July 26, 2018

Supervisor Peter Huebner
District 2, Sierra County Board of Supervisors
100 Courthouse Square, Room 11
P.O. Drawer D
Downieville, CA 95936

Dear Supervisor Huebner:

Your attention is directed to the below Sierra County Ordinance Code sections pertaining to Nuisances and Code Enforcement.

1.17.040  Nuisance Abatement Defined - “A Nuisance Abatement action is any action or proceeding generally authorized pursuant to Division 4, Part 5, Title 2 of the California Civil Code and the applicable provisions of the Sierra County Code taken by the County of Sierra against any person or entity whose acts, omissions or condition of property under ownership or subject to a possessory interest constitute a violation of the provisions of the Sierra County Code for which the remedy of "Nuisance Abatement" is applicable. The foregoing shall include but not be limited to the following: (a) anything which is injurious to health, or which creates a danger to health or safety, or is offensive to the senses of the average reasonable person, or which constitutes an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, any street or highway, public park, square, navigable lake, river or stream, and (b) any building, structure or underground tank set up, erected, built, moved or maintained or any use of property contrary to the provisions of this Code or the violation any condition or mitigation measure attached to the granting of any variance, conditional or special use permit, site plan, or any other permit or land use entitlement granted is unlawful and a public nuisance and the duly constituted authorities of Sierra County may commence any action or proceeding for the abatement removal and enjoinment thereof in the manner provided by law, and as specifically authorized herein. (Ord. 775, eff. 9/19/91)"

1.17.050  Code Enforcement Officer and Duties - “The position of Code Enforcement Officer is hereby created and shall be filled by an appointment of the Sierra County Board of Supervisors. The Code Enforcement Officer shall supervise the process of enforcing code violations at the administrative level, including the issuance of notices and Abatement Orders, documenting and assessing costs, and preparation of the administrative records. The Code Enforcement Officer shall be responsible, where applicable, for communicating information gained from investigations and hearings and transmitting Orders issued to the District Attorney, County Counsel, the County Clerk, and the Sheriff. The Code Enforcement Officer may request assistance of any or all of the foregoing in carrying out Code Enforcement. (Ord. 775, eff. 9/19/91) Code update 5/1/2013"
1.17.060 Investigation - “Whenever any County Department becomes aware of a probable Code violation, such agency should immediately investigate the matter, or refer the matter to the department having jurisdiction over the matter, whereupon such referred department shall immediately investigate the matter. After such investigation, if such investigating agency deems that a nuisance exists, it shall attempt to attain abatement of the nuisance voluntarily by the party(ies) maintaining the nuisance. (Ord. 775, eff. 9/19/91)”

As you recall, well over a year ago I provided you with my personal complaint in this matter, including photographs of several locations within the Sierra City Township, which to this day appear to have gone unaddressed or worsen since my original correspondence to you.

To refresh your memory, photographs of pertinent properties are attached.
These are but a few of many locations within our township which diminishes the beauty and property values of our community along the “Scenic” Highway 49 corridor.

Maybe instead of funding such positions as Assistant to the Assistant Director (Public Works), Assistant Director (Public Works), and more recently Chief Technology Officer, the people of Sierra County would be better served by hiring a Code Enforcement Officer to address these issues.

I’m sure you will agree, some, if not all, of these locations pose a serious fire hazard/risk to our community. The pleasure of a written response on the status of this matter will be appreciated.

Sincerely,

Derek T. Beverly, Resident
Sierra City, CA

Cc:
- Editor, Sierra Booster, Loyalton, CA
- Honorable Assemblyman Brian Dahle, State Capitol, Suite 3104, Sacramento, CA 94249