

DRAFT RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA CONFIRMING THE COSTS EXPENDED IN THE ABATEMENT OF A PUBLIC NUISANCE AT 4543 YERBA AVENUE, ATASCADERO, CALIFORNIA 93422 (ASSESSOR PARCEL NUMBER 028-151-017) AND AUTHORIZING THE PLACEMENT OF LIEN AND SPECIAL ASSESSMENT TO RECOVER COSTS

WHEREAS, from approximately September 2020 to present, City Code Enforcement Officers have responded to citizen complaints and conducted inspections of the property located at 4543 Yerba Avenue, Atascadero, California 93422 (APN 028-151-017) (“Property”); and

WHEREAS, the legal owner of record of the Property is Ms. Terri Stinson (“Property Owner”); and

WHEREAS, the City has issued the Property Owner multiple warning letters and administrative citations due to various Atascadero Municipal Code and adopted code violations related to the unlawful accumulation of debris and waste, improper storage of inoperative vehicles, accumulation and storage of combustible material constituting a fire, health or safety hazard, and failure to maintain safe, continuous and unobstructed paths of travel to and from the building; and

WHEREAS, despite efforts by the City to engage with the Property Owner, the Property remained in violation of the Atascadero Municipal Code, the California Health and Safety Code, the International Property Maintenance Code and the California Fire Code; and

WHEREAS, the Atascadero Municipal Code Section 9-8.106 defines a public nuisance as “Any condition declared by statute of the State or ordinance by the City to be a nuisance; Any public nuisance known at common law or equity; Any condition dangerous to human life, unsafe, or detrimental to the public health or safety; Any use of land, buildings, or premises established, operated, or maintained contrary the provisions of this title”; and

WHEREAS, the Atascadero Municipal Code Section 12-1.02 provides that “any condition caused or permitted to exist in violation of any of the provisions of this Code, or its adopted Codes, shall be deemed a public nuisance...”; and

WHEREAS, City Code Enforcement determined that a nuisance existed on the Property and on April 8, 2025, Code Enforcement personally served the Property Owner and posted conspicuously on the Property a Notice of Nuisance Abatement describing the nuisance conditions on the Property and ordering such conditions be abated within 30 days pursuant to Atascadero Municipal Code Section 9-8.107(a); and

WHEREAS, on May 12, 2025, Code Enforcement inspected the Property and found the nuisance conditions had not been abated and personally served the Property Owner and posted conspicuously on the Property a Notice of Nuisance Abatement Hearing pursuant to Atascadero Municipal Code Section 9-8.107(b) notifying the Property Owner of a hearing before the City

Council on May 27, 2025 to determine the existence of a nuisance and order abatement thereof; and

WHEREAS, on May 27, 2025, the City Council adopted Resolution No. 2025-028 declaring a public nuisance at the Property, ordering abatement thereof within 45 days of service of the Order to Abate, and authorizing the City to abate the nuisance if abatement is not timely completed; and

WHEREAS, on June 11, 2025, the City served the Order to Abate on the Property Owner via certified mail and on July 31, 2025 after the 45-day abatement period had expired, Code Enforcement inspected the Property and found the nuisance conditions had not been abated; and

WHEREAS, the City applied for and received an abatement warrant from the Superior Court of San Luis Obispo County to enter the Property to remove debris and waste, inoperative vehicles, and combustible material in the front driveway, front yard and porch, side yards and back yard located on the parcel for the purpose of abating a public nuisance; and

WHEREAS, under the authority of the abatement warrant and after posting a copy of the warrant at the Property at least 24-hours before executive of the warrant and mailing a copy of the warrant to the Property Owner at least four days in advance of the warrant's execution, the City's contractor, Coyote Tractor Services LLC, abated the nuisance conditions on the Property on September 2 and 3, 2025; and

WHEREAS, on December 8, 2025, the City sent a Notice of Hearing on Account of Costs and Proposed Levy of Nuisance Abatement Lien and Special Assessment to the Property Owner pursuant to Atascadero Municipal Code Section 9-8.107(e). The Notice contained an itemized account of the costs and receipts of performing the nuisance abatement work; and

WHEREAS, pursuant to Atascadero Municipal Code Section 9-8.107(f), the City Council of the City of Atascadero conducted a public hearing regarding the costs of abatement and the placement of a lien and levy of special assessment to recover such costs at its duly noticed regularly scheduled meeting on January 13, 2026.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Atascadero:

SECTION 1. The above recitals are true and correct and incorporated herein as factual findings in support of the action taken by this Resolution.

SECTION 2. The itemized costs including incidental expenses of abating the Property as set forth in Exhibit A, attached hereto and incorporated herein by this reference, in the amount of \$7,269.60 is confirmed as the total cost incurred by the City in abating the public nuisance.

SECTION 3. The costs of abatement, plus any additional fees imposed by the County of San Luis Obispo, shall become a lien on the Property. The City Clerk, or their designee, shall

prepare and record a Notice of Lien with the County Clerk-Recorder of the County of San Luis Obispo.

SECTION 4. The City Clerk, or their designee, shall transmit a copy of this Resolution together with the Notice of Lien and any other required documentation to the San Luis Obispo County Auditor so the amount of the lien can be entered upon the Property on the assessment roll as a special assessment.

SECTION 5. The City Clerk shall certify to the adoption of this Resolution and hereafter the same shall be in full force and effect.

PASSED AND ADOPTED at a regular meeting of the City Council held on the 13th day of January 2026.

On motion by _____ and seconded by _____, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

CITY OF ATASCADERO

Charles Bourbeau, Mayor

ATTEST:

Lara K. Christensen, City Clerk

EXHIBIT A

COSTS OF ABATING NUISANCE

4543 YERBA AVE, ATASCADERO, CA 93422

APN 028-151-017

Abatement Activity	Amount
Coyote Tractor Services; Remove debris and haul to dump	\$1,625.00
Coyote Tractor Services; Day 1 removal of debris by 3 Laborers (\$45.00 per hour per Laborer)	\$1,215.00
Coyote Tractor Services; Day 2 removal of debris by 2 Laborers (\$45 per hour per Laborer)	\$810.00
Coyote Tractor Services; Rental of 2nd dump trailer for 2 days (\$200 per day)	\$400.00
City of Atascadero; Code Enforcement Officer supervision of abatement (\$160.98 per hour) (Sept. 2, 2025 – 10.25 hours; Sept. 3, 2025 – 9.75 hours)	\$3,219.60

Administrative Costs	Amount
Pass through of County Fees	TBD

Total Amount to be Confirmed for the Lien	\$7,269.60 + County Fees
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