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**CITY OF TEMPE  
HEARING OFFICER**

**Meeting Date: 05/04/2022  
Agenda Item: 3**

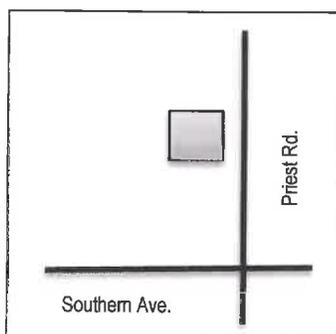
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**ACTION:** Request approval to abate public nuisance items at the Bootz Property located at 1436 W. Geneva Drive. The applicant is the City of Tempe – Code Compliance.

**FISCAL IMPACT:** \$8420 for abatement request: landscape cleanup in front & back yards, removal of junk, trash & debris in front yard and back yards, remove burned vehicle from property.

**RECOMMENDATION:** Staff – Approval of 180-day open abatement

**BACKGROUND INFORMATION:** City of Tempe – Code Compliance Section requests approval to abate items in violation of the Tempe City Code at the BOOTZ PROPERTY. 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 CE215696: landscape cleanup in front & back yards, removal of junk, trash & debris in front yard and back yards, remove burned vehicle from property.



Property Owner  
Applicant  
Zoning District:  
Code Compliance  
Inspector:

Herschel Eldon & Emma L Bootz  
City of Tempe – Code Compliance  
R1-6, Single Family Residential  
Hector Heredia

**ATTACHMENTS:** Supporting Attachment

**STAFF CONTACT:** Drew Yocom, Planning & Research Analyst (480-858-2190)

Department Director: Shelly Seyler, Interim Department Director  
Legal review by: N/A  
Prepared by: Barbara Simons, Code Inspector  
Reviewed by: Drew Yocom, Planning & Research Analyst

**COMMENTS:**

Code Compliance is requesting approval to abate the Bootz Property located at 1436 W. Geneva Drive, in the R1-6, Single Family Residential district. This case was initiated 09/09/2021, after which Code Compliance has attempted to obtain compliance through correspondence with the property owner 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 a 180-day open abatement of this public nuisance in accordance with Section 21-53 of the Tempe City Code.

**HISTORY & FACTS:**

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

ABATEMENT





**DATE:** 04.15.2022  
**TO:** Julie Scofield, Senior Code Inspector  
**FROM:** Hector Heredia, Code Inspector  
**SUBJECT:** CE215696 : BOOTZ HERSCHEL ELDON / EMMA L /  
PROPERTY ABATEMENT FINDINGS

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**LOCATION:** 1436 W GENEVA DR TEMPE, AZ 85282

**PARCEL:** 123-57-016

**OWNER:** BOOTZ HERSCHEL ELDON / EMMA L  
1436 W GENEVA DR  
TEMPE, AZ 85282

**FINDINGS:**

09/09/21: Anonymous complaint were received regarding junk / debris across the entire property and a deteriorated landscape front to back. This was verified and a first notice was issued.

09/24/21: At the second inspection no corrective actions had taken place and a final notice was issued.

10/11/21: Additional anonymous complaints are received regarding a deteriorated landscape including junk / debris. A second final notice was sent.

10/26/21: At the time of inspection some activity was noticed where corrective actions were active and in process, a small extension was provided.

11/03.21: A huge fire damaged the property's front yard burning a vehicle underneath the carport and setting progress back.

12/30/21: Additional anonymous complaints are received regarding a deteriorated landscape including junk / debris and the noted fire damage.

01/05/22: A citation was issued after the property was not brought into compliance.

03/18/22: A second citation was issued after the property was not brought into compliance and receiving additional anonymous complainants.

04/15/22: After multiple failed attempts to reach the property owners, the abatement packet was turned in for the May 04th, 2022, Hearing Officer.

**RECOMMENDATIONS:**

I recommend an abatement of the nuisance violations at the property located at **1436 W GENEVA DR** due to property owner's failure to bring their property into compliance with Tempe City Codes 21-3.B.1, 21-3.B.3 and 21-3.B.8. **BOOTZ HERSCHEL ELDON / EMMA L** have been given ample time to come into compliance and maintain the property. The property owners have been issued two civil citations and have failed to appear in court. There has been no indication that the property owners will bring the property into compliance. The property represents a health hazard and an eyesore to the community.

Without the intervention of abatement, the property will continue to deteriorate. I therefore make a request to the City of Tempe Community Development 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,

Hector Heredia  
Code Inspector

ACTION TAKEN:

Submit

NAME

Hector Heredia

DATE:

4/15/22



## NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 04/15/22  
CASE # CE215696

**BOOTZ HERSCHEL ELDON / EMMA L**  
**1436 W GENEVA 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:

**LOCATION:** 1436 W GENEVA DR TEMPE, AZ 85282  
**PARCEL:** 123-57-016

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This office will submit this complaint to the Community Development Abatement Hearing Officer located at the Tempe City Council Chambers on 05/04/2022. 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:

### **Violation of City of Tempe Codes**

**CC 21-3.b.1 - 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.**

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

**CC 21-3.b.3 - An inoperable vehicle or parts thereof outside of or under a roof area not enclosed**

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

**CC 21-3.b.8 - Uncultivated weeds in gravel landscape, or a lawn higher than 12 inches**

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.

If the violations have not been corrected within thirty days, our office will proceed with the abatement process. As owner of the property, you have thirty (30) days after receipt of this letter to abate or correct any violation as described below:

1. REMOVE ALL GRASS AND WEEDS FROM YOUR PROPERTY'S LANDSCAPE BACK TO FRONT INCLUDING RIGHT OF WAY AREAS.
2. REMOVE THE BURNED VEHICLE FROM THE PROPERTY PERMANENTLY.
3. REMOVE ALL JUNK / DEBRIS FROM YOUR ENTIRE PROPERTY BACK TO FRONT.

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 **\$8420.00**. 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.

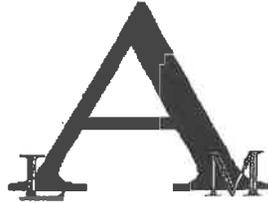
If you have questions regarding this matter, please contact our office at (480) 350-4311.

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**Code Inspector: Hector Heredia**

**Phone Number: 480.350.5462**

**E-mail: [hector\\_heredia@tempe.gov](mailto:hector_heredia@tempe.gov)**



**Artistic Land Management, Inc.**

April 20, 2022

City of Tempe  
Attn: Jeff Tamulevich  
Code Compliance Administrator

RE: Clean-Up at 1436 W. Geneva Dr.

Thank you for giving Artistic Land Management, Inc the opportunity to serve your landscaping needs. Below is our price to provide all labor, equipment, landfill fees, and supervision to perform the work listed below at 1436 W. Geneva Dr, Tempe, AZ. Please give us a call for any questions you may have at 480-821-4966.

#### Scope of Work

##### Front and Backyard Clean-Up

- Tow inoperable vehicle from the front yard
- Remove weeds, trash, junk, and debris
- Dispose of removed items off-site
- Police presence for the duration of the visit

Total = \$8,420.00

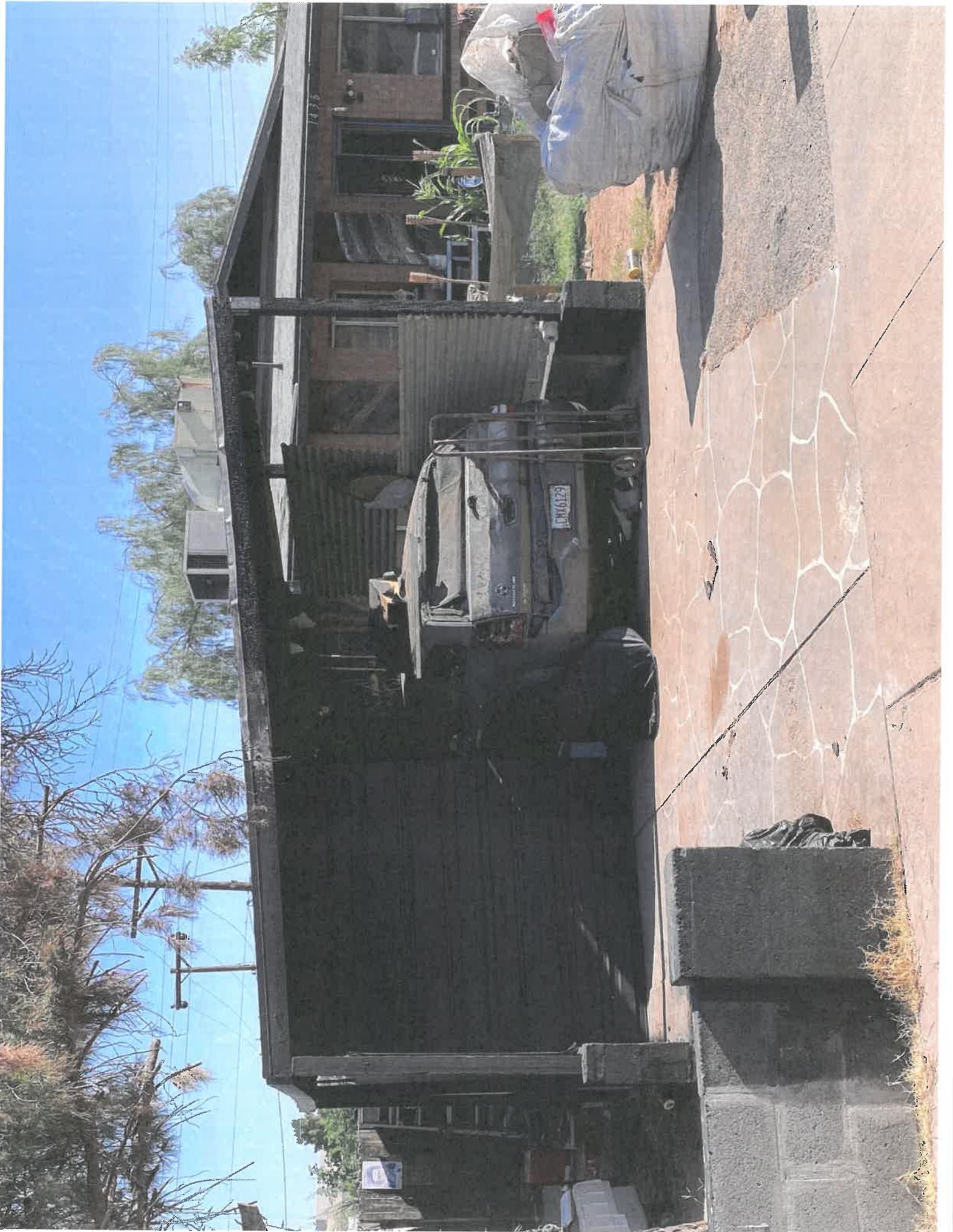
Respectfully,

Jose Hernandez

























COMMUNITY DEVELOPMENT DEPARTMENT  
 CODE COMPLIANCE  
 CORRECTION NOTICE

09/09/2021

BOOTZ HERSCHEL ELDON / EMMA L  
 1436 W GENEVA DR  
 TEMPE, AZ 85282

Case #: CE215696  
 Site Address: 1436 W GENEVA DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 09/09/2021 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation
CC 21-3.b.1	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
CC 21-3.b.8	Uncultivated weeds in gravel landscape, or a lawn higher than 12 inches
CC 21-4.a.2.c	Deteriorated roof; broken, rotted, split, curled or missing roofing material in such amounts as to present a deteriorated appearance

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	Please remove all the trash, litter, debris and stored items from your entire property, front and back yard areas. All storage items must be kept in an enclosed unit classified as a building with four walls and a door / windows. An un-enclosed area cannot be maintained as outdoor storage. All debris must be discarded appropriately at city dump sites or designated bins to help diminish a deteriorated appearance. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	09/24/2021
CC 21-3.b.8	Please completely address and cut all the over height grass and weeds from your front yard area, including any visible surrounding areas, up against property walls and fence lines as necessary. Make sure to address and maintain city right of way areas that you are responsible for. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	09/24/2021
CC 21-4.a.2.c	Please repair your roof to its original damage free state. Please replace all storm damaged shingles that have been lifted, torn or blown off. Make sure to use like materials from the surrounding areas to unify the restoration project and to diminish a deteriorated state of appearance. All roofing debris must be discarded appropriately in approved city dump sites or bins.	09/24/2021

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

Hector Heredia Jr  
 Code Inspector

Direct: 480-350-5462  
 Code Compliance: 480-350-4311  
 Email: Hector\_Heredia@tempe.gov

**Please Note:** In the event of more than one violation occurring at this property in a calendar year, the property owner may be assessed a reinspection fee of \$82.00 pursuant to City Code Section 21-51, subsection (b).

**Civil and Criminal Penalties**

City Code: Section 21-3, subsections (b) 1-8, 17-19 and 21; Sections 21-4; 21-13; Section 21-24; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$200 per violation, 2nd occurrence \$300 per violation, 3rd occurrence \$400 per violation | Sections 21-31; 21-32; 21-33; 21-35; 21-36: 1st occurrence \$300 per violation, 2nd occurrence \$500 per violation, 3rd occurrence \$700 per violation | Section 21-3, subsections (b) 9-16 and 20; Sections 21-34, 21-37; Section 21-38, subsection (l): 1st occurrence \$400 per violation, 2nd occurrence \$700 per violation, 3rd occurrence \$1,000 per violation. | Section 21-4 (b) Habitual Offender: 1st occurrence \$550 in addition to other fines, 2nd occurrence \$1,050 in addition to other fines, 3rd occurrence, \$1,550 in addition to other fines. | Section 21-25: \$1,050 per violation. | Zoning and Development Code: 1st occurrence \$170 per violation, 2nd occurrence \$420 per violation, 3rd occurrence \$820 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.



COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
FINAL CORRECTION NOTICE

09/24/2021

BOOTZ HERSCHEL ELDON / EMMA L  
1436 W GENEVA DR  
TEMPE, AZ 85282

Case #: CE215696  
Site Address: 1436 W GENEVA DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 09/24/2021 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation
CC 21-3.b.1	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
CC 21-3.b.8	Uncultivated weeds in gravel landscape, or a lawn higher than 12 inches
CC 21-4.a.2.c	Deteriorated roof; broken, rotted, split, curled or missing roofing material in such amounts as to present a deteriorated appearance

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	Please remove all the trash, litter, debris and stored items from your entire property, front and back yard areas. All storage items must be kept in an enclosed unit classified as a building with four walls and a door / windows. An un-enclosed area cannot be maintained as outdoor storage. All debris must be discarded appropriately at city dump sites or designated bins to help diminish a deteriorated appearance. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	10/11/2021
CC 21-3.b.8	Please completely address and cut all the over height grass and weeds from your front yard area, including any visible surrounding areas, up against property walls and fence lines as necessary. Make sure to address and maintain city right of way areas that you are responsible for. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	10/11/2021
CC 21-4.a.2.c	Please repair your roof to its original damage free state. Please replace all storm damaged shingles that have been lifted, torn or blown off. Make sure to use like materials from the surrounding areas to unify the restoration project and to diminish a deteriorated state of appearance. All roofing debris must be discarded appropriately in approved city dump sites or bins.	10/11/2021

**This is the final attempt to reach you regarding the above noted. These issues must be addressed. If your property is not brought into compliance before or on the due date a citation will be issued. There will be no more notices sent to your property due to negligence of the pending violations in a twelve-month period. As a final reminder, if your yard is out of compliance again in this period for the same violation/s, citations will be issued without further warning or notice. Please contact me by phone at your earliest convenience to discuss the details or for clarification.**

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

**Hector Heredia Jr  
Code Inspector**

**Direct: 480-350-5462  
Code Compliance: 480-350-4311  
Email: Hector\_Heredia@tempe.gov**

**Please Note:** In the event of more than one violation occurring at this property in a calendar year, the property owner may be assessed a reinspection fee of \$82.00 pursuant to City Code Section 21-51, subsection (b).  
**Civil and Criminal Penalties**

City Code: Section 21-3, subsections (b) 1-8, 17-19 and 21; Sections 21-4; 21-13; Section 21-24; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$200 per violation, 2nd occurrence \$300 per violation, 3rd occurrence \$400 per violation | Sections 21-31; 21-32; 21-33; 21-35; 21-36: 1st occurrence \$300 per violation, 2nd occurrence \$500 per violation, 3rd occurrence \$700 per violation | Section 21-3, subsections (b) 9-16 and 20; Sections 21-34, 21-37; Section 21-38, subsection (l): 1st occurrence \$400 per violation, 2nd occurrence \$700 per violation, 3rd occurrence \$1,000 per violation. | Section 21-4 (b) Habitual Offender: 1st occurrence \$550 in addition to other fines, 2nd occurrence \$1,050 in addition to other fines, 3rd occurrence, \$1,550 in addition to other fines. | Section 21-25: \$1,050 per violation. | Zoning and Development Code: 1st occurrence \$170 per violation, 2nd occurrence \$420 per violation, 3rd occurrence \$820 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.



COMMUNITY DEVELOPMENT DEPARTMENT  
 CODE COMPLIANCE  
 FINAL CORRECTION NOTICE

10/12/2021

BOOTZ HERSCHEL ELDON / EMMA L  
 1436 W GENEVA DR  
 TEMPE, AZ 85282

Case #: CE215696  
 Site Address: 1436 W GENEVA DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 10/12/2021 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation
CC 21-3.b.1	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
CC 21-3.b.8	Uncultivated weeds in gravel landscape, or a lawn higher than 12 inches
CC 21-4.a.2.c	Deteriorated roof; broken, rotted, split, curled or missing roofing material in such amounts as to present a deteriorated appearance

<b>PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION</b>		<b>SITE REINSP ON OR AFTER</b>
CC 21-3.b.1	Please remove all the trash, litter, debris and stored items from your entire property, front and back yard areas. All storage items must be kept in an enclosed unit classified as a building with four walls and a door / windows. An un-enclosed area cannot be maintained as outdoor storage. All debris must be discarded appropriately at city dump sites or designated bins to help diminish a deteriorated appearance. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	10/20/2021
CC 21-3.b.8	Please completely address and cut all the over height grass and weeds from your front yard area, including any visible surrounding areas, up against property walls and fence lines as necessary. Make sure to address and maintain city right of way areas that you are responsible for. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	10/20/2021
CC 21-4.a.2.c	Please repair your roof to its original damage free state. Please replace all storm damaged shingles that have been lifted, torn or blown off. Make sure to use like materials from the surrounding areas to unify the restoration project and to diminish a deteriorated state of appearance. All roofing debris must be discarded appropriately in approved city dump sites or bins.	10/20/2021

**This is the final attempt to reach you regarding the above noted. This issue must be addressed. If your property is not brought into compliance before or on the due date a citation will be issued. There will be no more notices sent to your property due to negligence of the pending violation in a twelve-month period. As a final reminder, if your yard is out of compliance again in this period for the same violation/s, citations will be issued without further warning or notice. Please contact me by phone at your earliest convenience to discuss the details or for clarification.**

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

**Hector Heredia Jr  
Code Inspector**

**Direct: 480-350-5462  
Code Compliance: 480-350-4311  
Email:Hector\_Heredia@tempe.gov**

**Please Note:** In the event of more than one violation occurring at this property in a calendar year, the property owner may be assessed a reinspection fee of \$82.00 pursuant to City Code Section 21-51, subsection (b).

**Civil and Criminal Penalties**

City Code: Section 21-3, subsections (b) 1-8, 17-19 and 21; Sections 21-4; 21-13; Section 21-24; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$200 per violation, 2nd occurrence \$300 per violation, 3rd occurrence \$400 per violation | Sections 21-31; 21-32; 21-33; 21-35; 21-36: 1st occurrence \$300 per violation, 2nd occurrence \$500 per violation, 3rd occurrence \$700 per violation | Section 21-3, subsections (b) 9-16 and 20; Sections 21-34, 21-37; Section 21-38, subsection (l): 1st occurrence \$400 per violation, 2nd occurrence \$700 per violation, 3rd occurrence \$1,000 per violation. | Section 21-4 (b) Habitual Offender: 1st occurrence \$550 in addition to other fines, 2nd occurrence \$1,050 in addition to other fines, 3rd occurrence, \$1,550 in addition to other fines. | Section 21-25: \$1,050 per violation. | Zoning and Development Code: 1st occurrence \$170 per violation, 2nd occurrence \$420 per violation, 3rd occurrence \$820 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.



COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
FINAL CORRECTION NOTICE

03/09/2022

BOOTZ HERSCHEL ELDON / EMMA L  
1436 W GENEVA DR  
TEMPE, AZ 85282

Case #: CE215696  
Site Address: 1436 W GENEVA DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 03/09/2022 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation
CC 21-3.b.1	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

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	<p>Please remove all the trash, litter, debris and stored items from your entire property, front and back yard areas. All storage items must be kept in an enclosed unit classified as a building with four walls and a door / windows. An un-enclosed area cannot be maintained as outdoor storage. All debris must be discarded appropriately at city dump sites or designated bins to help diminish a deteriorated appearance. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.</p> <p><b>This is the final attempt to reach you regarding the above noted. This issue must be addressed. If your property is not brought into compliance before or on the due date a second citation will be issued with steeper penalties. There will be no more notices sent to your property due to negligence of the pending violation in a twelve-month period. As a final reminder, if your yard is out of compliance again in this period for the same violation/s, citations will be issued without further warning or notice. Please contact me by phone at your earliest convenience to discuss the details or for clarification.</b></p>	03/18/2022

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

**Hector Heredia Jr**  
**Code Inspector**

**Direct: 480-350-5462**  
**Code Compliance: 480-350-4311**  
**Email: Hector\_Heredia@tempe.gov**

**Please Note:** In the event of more than one violation occurring at this property in a calendar year, the property owner may be assessed a reinspection fee of \$82.00 pursuant to City Code Section 21-51, subsection (b).

**Civil and Criminal Penalties**

City Code: Section 21-3, subsections (b) 1-8, 17-19 and 21; Sections 21-4; 21-13; Section 21-24; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$200 per violation, 2nd occurrence \$300 per violation, 3rd occurrence \$400 per violation | Sections 21-31; 21-32; 21-33; 21-35; 21-36: 1st occurrence \$300 per violation, 2nd occurrence \$500 per violation, 3rd occurrence \$700 per violation | Section 21-3, subsections (b) 9-16 and 20; Sections 21-34, 21-37; Section 21-38, subsection (l): 1st occurrence \$400 per violation, 2nd occurrence \$700 per violation, 3rd occurrence \$1,000 per violation. | Section 21-4 (b) Habitual Offender: 1st occurrence \$550 in addition to other fines, 2nd occurrence \$1,050 in addition to other fines, 3rd occurrence, \$1,550 in addition to other fines. | Section 21-25: \$1,050 per violation. | Zoning and Development Code: 1st occurrence \$170 per violation, 2nd occurrence \$420 per violation, 3rd occurrence \$820 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.



COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
FINAL CORRECTION NOTICE

04/19/2022

BOOTZ HERSCHEL ELDON / EMMA L  
1436 W GENEVA DR  
TEMPE, AZ 85282

Case #: CE215696  
Site Address: 1436 W GENEVA DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 04/05/2022 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation
CC 21-3.b.1	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
CC 21-3.b.8	Uncultivated weeds in gravel landscape, or a lawn higher than 12 inches
CC 21-3.b.3	An inoperable vehicle or parts thereof outside of or under a roof area not enclosed

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	Please remove all the trash, litter, debris and stored items from your entire property, front and back yard areas. All storage items must be kept in an enclosed unit classified as a building with four walls and a door / window. An un-enclosed area cannot be maintained as outdoor storage. All debris must be discarded appropriately at city dump sites or designated bins to help diminish a deteriorated appearance. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	5/3/2022
CC 21-3.b.8	Please completely address and cut all the over height grass and weeds from your front yard area, including any visible surrounding areas, up against property walls and fence lines as necessary. Make sure to address and maintain city right of way areas that you are responsible for. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	5/3/2022
CC 21-3.b.3	Please repair / restore your vehicle, the Charcoal Gary Burned Dodge Ram Magnum to a functioning state. All tires must always be installed and to remain inflated. Also, please properly register your vehicle with MVD. Once you have obtained the up dated registration, please be sure to prominently display that on your vehicle for easy public access. Or you can remove that vehicle from your property entirely to a more discrete location permanently. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	5/3/2022

**This is the final attempt to reach you regarding the above noted. These issues must be addressed. If your property is not brought into compliance before or on the due date a citation will be issued. There will be no more notices sent to your property due to negligence of the pending violations in a twelve-month period. As a final reminder, if your yard is out of compliance again in this period for the same violation/s, citations will be issued without further warning or notice. Please contact me by phone at your earliest convenience to discuss the details or for clarification.**

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

**Hector Heredia Jr  
Code Inspector**

**Direct: 480-350-5462  
Code Compliance: 480-350-4311  
Email: [Hector\\_Heredia@tempe.gov](mailto:Hector_Heredia@tempe.gov)**

**Please Note:** In the event of more than one violation occurring at this property in a calendar year, the property owner may be assessed a reinspection fee of \$82.00 pursuant to City Code Section 21-51, subsection (b).

**Civil and Criminal Penalties**

City Code: Section 21-3, subsections (b) 1-8, 17-19 and 21; Sections 21-4; 21-13; Section 21-24; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$200 per violation, 2nd occurrence \$300 per violation, 3rd occurrence \$400 per violation | Sections 21-31; 21-32; 21-33; 21-35; 21-36: 1st occurrence \$300 per violation, 2nd occurrence \$500 per violation, 3rd occurrence \$700 per violation | Section 21-3, subsections (b) 9-16 and 20; Sections 21-34, 21-37; Section 21-38, subsection (l): 1st occurrence \$400 per violation, 2nd occurrence \$700 per violation, 3rd occurrence \$1,000 per violation. | Section 21-4 (b) Habitual Offender: 1st occurrence \$550 in addition to other fines, 2nd occurrence \$1,050 in addition to other fines, 3rd occurrence, \$1,550 in addition to other fines. | Section 21-25: \$1,050 per violation. | Zoning and Development Code: 1st occurrence \$170 per violation, 2nd occurrence \$420 per violation, 3rd occurrence \$820 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 County  
State of Arizona



Complaint Number <b>1442722</b>		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	State	Class	Endorsements M H N P T X D		Incident Report Number <b>CE215696</b>		
<b>Defendant</b>		Name (First, middle, last) <b>Eidan Herschel Boatz</b>						Juvenile	
Residence Address, City, State, Zip Code <b>1436 W. Geneva Dr Tempe AZ 85282</b>								Residence Phone No.	
Sex	Height	Weight	Eyes	Hair	Origin	Date of Birth	Restrictions		
Business Address, City, State, Zip Code								Business Phone No.	
<b>Vehicle</b>		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 <b>02</b>	Day <b>08</b>	Year <b>22</b>	Time <b>9:10</b>	<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	<b>Speed</b>	Approx.	Posted	R & P	Speed Measurement Device <input type="checkbox"/> Radar <input type="checkbox"/> Laser <input type="checkbox"/> Pace	Direction of Travel	
At	Location <b>1436 W. Geneva Dr Tempe AZ 85282</b>						City <b>Tempe</b>		State of Arizona		Area	Dist.

The Defendant Committed the Following:

<b>A</b>	Section: <b>CC2139</b>	ARS Violation: <b>CC213b Junk / Debris</b>	<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>B</b>	Section:	ARS Violation:	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input type="checkbox"/> Municipal Code <input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense
<b>C</b>	Section:	ARS Violation:	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input type="checkbox"/> Municipal Code <input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense
<b>D</b>	Section:	ARS Violation:	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input type="checkbox"/> Municipal Code <input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense
<b>E</b>	Section:	ARS Violation:	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input type="checkbox"/> Municipal Code <input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense

<b>You must appear on the date and time indicated at:</b>	<b>Tempe Municipal Court</b> 140 E. 5th Street Tempe, AZ 85281 Court No. 0753	<input checked="" type="checkbox"/> Traffic Court Suite 150, 1st Floor	Date: <b>022322</b>	Time: Between 9AM & 4PM
		<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor	Date: _____	Time: _____
	<input type="checkbox"/> Court:	Date:	Time:	<input type="checkbox"/> AM <input type="checkbox"/> PM
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.	
<b>x</b> <u>Certified Mail</u>	Complainant <i>[Signature]</i>	PSN <b>8045</b>

Comments: <b>Juvenile Notification:</b> 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 _____	<b>First Citation \$200.00</b>	Date issued if not violation date <b>020822</b>
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**COMPLAINT**

If the defendant falls to appear within the time specified, and either pay the fine for the violation or request a hearing, judgment by default will be entered in the amount of the fine designated on the citation for the violation charged plus a penalty amount.



1442722

# Arizona Traffic Ticket and Complaint

City of Tempe  
Maricopa County,  
State of Arizona



Complaint Number <b>1702504</b>		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.				<input type="checkbox"/> DLP	State	Class	Endorsements M H N P T X D				Incident Report Number <b>CE215696</b>		
Interpreter Required? <input type="checkbox"/> Spanish <input type="checkbox"/> Other Language													
Defendant		Name (First, Middle, Last) <b>Herschel Eldon Bate</b>										Juvenile	
Residence Address, City, State, Zip Code <b>1436 W Geneva Dr Tempe AZ 85282</b>											Telephone: (cell phone) <input type="checkbox"/>		
Sex	Height	Weight	Eyes	Hair	Origin	Date of Birth	Restrictions	Email Address					
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	Day	Year	Time	<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 <b>1436 W Geneva Dr</b>							<input checked="" type="checkbox"/> Tempe	<b>85282</b>	State of Arizona		Area	Dist.
The Defendant Committed the Following:													
A	Section:	<b>RC21 B9</b>	ARS Violation:	<b>RC213b1 Junk/Debris</b>	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic	<input checked="" type="checkbox"/> Municipal Code	<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense			
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:									
MVD													
B	Section:		ARS Violation:		<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic	<input type="checkbox"/> Municipal Code	<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense			
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:									
MVD													
C	Section:		ARS Violation:		<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic	<input type="checkbox"/> Municipal Code	<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense			
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:									
MVD													
D	Section:		ARS Violation:		<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic	<input type="checkbox"/> Municipal Code	<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense			
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:									
MVD													
E	Section:		ARS Violation:		<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic	<input type="checkbox"/> Municipal Code	<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense			
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:									
MVD													
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: <b>04/22</b>		Time: <b>Between 9AM &amp; 4PM</b>						
	<input type="checkbox"/> Court:		<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor		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.	Civil: <input type="checkbox"/> Without admitting responsibility, I acknowledge receipt of this complaint.	<input checked="" type="checkbox"/> Certified Mail	Victim? <input type="checkbox"/>	Victim Notified? <input type="checkbox"/>	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													
Comments:	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 _____	<b>Second Citation</b>	<b>\$ 300.00</b>	<b>03/22</b>								

COMPLAINT



1702504

If you were charged with a civil ordinance violation and you fail to appear as directed in this complaint, a default judgement will be entered, and a monetary penalty will be imposed.