

MONTEREY COUNTY

HOUSING AND COMMUNITY DEVELOPMENT

Mike Novo, AICP, Interim Director



HOUSING, PLANNING, BUILDING, ENGINEERING, ENVIRONMENTAL SERVICES

1441 Schilling Place, South 2nd Floor
Salinas, California 93901-4527

(831)755-5025
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June 4, 2021

Hilary Lipman
47540 Highway One
Big Sur, CA
93920

ADMINISTRATIVE CITATION

Violation Location: **47540 Highway One, Big Sur**
APN: **419-311-020-000**
Zoning: **CGC(CZ)**
Case Number: **CE980108**
Assigned: **Joshua Bowling**

This Administrative Citation and Notice of Intent to Record a Notice of Violation has been issued due to the event held on the parcel on May 29, 2021:

Description of Violation(s):

Unpermitted Assemblages of People for events.

Violation of Monterey County Code section(s):

20.18.060.M- Conditional Uses Allowed, Coastal Development Permit Required In Each Case

Assemblages of people, such as carnivals, festivals, races and circuses not exceeding 10 days and not involving construction of permanent facilities

20.90.030- Non-Conformance to provisions Declared a Public Nuisance

20.90.040.A.B.C- Violations

A. It is prohibited to make any use of, or to allow any use of land or structure which is not permitted under this Title or and the remaining portions of the Monterey County Coastal Implementation Plan in the designated zoning district in which the property is located. It shall be unlawful for any person, firm or corporation whether as principal, agent, employee, landlord, tenant or otherwise to permit, allow or cause the set-up, alteration, erection, construction enlargement, conversion, or maintenance of any building or structure contrary to the provisions of this Title or the remaining portions of the Monterey County Coastal Implementation Plan and/or to permit, allow or cause the establishment, operation or maintenance of any use of the land, structure, or premise, which is contrary to the provisions of this Title or the remaining portions of the Monterey County Coastal Implementation Plan. Any person violating any provision of this Title or any of the remaining portions of the Monterey County Coastal Implementation Plan, including the violation of any conditions of a discretionary permit, is guilty of a misdemeanor, unless, in the discretion of the prosecutor, it is charged as an infraction.

B. It is prohibited for any person, firm or corporation to maintain, permit, or allow a violation or a public nuisance to exist upon any property, or premise, or for any person occupying or leasing the property or premises of another to maintain, permit or allow a public nuisance to exist thereon, after reasonable notice in writing from an enforcement officer, to remove, discontinue, or abate, the violation or public nuisance, has been served on the person, firm or corporation.

C. It is prohibited for any person, firm or corporation to arrange or negotiate for the use of real property in violation of the provisions of this Title or the remaining portions of the Monterey County Coastal Implementation Plan.

Required Corrective Action(s):

Immediately discontinue the Use of the Parcel for Public Assemblages of People for events.

Diligently pursue all actions necessary to correct the violation and obtain final inspection approval on all required permits.

Schedule a compliance inspection with assigned Code Compliance Inspector below when all corrective actions are completed.

You are hereby ordered to discontinue the code violation(s) identified in this Administrative Citation. In accordance with Section 1.22.200 of the County Code, it shall be unlawful for any responsible person to willfully fail to diligently pursue the correction of any violation identified in this Administrative Citation.

Recording of a Notice of Violation

If the violations in this notice are verified it will result in the recording of a Notice of Violation on the property in accordance with Section 1.22.035 of the County Code.

If you wish to present evidence that the violations cited does not exist or for some other reason the Notice of Violation should not be recorded, please call the Inspector assigned to your case to schedule a time to meet on the following date:

Meeting with: Joshua Bowling

Administrative Costs

Any person, firm, or corporation, who creates or maintains a Code violation shall be liable for the cost of enforcement which shall include, but not be limited to, the cost of investigation and inspection, costs to cure any violation or abate a nuisance, and costs of monitoring compliance.

Administrative Costs to date: **\$ 720.00**

Administrative Fines to Date: \$26,300.00

Notification of Misdemeanor

Willful failure to take the necessary actions to correct any violation of the County Code is a misdemeanor.

FURTHER ENFORCEMENT ACTIONS AS REQUIRED

Chapter 1.22 provides the Enforcement Official the authority to issue a \$100.00 fine for the first violation, \$200.00 for a second violation of the same ordinance within one year; and a fine not exceeding \$500.00 for each additional violation of the same ordinance within one year of the first violation. **Each day that the violation remains is a separate violation subject to an additional administrative fine.** Your continued failure to correct the violation(s) will result in fines in accordance with Section 1.22.100 of the County Code.

If you fail to pay the Administrative Fine within 30 days of the date the fine is assessed, you will also be charged a penalty of 10%. In addition to the late payment penalty, the Administrative Fine shall accrue interest at the rate of 1% per month, compounded monthly, exclusive of penalties, from the due date.

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Payments of Administrative Fines shall be made payable to: County of Monterey, 1441 Schilling Place, 2nd floor, Salinas, CA 93901.

Payment of the fine(s) does not excuse or discharge the code violation that is subject of this Administrative Citation. No permits, licenses, or other entitlements will be issued by any County Department for the property except those necessary to abate the violation or for an emergency situation.

For procedures regarding hearings for Notices of Violations and Financial Hardship Waivers, please review Sections 1.22.040 and 1.22.120 of the County Code. If you have any further questions regarding this Administrative Citation or would like to schedule a meeting to discuss your case, please contact me at **(831) 755-5227** as soon as possible.

BY ORDER OF THE ENFORCEMENT OFFICIAL



Joshua Bowling
Chief of Building Services

CC: File, Automation/Documents

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