

Chronology of Events for Anchor Marina

Site Address: 1970 Taylor Road, Bethel Island

APNs: 028-140-003 and 028-140-004

Owner: BI Properties Inc.

REF: BIRF07-00740 and BIRF07-00739

The following chronology of events documents the code violations observed by County Staff culminating in the Notice and Order to Abate.

Code enforcement activities related to the subject property began in 2007 following the revocation of Land Use Permit 2013-91, due to non-compliance with the terms and conditions of the permit. LUP 2013-91 had permitted certain marina facilities and not more than 5 camp sites with utility hookups for tents, recreational vehicles, travel trailers, or other vehicles for occupancy not to exceed 21 consecutive days. No other overnight camping was permitted under LUP 2013-91, except in the 5 designated camp sites. LUP 2013-91 also restricted the storage of trailers, recreational vehicles, travel trailers, and boats. Following revocation of LUP 2013-91, County staff worked with the applicant over several years to correct the non-compliance and reestablish the permit. However, a new land use permit was never issued and the unpermitted uses, including camping, occupied RVs, trailers, and boats, and the illegal storage of vehicles and boats, persisted on the property. Code enforcement activities resumed in 2018 following an increase in stored and occupied recreational vehicles, trailers, and boats on the property.

November 14, 2018: Site inspection. Staff observed stored and occupied recreational vehicles, trailers and boats on the property. Staff also observed electrical, water, and sewer utilities installed without required permits to service the occupied recreational vehicles and trailers. Staff also observed an accumulation of tires, batteries, car parts, construction equipment, trash, and debris. Staff issued a Notice to Comply on November 16, 2018.

November 28, 2018: Site visit to follow up on Notice to Comply. All violations still present, and additional recreational vehicle and trailer occupancies have been added.

December 5, 2018: Follow up site visit. All violations still present. Prepared, posted, and served a Notice of Intent to Record a Notice of Pending Nuisance Abatement Proceeding.

February 7, 2019: New code enforcement officer assigned. Site inspection. Staff observed occupied recreational vehicles, travel trailers, and boats on site connected to the property water, sewer, and electric utilities. Staff also observed several occupied RVs and trailers that were not connected to the utilities. Staff confirmed that no permits had issued for electrical or utility connections for RVs or trailers. Staff also observed RVs, travel trailers, boat trailers, and boats stored on the property. Staff also observed

accumulated trash, salvage vehicle parts, and salvage boat parts throughout the property. See photos dated February 7, 2019 in exhibit A.

February 11, 2019: Follow up site visit. All violations still present.

February 27, 2019: Follow up site visit. All violations still present.

April 1, 2019: Site visit to meet with property owner to review violations. All violations still present.

April 25, 2019: Follow up site visit. All violations still present. Staff also observed unpermitted and non-compliant electrical system on the docks. See photos dated April 25, 2019 in exhibit A. Prepared, posted and served Administrative Penalty Notice of Violation.

May 28, 2019: Follow up site inspection. All violations still present. Staff confirmed no use permit for RV/trailer park or building permit for electrical systems or permits for utility connections. See photos dated May 28, 2019 in exhibit A.

July 3, 2019: Follow up site visit. Prepared, posted, and served Administrative Penalty Notice of Fine.

July 18, 2019: Property owner filed an appeal of the Notice of Fine was filed on behalf of the property owners by the property owner's attorney. The appeal hearing was scheduled.

January 21, 2020: Meeting with the property owner and their representative and County staff. Discussed current state of violations, Notice of Fine, and appeal. Property owner expressed intent to remove the violations and submit land use permit application.

June 29, 2020: Site inspection to check progress. All violations still present. See photos dated June 29, 2020 in exhibit A.

Appeal hearing on Notice of Fine postponed due to COVID-19 pandemic.

December 29, 2020: Site inspection in response to report from fire protection district that a fire had occurred at the property. Staff observed that a boat at the property's southernmost dock and the gangway to the dock had caught fire. Staff observed that the boat had sunk and spilled oil and gasoline into the Delta waterway. The gangway had burned and there was no longer access to the property's dock from the land. Staff observed that the electrical system running electricity this dock had burned. Staff observed that persons occupying boats at this dock had installed an electrical system consisting of extension cords from another dock to maintain power. The electrical system for service from the other dock was extended without permits and was non-compliant as it spanned the water with exposed connections over the water. Staff also observed an increase in RVs and travel trailers being used for human habitation; now approximately 33 on the property. Staff also observed new unpermitted electrical panels for connection to the occupied RVs and travel trailers. See photos dated December 29, 2020 in Exhibit A

Staff determined that the extent of the violations at the property warranted abatement rather than an administrative fine.

June 16, 2021: Prepared, posted, and served Notice and Order to Abate. Staff included a letter explaining the change in enforcement action from administrative fine to abatement.

June 24, 2021: A representative of the property owner filed an appeal of the Notice and Order to Abate.

September 13, 2021: Site visit to meet with property owner to review violations and appeal. Staff observed that the water well system serving the property had been damaged and was not working properly, and that unpermitted and hazardous electrical work had been done to repair the well pump system. See photos dated September 13, 2021 in Exhibit A.

October 14, 2021: The property owner's representative withdrew the appeal of the Notice and Order to Abate. However, abatement did not proceed due to discussions with property owner and potential buyer; buyer proposed to remedy the violations voluntarily. The proposed property sale did not occur.

July 19, 2022: Site inspection. All violations still present. Staff determined to reissue the Notice and Order to Abate.

July 28, 2022: Prepared, posted, and served Notice and Order to Abate.

August 5, 2022: A representative of two persons living at the property, Kimberly Y. Perez and Robert Freeze, filed an appeal of the Notice and Order to Abate.

October 17, 2022: Site inspection to check conditions. All violations still present. Staff also observed and was informed by occupants that the commercial electricity had been disconnected from the property. Staff observed RVs, travel trailers, and boats still occupied on the property. Staff observed occupants using generators to power occupied RVs, trailers, and boats. Staff observed evidence and was informed by occupants that several RVs and trailers had fire damage due to improper use of and connection to generators. Staff observed and was informed by occupants that, due to the lack of electricity, the water well pump on the property was not operating and there was no domestic water available for the occupants on the property. Staff observed and was informed by occupants that there is no garbage service at the property and the northwest side of the property is being used to dump trash and other refuse. See photos dated October 17, 2022 in exhibit A.

March 13, 2023: Site Inspection. All violations still present. Staff observed occupied RVs, trailers, and boats operated with generators as the only source of electricity. Staff observed trash and garbage piling up throughout the property. Staff observed that the fire damaged RVs and trailers had not been removed. Staff observed several sunken boats around the property's docks. Staff observed that damaged docks and gangways are in hazardous conditions with holes covered with old wood pieces to prevent falling through. Staff observed that a section of the property's docks is being used to dismantle boat engines and parts, with junk and trash left on the docks, and fuel and oil leaking into the Delta waterway. Staff observed that the sewer connection from the property's docks to the land has been disconnected and is draining into the Delta waterway. Staff observed and was informed by occupants that, due to the lack of electricity, a generator was connected to the well water system, but that the improperly used and connected generator

had damaged the well pump. Staff observed several occupied RVs and trailers connected to property sewer connections without required permits, but the remaining occupied RVs and trailers are dumping raw sewage and wastewater directly onto the ground. Staff observed that the northwest portion of the property is being used to dismantle vehicles and dump the salvage materials, and is being use to dump trash and other refuse. In summary, staff observed the following:

1. Trailers, recreational vehicles, and boats located on the subject property are being used for human habitation without the necessary permits or authorizations in violation of Sections 84-68.1402 and 84-68.1404 of the Contra Costa County Ordinance Code.
2. Trailers, recreational vehicles, and boats located on the subject property that are being used for human habitation are in an unsafe and unsanitary condition, including inadequate sanitation, lack of running hot water, lack of adequate heating, lack of electrical lighting, lack of connection to a sewage disposal system, lack of garbage removal services, nonconforming electrical wiring, lack of domestic water supply services, faulty weather protection, and there is an accumulation of junk, garbage, and debris, in violation of Section 84-68.1402 of the Contra Costa County Ordinance Code and California Health and Safety Code, Sections 18865(f) and 18771(c).
3. The electrical system consisting of generators and extension cords used to provide power to the various occupancies located on the subject property was installed without the necessary permits, does not use commercially supplied electricity, and is in use without authorization from the County building official, in violation of Sections 72-6.202, 76-2.002, 76-4.602, and 76-4.608 of the Contra Costa County Ordinance Code.
4. Domestic water supply service and sewage systems were not present to serve the occupancies located on the subject property in violation of Section 82-2.020 of the Contra Costa County Ordinance Code.
5. There are unpermitted junkyard conditions on the subject property, including the storage of trailers, recreational vehicles, and boats, and the accumulation of tires, batteries, car parts, construction equipment, junk, garbage, and debris, in violation of Sections 88-4.402 and 720-2.006 of the Contra Costa County Ordinance Code.

See photos dated March 13, 2023 in exhibit A. Contra Costa County CORE (Coordinated Outreach Referral, Engagement) team personnel were on site offering services to the persons living at the property. Based on the deteriorated conditions at the property, staff determined to reissue an updated Notice and Order to Abate.

March 30, 2023: Staff sent a withdrawal letter to the property owner and the appellants' representative, withdrawing the previous Notice and Order to Abate.

April 5, 2023: Site inspection. Staff confirmed that all violations observed on March 13, 2023 still present. Staff observed that some of the trailers now utilizing water tanks due to inoperable well pump. Staff observed that several of the occupied RVs and trailers are not connected to any sewer system and are dumping raw sewage on the ground. Staff confirmed with a PG&E representative that there is no commercial electricity service to the property. See photos dated April 5, 2023 in exhibit A.

April 6, 2023: Site visit. Staff confirmed that all violations observed on March 13, 2023 still present. See photos dated April 6, 2023 in exhibit A. Prepared, posted, and served Notice and Order to Abate.

April 17, 2023: A representative of two persons living at the property, Kimberly Y. Perez and Robert Freeze, filed an appeal of the Notice and Order to Abate.

Attached: Exhibit A - Photos