

Staff Summary Report



Hearing Officer Hearing Date: 1/03/12

Agenda Item Number: 6

SUBJECT: This is a public hearing for a request by the City of Tempe – Code Compliance Section to abate public nuisance items at the Brown Residence located at 1208 West Malibu Drive.

DOCUMENT NAME: 20120103cds105 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Request by the City of Tempe – Code Compliance Section to abate public nuisance items in violation of the Tempe City Code for the **BROWN RESIDENCE (PL110429 /ABT11045 /CE093564)** (Jody Benson, Inspector; Kenton Brown, property owner) located at 1208 West Malibu Drive in the R1-6, Single Family Residential District.

PREPARED BY: Sherri Lesser, Senior Planner (480-350-8486)

REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359) *SEA*

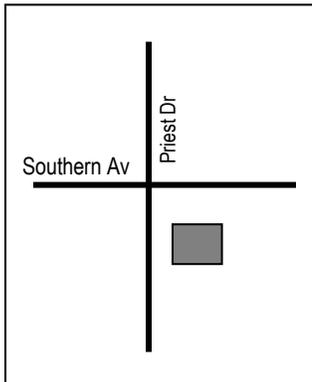
LEGAL REVIEW BY: N/A

DEPARTMENT REVIEW BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

FISCAL NOTE: \$2447.00 for abatement request, deteriorated landscape, trash and debris, broken fence, inoperable/unregistered vehicle

RECOMMENDATION: **Staff – Approval of Abatement Proceedings**

ADDITIONAL INFO:



Code Compliance is requesting approval to abate the Brown Residence located at 1208 West Malibu Drive in the R1-6, Single Family Residential District. The details of this case represent several months of correspondence for compliance with the property owner. Staff requests the approval of abatement of the following nuisance items under Complaint CE093564: deteriorated landscape, trash and debris, broken fence, inoperable / unregistered vehicle.

Due to the history of recidivism of the property owner and several months of attempts to have the site remediated by the property owner, staff is requesting a 180 day open abatement to prevent repeated property neglect and neighborhood decline.

PAGES:

1. List of Attachments
2. Comments; History & Facts/Description

ATTACHMENTS:

1. Location Map
2. Aerial Photo
- 3-33. Code Compliance Report & Photographs

COMMENTS:

Code Compliance is requesting approval to abate the Brown Residence located at 1208 West Malibu Drive in the R1-6, Single Family Residential District. This case was initiated 5/09 following which Code Compliance has attempted to obtain compliance through correspondence with the property owners regarding violations of the Tempe City Code.

Without the intervention of abatement the property will continue to deteriorate. It is therefore requested that the City of Tempe Community Development Hearing Officer approve the abatement of this public nuisance in accordance with Section 21-53 of the Tempe City Code.

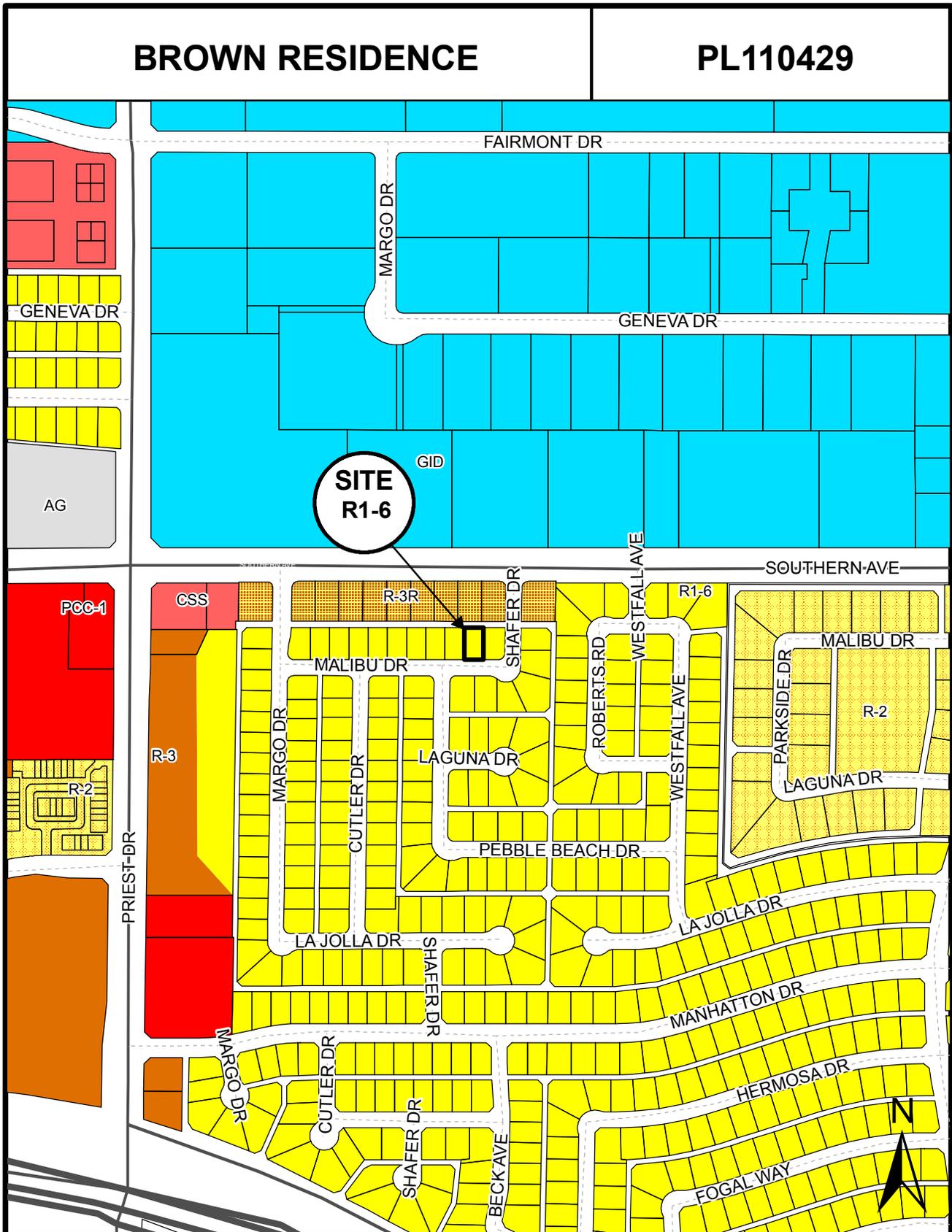
Due to the history of recidivism of the property owner and several months of attempts to have the site remediated by the property owner, staff is requesting a 180 day open abatement to prevent repeated property neglect and neighborhood decline

HISTORY & FACTS:

The history and facts of this case are detailed in an attached memo from the Code Compliance Inspector.

BROWN RESIDENCE

PL110429



Location Map



BROWN RESIDENCE (PL110429)

DATE: 12/05/2011

SUBJECT: Kenton Brown Property Abatement of Case# CE093564

LOCATION: 1208 W. Malibu Drive

LEGAL: Lot 10 of Westway Park, Book 123, Page 24, as recorded with the Maricopa County Assessor.

OWNER: Kenton Brown
1208 W. Malibu Drive
Tempe, AZ 85282

FINDINGS:

05/27/09 The property was inspected and found an offensive smell coming from the garage, a trailer in the driveway with the flat tire, grass and weeds (dead and alive) in the gravel front and side yard landscape(s), dead oranges, leaves, and dead limbs in the landscape, junk and debris/excessive storage items (boxes, bags, inoperable, worn out or discarded appliances, and other miscellaneous items) on the trailer in the driveway, in the area near the front door to the residence, and in the open garage, a broken garage door, and a broken fence on the west side of the residence.

05/29/09 The property was inspected and no visible change was found. Sent a Notice to Correct.

06/15/09 The property was inspected and all work is done except the fence on the west side of the house and the garage door. Spoke to Mr. Brown and he has a contractor giving him a bid for the door. Will check again.

06/30/09 The property was inspected and the offensive smell is back and the garage door still not working. Sent a Notice to Correct.

07/15/09 The property was inspected and the smell appears to be gone. The garage door is all that is left in violation.

08/20/09 The smell is back. Sent a Notice to Correct.

09/08/09 The smell is gone. The garage door is still not fixed. Sent a Notice to Correct

09/09/09 Kenton Brown called and was informed that he would need to have the garage door fixed by 09/24/09.

09/23/09 I was contacted by City of Tempe Affordable Housing Specialist Maryna Leyvas about Kenton brown requesting assistance through the housing office.

09/29/09 I sent photos to Maryna Leyvas via email. Will check back to see if he will get assistance on the garage door.

11/16/09 No change at the residence. Emailed Maryna Leyvas to see if they will be able to help Mr. Brown. She advised that they will not be able to assist Mr. Brown at this time due to funding.

12/02/09 I left a card for Mr. Brown to call me.

12/07/09 I spoke to Mr. Brown on the phone. He is hoping to have contractors give him an estimate this week.

12/23/09 Found no change. Sent a Notice to Correct.

01/13/10 I spoke to Kenton Brown and he has a company that is about to start replacing the door. Mr. Brown understands that I may refer the case to the city prosecutor.

Received an email from Mr Brown and a phone message stating the door company is coming on Thursday 01/28/2010. Will check again.

06/07/10 The property was inspected and found grass and weeds in the gravel. No change with the garage door. Beer cans, boxes, insulation, piles of landscape debris in the driveway, on a trailer in the driveway, and in the back yard. Posted a Notice to Correct to the door.

01/04/2011 The property was inspected and found no change.

03/15/11 The property was inspected no change will do notice of intent to abate.

08/09/2011 I spoke to Jeff Tamulevich about the case. He advised to proceed with civil violations prior to abatement.

Spoke to Maryna Leyvas and she advised Mr. Brown is no longer seeking help from the housing rehabilitation office.

08/15/2011 The property was inspected. Took photos and sent a Notice to Correct.

08/30/2011 The property was inspected and found no changes. Took photos.

09/01/2011 I issued and mailed ticket# 1413218 in the amount of \$850.00

09/27/2011 The property was inspected. There is still no smell. Inspected the property took photos for a citation.

09/28/2011 I issued, mailed, and posted citation #1413223 in the amount of \$1350.00

11/15/2011 I requested an abatement estimate via email to Jack Harrington.

11/17/2011 Bid was received from Jack Harrington with a cost of \$2,447.00 for cleanup of the property. Will take photos of the property.

12/01/2011 The property was inspected, photos were taken and a posted a Notice of Intent to Abate was posted to the front door.

12/01/2011 I hand delivered a Revised Notice of Intent to Abate to Kenton Brown and he advised much of the work would be done next week.

12/05/2011 I submitted a project submittal form requesting an abatement hearing.

RECOMMENDATIONS:

Kenton Brown, owner of 1208 W. Malibu Drive, is violating Tempe City Code in regards to allowing deteriorated landscape, junk and debris, deteriorated fencing in the front and back yard(s) and also by allowing inoperable/unregistered vehicle to remain in the in the back yard. Prior case notes, as in this case, show a repeated pattern of misunderstanding, extensions, and continuances that have stalled all efforts to have Kenton Brown's property in compliance in a reasonable time frame.

Attempts to allow Kenton Brown to correct the violations have met with very little improvement in the past and on this case and show no improvements without being prompted to maintain the property by City of Tempe Code Compliance. Mr. Kenton Brown has been given ample time to come into compliance and has failed to take corrective action or respond to the court concerning the citation(s).

Without the intervention of abatement the property will continue to deteriorate. I therefore make a request to the City of Tempe Development Services Hearing Officer for authorization to abate this public nuisance in accordance with section 21-53 of the Tempe City Code and authorization of multiple abatements for a period not to exceed one hundred eighty (180) days from the previous abatement order.

Respectfully submitted,

Jody Benson
Code Inspector
City of Tempe

ACTION TAKEN:

NAME

DATE:

SUBMIT
[Signature]
12.9.11

CASE # CE093564



**City of Tempe Code Compliance Division
Notice to Comply: Chapter 21, Nuisances and Property Enhancement**

Notice Delivered to:

**KENTON BROWN
1208 W. MALIBU DRIVE
TEMPE, AZ 85282**

This notice to comply is to inform you that on **05/27/09** and **5/29/09**, the property located at **1208 W. MALIBU DRIVE, TEMPE** was inspected and found to be in violation of the following subsection(s) of the Nuisance and Property Enhancement Ordinance, Chapter 21, Article I and/or Article II, of the Tempe City Code. A re-inspection will be conducted on **06/15/09** or after this date to verify compliance. If the property is brought into compliance with the code you will not be subject to citations or fines for the violation(s).

Please take the following corrective action to avoid a citation for each violation.

Required Correction(s):

1. PLEASE REMOVE THE SMELL COMING FROM THE GARAGE.
2. PLEASE REPAIR OR REMOVE THE TRAILER IN THE DRIVEWAY WITH THE FLAT TIRE.
3. PLEASE REMOVE ALL GRASS AND WEEDS (DEAD OR ALIVE) FROM THE GRAVEL FRONT *and/or* SIDE YARD LANDSCAPE(S). GRAVEL MUST BE MAINTAINED FREE OF UNCONTROLLED GROWTH OF GRASS AND WEEDS.
4. PLEASE REMOVE THE DEAD ORANGES, LEAVES, AND DEAD LIMBS IN THE LANDSCAPE.
5. PLEASE REMOVE ALL PALM DEBRIS ON THE ROOF.
6. PLEASE REMOVE ALL JUNK AND DEBRIS/EXCESSIVE STORAGE ITEMS (BOXES, BAGS, INOPERABLE, WORN OUT OR DISCARDED APPLIANCES, AND ALL OTHER MISCELLANEOUS ITEMS) ON THE TRAILER IN THE DRIVEWAY, IN THE AREA NEAR THE FRONT DOOR TO THE RESIDENCE, AND IN THE GARAGE.
7. PLEASE REPAIR THE GARAGE DOOR.
8. PLEASE REPAIR THE BROKEN FENCE ON THE WEST SIDE OF THE RESIDENCE.

Violation of the Tempe City Code, Chapter 21-3-b-1

It shall be unlawful and a violation of this code for any person to commit a nuisance or willfully omit to perform any legal duty relating to the removal of a nuisance. A nuisance includes any one or more of the following conditions:

Filthy, littered, debris or trash-covered exterior areas, including exterior areas under any roof not enclosed by the walls, doors or windows of any building; including, but not limited to, areas that contain items such as cans, bottles, wood, metal, plastic, rags, boxes, paper, tires, auto parts; unused, inoperable, worn out or discarded appliances or other household items; lumber, scrap iron, tin and other metal not neatly piled, or anything whatsoever that is or may become a hazard to public health and safety, or that may harbor insect, rodent or vermin infestation. This subsection shall not be deemed to include items kept in covered bins or metal receptacles approved by the county health officer or this code or any other ordinance of the city.

Violation of the Tempe City Code, Chapter 21-3-b-3

It shall be unlawful and a violation of this code for any person to commit a nuisance or willfully omit to perform any legal duty relating to the removal of a nuisance. A nuisance includes any one or more of the following conditions:

Any inoperable or unregistered vehicle, or parts thereof, outside of or under a roof area not enclosed by walls, doors or windows of any building on any lot, except the safe and neat keeping of:

- a. Substantially complete inoperable or unregistered vehicles with inflated tires under the roof area of any building;

- b. A vehicle undergoing repair, titled to the owner or resident of the property, provided that the repair is complete within fourteen (14) days after the repair was begun, provided that not more than three (3) such fourteen (14) day repairs will be permitted in any twelve (12) month period;
- c. Not more than two (2) ongoing restoration projects or inoperable or unregistered vehicles in a backyard area, screened by a substantially opaque fence at a minimum height of five (5) feet or the height of the vehicles, whichever is more, provided that any fence constructed or modified pursuant to this subsection must meet any and all other requirements of the city code;
- d. Lawful commercial activities involving vehicles as allowed by the Zoning and Development Code; or
- e. Operable, off-road vehicles, under the roof area of any building, or in a backyard area, screened by a substantially opaque fence at a minimum height of five (5) feet or the height of the vehicles, whichever is more, provided that any fence constructed or modified pursuant to this subsection must meet any and all other requirements of the city code.

Violation of the Tempe City Code, Chapter 21-3-b-8

It shall be unlawful and a violation of this code for any person to commit a nuisance or willfully omit to perform any legal duty relating to the removal of a nuisance. A nuisance includes any one or more of the following conditions:

Any landscaping, visible from public property, that is substantially dead, damaged, or characterized by uncontrolled growth, or presents a deteriorated or slum-like appearance; uncultivated plants, weeds, tall grass, uncultivated shrubs or growth (whether growing or otherwise) higher than twelve (12) inches; or any dead trees, bushes, shrubs or portions thereof, including stumps; or any palm or similar type tree having dead or dry fronds descending downward from the base of the lowest living frond more than eight (8) feet or dry fronds longer than five (5) feet and closer than eight (8) feet to the ground.

Violation of the Tempe City Code, Chapter 21-3-b-10

It shall be unlawful and a violation of this code for any person to commit a nuisance or willfully omit to perform any legal duty relating to the removal of a nuisance. A nuisance includes any one or more of the following conditions:

Any putrid, unsound or unwholesome bones, meat, hides, skins or the whole or any part of any dead animal, butcher's trimmings and offal, or any waste vegetable or animal matter in any quantity, garbage, human excreta, sewage or other offensive substances; provided, that nothing contained in this subsection shall prevent the temporary retention of waste in receptacles in the manner approved by the health officer of the county or this code or any other ordinance of the city.

Violation of the Tempe City Code, Chapter 21-3-b-15

It shall be unlawful and a violation of this code for any person to commit a nuisance or willfully omit to perform any legal duty relating to the removal of a nuisance. A nuisance includes any one or more of the following conditions:

Any wall or fence that is missing blocks, boards or other material, or is otherwise deteriorated so as to constitute a hazard to persons or property. This includes but is not limited to, leaning or damaged fences, fences missing slats or blocks or any other materials that are otherwise broken or damaged in such amounts as to present a deteriorated or slum-like appearance. All replacement materials shall be uniform, compatible and consistent with the design thereof.

Tempe City Code, Chapter 21-3-c

Nothing in subsections (1) through (5) of this section shall be deemed to apply to safe and neat outdoor accessory storage, use or repair of items customarily associated with the lawful use of such property in the city, screened by a substantially opaque fence at a minimum height of five (5) feet or the height of the storage, use or repair, whichever is more, provided that any fence constructed or modified pursuant to this subsection must meet any and all other requirements of the city code.

Violation of the Tempe City Code, Chapter 21-4-a-2-f

It shall be unlawful and a violation of this code for any person to erect, maintain, use, place, deposit, cause, allow, leave or permit to remain any of the following:

For any residential property:

- f. Exterior doors, garage doors, door hardware and door frames not maintained in sound condition, or kept free from holes, breaks and cracks; or any exterior door incapable of functioning as intended by its design.

We appreciate your cooperation in this matter. For questions or further information please contact the Code Enforcement Division at 480-350-8372. Failure to comply may result in civil citation, criminal charges or abatement of the violation.

Civil and Criminal Penalties

Section 21-3, Enumerated Violations subsections (b) 1-8 and 17-19, Section 21-4 Enumerated Violations 1-4: 1st occurrence \$150 dollars per violation, 2nd occurrence \$250 dollars per violation, 3rd occurrence \$350 dollars per violation.

Page 3 of 3

Section 21-3, Enumerated Violations subsections (b) 9-16: 1st occurrence \$350 dollars per violation, 2nd occurrence \$650 dollars per violation, 3rd occurrence \$950 dollars per violation.

Section 21-4 (B), Habitual Offender: 1st occurrence \$500 dollars + sum of other fines, 2nd occurrence \$1000 dollars + sum of other fines, 3rd occurrence \$1,500 dollars + sum of other fines.

The city has authority to abate the violation should the owner neglect, fail, or refuse to correct the violation within (30) days and to assess a lien against the property for cost of abatement.

The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of this chapter.

The City of Tempe is not obligated to notify the same person as to a second (or additional) violation which has been the subject of a notice to comply within the previous twelve (12) month period and may commence civil or criminal violation proceedings without further notice per Tempe City Code 21-43(d).

Code Inspector: JODY BENSON

**Phone Number: (480)350-8671
E-mail: JODY_BENSON@TEMPE.GOV**

CASE # CE093564A



City of Tempe Code Compliance Division
Notice to Comply: Chapter 21, Nuisances and Property Enhancement
FINAL NOTICE

Notice Delivered to:

KENTON BROWN
1208 W. MALIBU DRIVE
TEMPE, AZ 85282

This notice to comply is to inform you that on 06/30/09, the property located at 1208 W. MALIBU DRIVE, TEMPE was inspected and found to be in violation of the following subsection(s) of the Nuisance and Property Enhancement Ordinance, Chapter 21, Article I and/or Article II, of the Tempe City Code. A re-inspection will be conducted on 07/15/09 or after this date to verify compliance. If the property is brought into compliance with the code you will not be subject to citations or fines for the violation(s).

Please take the following corrective action to avoid a citation for each violation.

Required Correction(s):

- 1. PLEASE CONTINUE REMOVING THE SMELL COMING FROM THE GARAGE (IT CAME BACK).
2. PLEASE REMOVE ALL JUNK AND DEBRIS/EXCESSIVE STORAGE ITEMS (BOXES, BAGS, INOPERABLE, WORN OUT OR DISCARDED APPLIANCES, AND ALL OTHER MISCELLANEOUS ITEMS) IN THE GARAGE, OR AS AN OPTION YOU MAY CLOSE THE GARAGE.
3. PLEASE REPAIR THE GARAGE DOOR.

Violation of the Tempe City Code, Chapter 21-3-b-1

It shall be unlawful and a violation of this code for any person to commit a nuisance or willfully omit to perform any legal duty relating to the removal of a nuisance. A nuisance includes any one or more of the following conditions:

Filthy, littered, debris or trash-covered exterior areas, including exterior areas under any roof not enclosed by the walls, doors or windows of any building; including, but not limited to, areas that contain items such as cans, bottles, wood, metal, plastic, rags, boxes, paper, tires, auto parts; unused, inoperable, worn out or discarded appliances or other household items; lumber, scrap iron, tin and other metal not neatly piled, or anything whatsoever that is or may become a hazard to public health and safety, or that may harbor insect, rodent or vermin infestation. This subsection shall not be deemed to include items kept in covered bins or metal receptacles approved by the county health officer or this code or any other ordinance of the city.

Violation of the Tempe City Code, Chapter 21-3-b-10

It shall be unlawful and a violation of this code for any person to commit a nuisance or willfully omit to perform any legal duty relating to the removal of a nuisance. A nuisance includes any one or more of the following conditions:

Any putrid, unsound or unwholesome bones, meat, hides, skins or the whole or any part of any dead animal, butcher's trimmings and offal, or any waste vegetable or animal matter in any quantity, garbage, human excreta, sewage or other offensive substances; provided, that nothing contained in this subsection shall prevent the temporary retention of waste in receptacles in the manner approved by the health officer of the county or this code or any other ordinance of the city.

Violation of the Tempe City Code, Chapter 21-3-b-15

It shall be unlawful and a violation of this code for any person to commit a nuisance or willfully omit to perform any legal duty relating to the removal of a nuisance. A nuisance includes any one or more of the following conditions:

Any wall or fence that is missing blocks, boards or other material, or is otherwise deteriorated so as to constitute a hazard to persons or property. This includes but is not limited to, leaning or damaged fences, fences missing slats or blocks or any other materials that are otherwise broken or damaged in such amounts as to present a deteriorated or slum-like appearance. All replacement materials shall be uniform, compatible and consistent with the design thereof.

Tempe City Code, Chapter 21-3-c

Nothing in subsections (1) through (5) of this section shall be deemed to apply to safe and neat outdoor accessory storage, use or repair of items customarily associated with the lawful use of such property in the city, screened by a substantially opaque fence at a minimum height of five (5) feet or the height of the storage, use or repair, whichever is more, provided that any fence constructed or modified pursuant to this subsection must meet any and all other requirements of the city code.

Violation of the Tempe City Code, Chapter 21-4-a-2-f

It shall be unlawful and a violation of this code for any person to erect, maintain, use, place, deposit, cause, allow, leave or permit to remain any of the following:

For any residential property:

- a. Exterior doors, garage doors, door hardware and door frames not maintained in sound condition, or kept free from holes, breaks and cracks; or any exterior door incapable of functioning as intended by its design.

We appreciate your cooperation in this matter. For questions or further information please contact the Code Enforcement Division at 480-350-8372. Failure to comply may result in civil citation, criminal charges or abatement of the violation.

Civil and Criminal Penalties

Section 21-3, Enumerated Violations subsections (b) 1-8 and 17-19, Section 21-4 Enumerated Violations 1-4: 1st occurrence \$150 dollars per violation, 2nd occurrence \$250 dollars per violation, 3rd occurrence \$350 dollars per violation.

Section 21-3, Enumerated Violations subsections (b) 9-16: 1st occurrence \$350 dollars per violation, 2nd occurrence \$650 dollars per violation, 3rd occurrence \$950 dollars per violation.

Section 21-4 (B), Habitual Offender: 1st occurrence \$500 dollars + sum of other fines, 2nd occurrence \$1000 dollars + sum of other fines, 3rd occurrence \$1,500 dollars + sum of other fines.

The city has authority to abate the violation should the owner neglect, fail, or refuse to correct the violation within (30) days and to assess a lien against the property for cost of abatement.

The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of this chapter.

The City of Tempe is not obligated to notify the same person as to a second (or additional) violation which has been the subject of a notice to comply within the previous twelve (12) month period and may commence civil or criminal violation proceedings without further notice per Tempe City Code 21-43(d).

Code Inspector: JODY BENSON

Phone Number: (480)350-8671

E-mail: JODY_BENSON@TEMPE.GOV

CASE # CE093564B



**City of Tempe Code Compliance Division
Notice to Comply: Chapter 21, Nuisances and Property Enhancement
FINAL NOTICE**

Notice Delivered to:

**KENTON BROWN
1208 W. MALIBU DRIVE
TEMPE, AZ 85282**

This notice to comply is to inform you that on **08/20/09**, the property located at **1208 W. MALIBU DRIVE, TEMPE** was inspected and found to be in violation of the following subsection(s) of the Nuisance and Property Enhancement Ordinance, Chapter 21, Article I and/or Article II, of the Tempe City Code. A re-inspection will be conducted on **09/07/09** or after this date to verify compliance. If the property is brought into compliance with the code you will not be subject to citations or fines for the violation(s).

Please take the following corrective action to avoid a citation for each violation.

Required Correction(s):

- 1. PLEASE COMPLETELY REMOVE THE SMELL COMING FROM THE GARAGE.**
 - 2. PLEASE REPAIR THE GARAGE DOOR.**
-

Violation of the Tempe City Code, Chapter 21-3-b-1

It shall be unlawful and a violation of this code for any person to commit a nuisance or willfully omit to perform any legal duty relating to the removal of a nuisance. A nuisance includes any one or more of the following conditions:

Filthy, littered, debris or trash-covered exterior areas, including exterior areas under any roof not enclosed by the walls, doors or windows of any building; including, but not limited to, areas that contain items such as cans, bottles, wood, metal, plastic, rags, boxes, paper, tires, auto parts; unused, inoperable, worn out or discarded appliances or other household items; lumber, scrap iron, tin and other metal not neatly piled, or anything whatsoever that is or may become a hazard to public health and safety, or that may harbor insect, rodent or vermin infestation. This subsection shall not be deemed to include items kept in covered bins or metal receptacles approved by the county health officer or this code or any other ordinance of the city.

Violation of the Tempe City Code, Chapter 21-3-b-10

It shall be unlawful and a violation of this code for any person to commit a nuisance or willfully omit to perform any legal duty relating to the removal of a nuisance. A nuisance includes any one or more of the following conditions:

Any putrid, unsound or unwholesome bones, meat, hides, skins or the whole or any part of any dead animal, butcher's trimmings and offal, or any waste vegetable or animal matter in any quantity, garbage, human excreta, sewage or other offensive substances; provided, that nothing contained in this subsection shall prevent the temporary retention of waste in receptacles in the manner approved by the health officer of the county or this code or any other ordinance of the city.

Violation of the Tempe City Code, Chapter 21-4-a-2-f

It shall be unlawful and a violation of this code for any person to erect, maintain, use, place, deposit, cause, allow, leave or permit to remain any of the following:

For any residential property:

- a. Exterior doors, garage doors, door hardware and door frames not maintained in sound condition, or kept free from holes, breaks and cracks; or any exterior door incapable of functioning as intended by its design.

We appreciate your cooperation in this matter. For questions or further information please contact the Code Enforcement Division at 480-350-8372. Failure to comply may result in civil citation, criminal charges or abatement of the violation.

Page 2 of 2

Civil and Criminal Penalties

Section 21-3, Enumerated Violations subsections (b) 1-8 and 17-19, Section 21-4 Enumerated Violations 1-4: 1st occurrence \$150 dollars per violation, 2nd occurrence \$250 dollars per violation, 3rd occurrence \$350 dollars per violation.

Section 21-3, Enumerated Violations subsections (b) 9-16: 1st occurrence \$350 dollars per violation, 2nd occurrence \$650 dollars per violation, 3rd occurrence \$950 dollars per violation.

Section 21-4 (B), Habitual Offender: 1st occurrence \$500 dollars + sum of other fines, 2nd occurrence \$1000 dollars + sum of other fines, 3rd occurrence \$1,500 dollars + sum of other fines.

The city has authority to abate the violation should the owner neglect, fail, or refuse to correct the violation within (30) days and to assess a lien against the property for cost of abatement.

The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of this chapter.

The City of Tempe is not obligated to notify the same person as to a second (or additional) violation which has been the subject of a notice to comply within the previous twelve (12) month period and may commence civil or criminal violation proceedings without further notice per Tempe City Code 21-43(d).

Code Inspector: JODY BENSON

Phone Number: (480)350-8671

E-mail: JODY_BENSON@TEMPE.GOV

CASE # **CE093564C**



**City of Tempe Code Compliance Division
Notice to Comply: Chapter 21, Nuisances and Property Enhancement
FINAL NOTICE**

Notice Delivered to:

**KENTON BROWN
1208 W. MALIBU DRIVE
TEMPE, AZ 85282**

This notice to comply is to inform you that on **09/08/09**, the property located at **1208 W. MALIBU DRIVE, TEMPE** was inspected and found to be in violation of the following subsection(s) of the Nuisance and Property Enhancement Ordinance, Chapter 21, Article I and/or Article II, of the Tempe City Code. A re-inspection will be conducted on **09/24/09** or after this date to verify compliance. If the property is brought into compliance with the code you will not be subject to citations or fines for the violation(s).

Violation of the Tempe City Code, Chapter 21-4-a-2-f

It shall be unlawful and a violation of this code for any person to erect, maintain, use, place, deposit, cause, allow, leave or permit to remain any of the following:

For any residential property:

- a. Exterior doors, garage doors, door hardware and door frames not maintained in sound condition, or kept free from holes, breaks and cracks; or any exterior door incapable of functioning as intended by its design.

THIS IS YOUR FINAL NOTICE.

Please take the following corrective action to avoid a citation for each violation.

Required Correction(s):

- 1. PLEASE REPAIR THE GARAGE DOOR.**

We appreciate your cooperation in this matter. For questions or further information please contact the Code Enforcement Division at 480-350-8372. Failure to comply may result in civil citation, criminal charges or abatement of the violation.

Civil and Criminal Penalties

Section 21-3, Enumerated Violations subsections (b) 1-8 and 17-19, Section 21-4 Enumerated Violations 1-4: 1st occurrence \$150 dollars per violation, 2nd occurrence \$250 dollars per violation, 3rd occurrence \$350 dollars per violation.

Section 21-3, Enumerated Violations subsections (b) 9-16: 1st occurrence \$350 dollars per violation, 2nd occurrence \$650 dollars per violation, 3rd occurrence \$950 dollars per violation.

Section 21-4 (B), Habitual Offender: 1st occurrence \$500 dollars + sum of other fines, 2nd occurrence \$1000 dollars + sum of other fines, 3rd occurrence \$1,500 dollars + sum of other fines.

The city has authority to abate the violation should the owner neglect, fail, or refuse to correct the violation within (30) days and to assess a lien against the property for cost of abatement.

The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of this chapter.

The City of Tempe is not obligated to notify the same person as to a second (or additional) violation which has been the subject of a notice to comply within the previous twelve (12) month period and may commence civil or criminal violation proceedings without further notice per Tempe City Code 21-43(d).

Code Inspector: JODY BENSON

Phone Number: (480)350-8671
E-mail: JODY_BENSON@TEMPE.GOV

CASE # CE093564D



**City of Tempe Code Compliance Division
Notice to Comply: Chapter 21, Nuisances and Property Enhancement
FINAL NOTICE**

Notice Delivered to:

**KENTON BROWN
1208 W. MALIBU DRIVE
TEMPE, AZ 85282**

This notice to comply is to inform you that on **12/23/09**, the property located at **1208 W. MALIBU DRIVE, TEMPE** was inspected and found to be in violation of the following subsection(s) of the Nuisance and Property Enhancement Ordinance, Chapter 21, Article I and/or Article II, of the Tempe City Code. A re-inspection will be conducted on **01/12/09** or after this date to verify compliance. If the property is brought into compliance with the code you will not be subject to citations or fines for the violation(s).

Violation of the Tempe City Code, Chapter 21-4-a-2-f

It shall be unlawful and a violation of this code for any person to erect, maintain, use, place, deposit, cause, allow, leave or permit to remain any of the following:

For any residential property:

- f. Exterior doors, garage doors, door hardware and door frames not maintained in sound condition, or kept free from holes, breaks and cracks; or any exterior door incapable of functioning as intended by its design.

THIS IS YOUR FINAL NOTICE.

Please take the following corrective action to avoid a citation for each violation.

Required Correction(s):

1. PLEASE REPAIR THE GARAGE DOOR.

We appreciate your cooperation in this matter. For questions or further information please contact the Code Enforcement Division at 480-350-8372. Failure to comply may result in civil citation, criminal charges or abatement of the violation.

Civil and Criminal Penalties

Section 21-3, Enumerated Violations subsections (b) 1-8 and 17-19, Section 21-4 Enumerated Violations 1-4: 1st occurrence \$150 dollars per violation, 2nd occurrence \$250 dollars per violation, 3rd occurrence \$350 dollars per violation.

Section 21-3, Enumerated Violations subsections (b) 9-16: 1st occurrence \$350 dollars per violation, 2nd occurrence \$650 dollars per violation, 3rd occurrence \$950 dollars per violation.

Section 21-4 (B), Habitual Offender: 1st occurrence \$500 dollars + sum of other fines, 2nd occurrence \$1000 dollars + sum of other fines, 3rd occurrence \$1,500 dollars + sum of other fines.

The city has authority to abate the violation should the owner neglect, fail, or refuse to correct the violation within (30) days and to assess a lien against the property for cost of abatement.

The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of this chapter.

The City of Tempe is not obligated to notify the same person as to a second (or additional) violation which has been the subject of a notice to comply within the previous twelve (12) month period and may commence civil or criminal violation proceedings without further notice per Tempe City Code 21-43(d).

Code Inspector: JODY BENSON

Phone Number: (480)350-8671
E-mail: JODY_BENSON@TEMPE.GOV

CASE # CE093564E



City of Tempe Code Compliance Division
Notice to Comply: Chapter 21, Nuisances and Property Enhancement

Notice Delivered to:

KENTON BROWN
1208 W. MALIBU DRIVE
TEMPE, AZ 85282

This notice to comply is to inform you that on 06/07/10, the property located at 1208 W. MALIBU DRIVE, TEMPE was inspected and found to be in violation of the following subsection(s) of the Nuisance and Property Enhancement Ordinance, Chapter 21, Article I and/or Article II, of the Tempe City Code. A re-inspection will be conducted on 06/21/10 or after this date to verify compliance. If the property is brought into compliance with the code you will not be subject to citations or fines for the violation(s).

Violation of the Tempe City Code, Chapter 21-3-b-1

It shall be unlawful and a violation of this code for any person to commit a nuisance or willfully omit to perform any legal duty relating to the removal of a nuisance. A nuisance includes any one or more of the following conditions:

Filthy, littered, debris or trash-covered exterior areas, including exterior areas under any roof not enclosed by the walls, doors or windows of any building; including, but not limited to, areas that contain items such as cans, bottles, wood, metal, plastic, rags, boxes, paper, tires, auto parts; unused, inoperable, worn out or discarded appliances or other household items; lumber, scrap iron, tin and other metal not neatly piled, or anything whatsoever that is or may become a hazard to public health and safety, or that may harbor insect, rodent or vermin infestation. This subsection shall not be deemed to include items kept in covered bins or metal receptacles approved by the county health officer or this code or any other ordinance of the city.

Violation of the Tempe City Code, Chapter 21-3-b-8

Any landscaping, visible from public property, that is substantially dead, damaged, or characterized by uncontrolled growth, or presents a deteriorated or slum-like appearance; uncultivated plants, weeds, tall grass, uncultivated shrubs or growth (whether growing or otherwise) higher than twelve (12) inches; or any dead trees, bushes, shrubs or portions thereof, including stumps; or any palm or similar type tree having dead or dry fronds descending downward from the base of the lowest living frond more than eight (8) feet or dry fronds longer than five (5) feet and closer than eight (8) feet to the ground.

Violation of the Tempe City Code, Chapter 21-3-b-15

Any wall or fence that is missing blocks, boards or other material, or is otherwise deteriorated so as to constitute a hazard to persons or property. This includes but is not limited to, leaning or damaged fences, fences missing slats or blocks or any other materials that are otherwise broken or damaged in such amounts as to present a deteriorated or slum-like appearance. All replacement materials shall be uniform, compatible and consistent with the design thereof.

Tempe City Code, Chapter 21-3-c

Nothing in subsections (1) through (5) of this section shall be deemed to apply to safe and neat outdoor accessory storage, use or repair of items customarily associated with the lawful use of such property in the city, screened by a substantially opaque fence at a minimum height of five (5) feet or the height of the storage, use or repair, whichever is more, provided that any fence constructed or modified pursuant to this subsection must meet any and all other requirements of the city code.

Violation of the Tempe City Code, Chapter 21-4-a-2-f

It shall be unlawful and a violation of this code for any person to erect, maintain, use, place, deposit, cause, allow, leave or permit to remain any of the following:

For any residential property:

- f. Exterior doors, garage doors, door hardware and door frames not maintained in sound condition, or kept free from holes, breaks and cracks; or any exterior door incapable of functioning as intended by its design.

Please take the following corrective action to avoid a citation for each violation.

Required Correction(s):

- 1. PLEASE REPAIR THE GARAGE DOOR.

2. PLEASE REMOVE ALL GRASS AND WEEDS FROM THE GRAVEL FRONT *and/or* SIDE YARD LANDSCAPE(S). GRAVEL MUST BE MAINTAINED FREE OF UNCONTROLLED GROWTH OF GRASS AND WEEDS.
3. PLEASE REPAIR OR REPLACE THE AREA OF THE REAR YARD FENCE (WEST SIDE) THAT IS LEANING (ALL PROGRESS HAS BEEN NOTED).
4. PLEASE REMOVE ALL EXCESSIVE STORAGE AND OR JJUNK AND DEBRIS (BEER CANS, BOXES, PAPERS, PILE(S)OF LANDSCAPE DEBRIS, OLD UNUSED INSULATION AND ALL OTHER MISCELLANEOUS ITEMS) FROM THE DRIVEWAY, TRAILER IN THE DRIVEWAY, AND BACKYARD.

We appreciate your cooperation in this matter. For questions or further information please contact the Code Enforcement Division at 480-350-8372. Failure to comply may result in civil citation, criminal charges or abatement of the violation.

Civil and Criminal Penalties

Section 21-3, Enumerated Violations subsections (b) 1-8 and 17-19, Section 21-4 Enumerated Violations 1-4: 1st occurrence \$150 dollars per violation, 2nd occurrence \$250 dollars per violation, 3rd occurrence \$350 dollars per violation.

Section 21-3, Enumerated Violations subsections (b) 9-16: 1st occurrence \$350 dollars per violation, 2nd occurrence \$650 dollars per violation, 3rd occurrence \$950 dollars per violation.

Section 21-4 (B), Habitual Offender: 1st occurrence \$500 dollars + sum of other fines, 2nd occurrence \$1000 dollars + sum of other fines, 3rd occurrence \$1,500 dollars + sum of other fines.

The city has authority to abate the violation should the owner neglect, fail, or refuse to correct the violation within (30) days and to assess a lien against the property for cost of abatement.

The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of this chapter.

The City of Tempe is not obligated to notify the same person as to a second (or additional) violation which has been the subject of a notice to comply within the previous twelve (12) month period and may commence civil or criminal violation proceedings without further notice per Tempe City Code 21-43(d).

Code Inspector: JODY BENSON

Phone Number: (480)350-8671

E-mail: JODY_BENSON@TEMPE.GOV



CASE # **CE093564F**

FINAL NOTICE

City of Tempe Code Compliance Division Notice to Comply: Chapter 21, Nuisances and Property Enhancement

Notice Delivered to:

**KENTON BROWN
1208 W. MALIBU DR
TEMPE, AZ 85282**

This notice to comply is to inform you that on **08/15/11**, the property located at **1208 W. MALIBU DRIVE, TEMPE** was inspected and found to be in violation of the following subsection(s) of the Nuisance and Property Enhancement Ordinance, Chapter 21, Article I and/or Article II, of the Tempe City Code. A re-inspection will be conducted on **08/29/11** or after this date to verify compliance. If the property is brought into compliance with the code you will not be subject to citations or fines for the violation(s).

Violation of the Tempe City Code, Chapter 21-3-b-1

It shall be unlawful and a violation of this code for any person to commit a nuisance or willfully omit to perform any legal duty relating to the removal of a nuisance. A nuisance includes any one or more of the following conditions:

Filthy, littered, debris or trash-covered exterior areas, including exterior areas under any roof not enclosed by the walls, doors or windows of any building; including, but not limited to, areas that contain items such as cans, bottles, wood, metal, plastic, rags, boxes, paper, tires, auto parts; unused, inoperable, worn out or discarded appliances or other household items; lumber, scrap iron, tin and other metal not neatly piled, or anything whatsoever that is or may become a hazard to public health and safety, or that may harbor insect, rodent or vermin infestation. This subsection shall not be deemed to include items kept in covered bins or metal receptacles approved by the county health officer or this code or any other ordinance of the city.

Violation of the Tempe City Code, Chapter 21-3-b-3

It shall be unlawful and a violation of this code for any person to commit a nuisance or willfully omit to perform any legal duty relating to the removal of a nuisance. A nuisance includes any one or more of the following conditions:

Any inoperable or unregistered vehicle, or parts thereof, outside of or under a roof area not enclosed by walls, doors or windows of any building on any lot, except the safe and neat keeping of:

- a. Substantially complete inoperable or unregistered vehicles with inflated tires under the roof area of any building;
- b. A vehicle undergoing repair, titled to the owner or resident of the property, provided that the repair is complete within fourteen (14) days after the repair was begun, provided that not more than three (3) such fourteen (14) day repairs will be permitted in any twelve (12) month period;
- c. Not more than two (2) ongoing restoration projects or inoperable or unregistered vehicles in a backyard area, screened by a substantially opaque fence at a minimum height of five (5) feet or the height of the vehicles, whichever is more, provided that any fence constructed or modified pursuant to this subsection must meet any and all other requirements of the city code;
- d. Lawful commercial activities involving vehicles as allowed by the Zoning and Development Code; or
- e. Operable, off-road vehicles, under the roof area of any building, or in a backyard area, screened by a substantially opaque fence at a minimum height of five (5) feet or the height of the vehicles, whichever is more, provided that any fence constructed or modified pursuant to this subsection must meet any and all other requirements of the city code.

Violation of the Tempe City Code, Chapter 21-3-b-8

Any landscaping, visible from public property, that is substantially dead, damaged, or characterized by uncontrolled growth, or presents a deteriorated or slum-like appearance; uncultivated plants, weeds, tall grass, uncultivated shrubs or growth (whether growing or otherwise) higher than twelve (12) inches; or any dead trees, bushes, shrubs or portions thereof, including stumps; or any palm or similar type tree having dead or dry fronds descending downward from the base of the lowest living frond more than eight (8) feet or dry fronds longer than five (5) feet and closer than eight (8) feet to the ground.

Violation of the Tempe City Code, Chapter 21-3-b-10

Any putrid, unsound or unwholesome bones, meat, hides, skins or the whole or any part of any dead animal, butcher's trimmings and offal, or any waste vegetable or animal matter in any quantity, garbage, human excreta, sewage or other offensive substances; provided, that nothing contained in this subsection shall prevent the temporary retention of waste in receptacles in the manner approved by the health officer of the county or this code or any other ordinance of the city.

Violation of the Tempe City Code, Chapter 21-3-b-15

Any wall or fence that is missing blocks, boards or other material, or is otherwise deteriorated so as to constitute a hazard to persons or property. This includes but is not limited to, leaning or damaged fences, fences missing slats or blocks or any other materials that are otherwise broken or damaged in such amounts as to present a deteriorated or slum-like appearance. All replacement materials shall be uniform, compatible and consistent with the design thereof.

Tempe City Code, Chapter 21-3-c

Nothing in subsections (1) through (5) of this section shall be deemed to apply to safe and neat outdoor accessory storage, use or repair of items customarily associated with the lawful use of such property in the city, screened by a substantially opaque fence at a minimum height of five (5) feet or the height of the storage, use or repair, whichever is more, provided that any fence constructed or modified pursuant to this subsection must meet any and all other requirements of the city code.

Violation of the Tempe City Code, Chapter 21-4-a-2-f

It shall be unlawful and a violation of this code for any person to erect, maintain, use, place, deposit, cause, allow, leave or permit to remain any of the following:

For any residential property:

- f. Exterior doors, garage doors, door hardware and door frames not maintained in sound condition, or kept free from holes, breaks and cracks; or any exterior door incapable of functioning as intended by its design.

Please take the following corrective action to avoid a citation for each violation.

Required Correction(s):

1. PLEASE REPAIR THE GARAGE DOOR.
2. PLEASE CONTINUE REMOVING THE SMELL COMING FROM THE GARAGE
3. PLEASE REPAIR *and/or* REGISTER OR SIMPLY REMOVE THE UNREGISTERED AND INOPERABLE VEHICLES IN THE FRONT AND BACK YARD.
4. PLEASE REMOVE ALL GRASS AND WEEDS (LIVING OR DEAD) FROM THE GRAVEL FRONT *and/or* SIDE YARD LANDSCAPE(S). GRAVEL MUST BE MAINTAINED FREE OF UNCONTROLLED GROWTH OF GRASS AND WEEDS.
5. PLEASE REPAIR OR REPLACE THE AREA OF THE REAR YARD FENCE (WEST SIDE) THAT IS LEANING (ALL PROGRESS HAS BEEN NOTED).
6. PLEASE REMOVE ALL EXCESSIVE STORAGE AND OR JJUNK AND DEBRIS (BEER CANS, BOXES, PAPERS, PILE(S) OF LANDSCAPE DEBRIS, OLD UNUSED INSULATION AND ALL OTHER MISCELLANEOUS ITEMS) FROM THE DRIVEWAY, TRAILER IN THE DRIVEWAY, AND BACKYARD.

We appreciate your cooperation in this matter. For questions or further information please contact the Code Enforcement Division at 480-350-8372. Failure to comply may result in civil citation, criminal charges or abatement of the violation.

Code Inspector: JODY BENSON

Phone Number: (480)350-8671

E-mail: JODY_BENSON@TEMPE.GOV

Civil and Criminal Penalties

City Code Section 21-3, subsections (b) 1-8, 15 and 17-19; Section 21-4; Sections 21-13; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$170 per violation, 2nd occurrence \$270 per violation, 3rd occurrence \$370 per violation | Sections 21-31, 21-32, 21-33, 21-35, 21-36: 1st occurrence \$270 per violation, 2nd occurrence \$470 per violation, 3rd occurrence \$670 per violation | Section 21-3, subsections (b) 9-14, 16 and 20; Sections 21-34, 21-37; Section 21-38, subsection (l): 1st occurrence \$370 per violation, 2nd occurrence \$670 per violation, 3rd occurrence \$970 per violation. | Section 21-25: \$1020 per violation plus an additional \$100 for each month after the date of the original violation until compliance occurs. | Section 21-4 (B) Habitual Offender: 1st occurrence \$520 in addition to other fines, 2nd occurrence \$1020 in addition to other fines, 3rd occurrence, \$1520 in addition to other fines. | Zoning and Development Code: 1st occurrence \$140 per violation, 2nd occurrence \$390 per violation, 3rd occurrence \$790 per violation | The city has authority to abate the violation should the owner neglect, fail or refuse to correct the violation within 30 days and to assess a lien against the property for the cost of the abatement. | The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of these codes.

Arizona Traffic Ticket and Complaint

City of Tempe
Maricopa Co.
State of Arizona



Complaint Number 1413218	Case Number	Social Security Number	Military	<input type="checkbox"/> Serious Physical Injury	<input type="checkbox"/> Accident	<input type="checkbox"/> Fatality	<input type="checkbox"/> Commercial
Driver's License No.	DLP <input type="checkbox"/>	State	Class	Endorsements M H N P T X D	<input type="checkbox"/> 16 Passenger Vehicle	<input type="checkbox"/> Haz. Material	Incident Report Number CE093564
Defendant Name (First, Middle, Last) KENTON BROWN							Juvenile
Residence Address, City, State, Zip Code 1208 W. MALIBU DR TEMPE, AZ						Residence Phone No.	
Sex	Height	Weight	Eyes	Hair	Origin	Date of Birth	Restrictions
Business Address, City, State, Zip Code						Business Phone No.	
Vehicle	Color	Year	Make	Model	Style	License Plate	State
Registered owner & address, City, State, Zip Code						Vehicle Identification Number	

The Undersigned Certifies That:

On	Month 08	Day 30	Year 2011	Time 0954	<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	Speed	Approx.	Posted	R & P	Speed Measurement Device <input type="checkbox"/> Radar <input type="checkbox"/> Laser <input type="checkbox"/> Pace	Direction of Travel
At	Location 1208 W. MALIBU DR						<input checked="" type="checkbox"/> Tempe	State of Arizona		Area	Dist.

The Defendant Committed the Following:

A	Section: 21-3 B8	ARS CC	Violation: DETERIORATED LANDSCAPE	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input checked="" type="checkbox"/> Municipal Code	<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense
B	Section: 21-3 B1	ARS CC	Violation: JUNK & DEBRIS	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input checked="" type="checkbox"/> Municipal Code	<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense
C	Section: 21-3 B15	ARS CC	Violation: DETERIORATED FENCE	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input checked="" type="checkbox"/> Municipal Code	<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense
D	Section: 21-3 B3	ARS CC	Violation: INOPERABLE VEHICLE	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input checked="" type="checkbox"/> Municipal Code	<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense
E	Section: 21-4 A2F	ARS CC	Violation: DETERIORATED GARAGE DOOR	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input checked="" type="checkbox"/> Municipal Code	<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense

You must appear on the date and time indicated at:	Tempe Municipal Court 140 E. 5th Street Tempe, AZ 85281 Court No. 0753	<input checked="" type="checkbox"/> Traffic Court Suite 150, 1st Floor	Date: 09-15-11	Time: Between 9AM & 4PM
		<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor	Date: _____	Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM
	Court:	Date:	Time:	<input type="checkbox"/> AM <input type="checkbox"/> PM Court No.
	Court Address, City, State, Zip Code			

Criminal: <input type="checkbox"/> Without admitting guilt, I promise to appear as directed hereon.	Victim? <input type="checkbox"/>	Victim Notified? <input type="checkbox"/>
Civil: <input type="checkbox"/> Without admitting responsibility, I acknowledge receipt of this complaint.	I certify that upon reasonable grounds I believe the defendant committed the act described contrary to law and I have served a copy of this complaint upon the defendant.	
X MAILED 09-01-2011	Complainant JUDY BENSON	PSN 8035

Comments: VIOLATION - A 170.00
 Juvenile Notification: - B 170.00
 Failure to appear or comply as ordered will result in a suspension of your driver's license/driving privileges until you comply or reach your 18th birthday. Initials

#850.00 TOTAL
 09-01-2011
 Date issued if not violation date

COMPLAINT



1413218

Arizona Traffic Ticket and Complaint

City of Tempe
Maricopa Co
State of Arizona



Complaint Number 1413223		Case Number		Social Security Number		Military		<input type="checkbox"/> Serious Physical Injury		<input type="checkbox"/> Accident <input type="checkbox"/> Fatality		<input type="checkbox"/> Commercial					
Driver's License No.		DLP <input type="checkbox"/>		State		Class		Endorsements M H N P T X D				Incident Report Number CE093564					
Defendant		Name (First, Middle, Last) KENTON BROWN										Juvenile					
Residence Address, City, State, Zip Code 1208 W. MALIBU DR TEMPE, AZ 85282										Residence Phone No.							
Sex	Height	Weight	Eyes	Hair	Origin	Date of Birth		Restrictions									
Business Address, City, State, Zip Code										Business Phone No.							
Vehicle		Color		Year		Make		Model		Style		License Plate		State		Expiration Date	
Registered owner & address, City, State, Zip Code										Vehicle Identification Number							

The Undersigned Certifies That:

On	Month 09	Day 27	Year 2011	Time 1456	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Speed	Approx.	Posted	R & P	Speed Measurement Device <input type="checkbox"/> Radar <input type="checkbox"/> Laser <input type="checkbox"/> Pace		Direction of Travel	
At	Location 1208 W. MALIBU DR							<input checked="" type="checkbox"/> Tempe		State of Arizona		Area	Dist.

The Defendant Committed the Following:

A	Section: 21-3	B8	ARS Violation: DETERIORATED LANDSCAPE	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input checked="" type="checkbox"/> Municipal Code <input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense
B	Section: 21-3	B1	ARS Violation: JUNK DEBRIS	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input checked="" type="checkbox"/> Municipal Code <input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense
C	Section: 21-3	B15	ARS Violation: DETERIORATED FENCE	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input checked="" type="checkbox"/> Municipal Code <input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense
D	Section: 21-3	B3	ARS Violation: INOPERABLE VEHICLE	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input checked="" type="checkbox"/> Municipal Code <input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense
E	Section: 21-4	A2F	ARS Violation: DETERIORATED GARAGE DOOR	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input checked="" type="checkbox"/> Municipal Code <input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense

You must appear on the date and time indicated at:

Tempe Municipal Court 140 E. 5th Street Tempe, AZ 85281 Court No. 0753	<input checked="" type="checkbox"/> Traffic Court Suite 150, 1st Floor	Date: 10-12-11	Time: Between 9AM & 4PM
	<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor	Date: _____	Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM
<input type="checkbox"/> Court:	Date: _____	Time: _____	<input type="checkbox"/> AM <input type="checkbox"/> PM Court No. _____
Court Address, City, State, Zip Code			

Criminal: Without admitting guilt, I promise to appear as directed hereon.
Civil: Without admitting responsibility, I acknowledge receipt of this complaint.

Victim? Victim Notified?

I certify that upon reasonable grounds I believe the defendant committed the act described contrary to law and I have served a copy of this complaint upon the defendant.

X MAILED 09-28-11 / POSTED 09-28-11

Complainant: **J. BENSON** PSN: **8035**

Comments: **2ND VIOLATION**

Juvenile Notification: Failure to appear or comply as ordered will result in a suspension of your driver's license/driving privileges until you comply or reach your 18th birthday. Initials _____

A	270	\$1350.00 TOTAL
B	270	
C	270	
D	270	
E	270	
		\$1350

Date issued if not violation date _____

COMPLAINT



1413223



City of Tempe
P. O. Box 5002
Tempe, AZ 85280
www.tempe.gov
(480) 350-8372
(480) 858-2231 (fax)

Code Compliance Division

NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

REVISED 12/02/2011

DATE: 12/02/2011

TO: KENTON BROWN
1208 W MALIBU DR
TEMPE, AZ 85282

This serves as notification of the City of Tempe's intentions regarding the abatement of code violations on the following described property:

LEGAL: Lot 10 of Westway Park, Book 123, Page 24, as recorded with the Maricopa County Assessor.

LOCATION: 1208 W MALIBU DRIVE TEMPE, AZ

PARCEL: 123-42-012

This office will submit this complaint to the Development Services Abatement Hearing Officer to be placed on the Hearing Officer agenda of 01/03/2012. We are requesting Hearing Officer Authorization to abate this public nuisance in accordance with Section 21-53 of the Tempe City Code by removal and repair of:

- CC 21-3.b.1 Filthy, littered, debris or trash-covered exterior areas
- CC 21-3.b.3 An inoperable vehicle or parts thereof outside of or under a roof area not enclosed
- CC 21-3.b.3 An unregistered vehicle outside of or under a roof area not enclosed
- CC 21-3.b.8 Landscaping that is substantially dead damaged or characterized by uncontrolled growth
- CC 21-3.b.15 A wall or fence deteriorated in appearance or which constitutes a hazard

As owner of the property, you have thirty (30) days after receipt of this letter to abate or correct the violation. If the violations have not been corrected within thirty days, our office will proceed with the abatement process. Upon receipt of the Hearing Officer approval to abate this public nuisance, the necessary work will be performed at the expense of the property owner. The cost of this work will be \$2447.00. In addition to the actual cost of abatement, an administrative charge of fifteen (15) percent of the actual cost of abatement or three hundred (\$300) dollars, whichever is greater, for expenses incurred by the city for abatement procedures, and the cost of recording liens and releases will be charged. The recorded lien may bear interest at the legal rate for judgments in the State of Arizona. Administrative charges and the cost of recording liens and releases shall become a lien on the property whether or not the public nuisance is abated by the City.

If you have questions regarding this matter, please contact our office at (480) 350-8372.

Jody Benson
Code Inspector II

Direct: 480-350-8671
Code Compliance: (480)350-8372
Email: jody_benson@tempe.gov

JACK HARRINGTON
3831 W AVALON
PHOENIX, AZ. 85019
TEL: (602) 446-2630
FAX: (602) 347-5487
EMAIL: JACKHBOARDUPS@YAHOO.COM

THE FOLLOWING DOCUMENT IS FOR:

NAME: JODY BENSON
FIRM: CITY OF TEMPE CODE COMPLIANCE

THIS TRANSMISSION MEMORANDUM PLUS 0 PAGE(S)

DATE: 11-17-11

PROPOSAL

WE PROPOSE TO DO THE FOLLOWING WORK FOR THE CITY OF TEMPE
UNDER CONTRACT # TO8-092-02

ADDRESS: 1208 W MALIBU TEMPE, AZ.

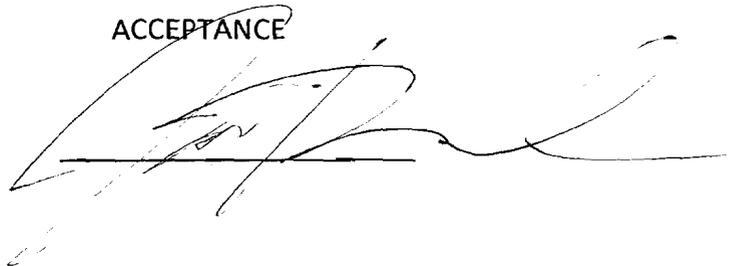
1. REMOVE WEEDS & DEBRIS FROM FRONT AND REAR YARDS 48 MH @ 22/H 6 MEN 8 HOURS 1 DAY	\$1056.00
2. 20 LOAD S @ 40.00/ DUMEST WILL BE USED	800.00
3. TOW CAR	135.00
4. POLICE OFFICER 8 HOUR	456.00

TOTAL COST FOR JOB	\$2447.00

THANK YOU

JACK HARRINGTON

ACCEPTANCE

A handwritten signature in black ink, appearing to be "Jody Benson", written over a horizontal line. The signature is stylized and somewhat cursive.

