the Code Enforcement Bureau or online at <http://www.longbeach.gov/globalassets/lbds/media-library/documents/formsapplications/code-enforcement-forms/notice-of-administrative-citation-appeal-and-request-for-hearing> together with a deposit in the total amount of outstanding fine(s), late charges, and/or levies must be submitted to the Department of Development Services located at 411 W. Ocean Blvd, 4th Floor, Long Beach CA 90802. Requesting an appeal does not relieve the Cited Party from the requirement to correct all code violations as specified.

Generally, the only relevant evidence considered on appeal is whether the violation(s) existed on the date and time the Administrative Citation was issued, whether the Cited Party is the Responsible Person who caused or maintained the violation(s), and whether imposed levies resulting from failure of a Responsible Person to correct weed/debris and/or inoperative vehicle violations, were reasonably calculated based upon abatement costs incurred by the City.

If an appeal is denied, the entire deposit shall be retained by the City as payment in full of outstanding fines, late fees, and/or levies. If an appeal is upheld, the entire deposit, or in the case of weed/debris and inoperative vehicle levies any portion of the levy held to be unreasonable, shall be refunded to the Cited Party within thirty (30) business days from the date of the written appeal decision. Failure to properly file a written appeal within the appropriate time frame shall constitute a waiver of the Cited Party's right to appeal and seek judicial review.

### **How to Pay Your Fine**

The amount of your fine is indicated on the front of this citation. You are required to pay your fine in full by the Correction Date noted on the citation. Please mail in your payment, including the attached payment remittance slip, in the envelope provided. Payment may be made by personal check, cashier's check, or money order payable to the City of Long Beach. Please write your citation number on your check or money order. **Payment of the fine shall not excuse the failure to correct the violation nor shall it bar further enforcement action by the City of Long Beach.**

### **Contact Numbers**

Citation questions: contact your Inspector at the number shown on your citation. Payment questions: contact the Department of Development Services, Code Enforcement Bureau at 562-570-CODE. **Administrative Citations are governed by Long Beach Municipal Code Chapter 9.65.**