



**CITY OF TEMPE
HEARING OFFICER**

**Meeting Date: 4/15/2025
Agenda Item: 2**

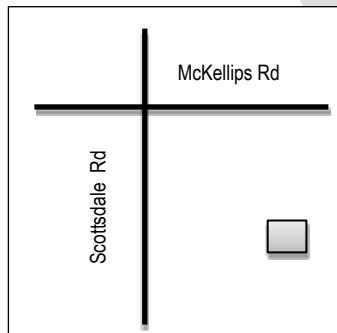
ACTION: Request approval to abate public nuisance items at the BARRIGA PROPERTY located at 1139 E. Weber Dr. The applicant is the City of Tempe – Code Compliance.

FISCAL IMPACT: \$3886.00 for abatement request, including junk and debris, inoperable/unregistered vehicles, and security on site.

RECOMMENDATION: Staff – Approval

BACKGROUND INFORMATION: City of Tempe – Code Compliance Section requests approval to abate items in violation of the Tempe City Code at the BARRIGA 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 CE236454: including junk and debris, inoperable/unregistered vehicles, and security on site

Case was continued from April 1 agenda to the April 15th agenda.



Property Owner	Miguel and Hilda Barriga
Applicant	City of Tempe – Code Compliance
Zoning District:	R1-6, Single Family Residential District
Code Compliance Inspector:	Aaron Dunn, Code Inspector

ATTACHMENTS: Supporting Attachment

STAFF CONTACT: Jack Scofield, Code Compliance Administrator (480-350-8967)
Department Director: Jeff Tamulevich, Community Development Director
Prepared by: Shawn Daffara, Crime Prevention Planning Coordinator (480-858-2284)
Reviewed by: Drew Yocom, Deputy Community Development Director – Community Enhancement Division

COMMENTS:

Code Compliance is requesting approval to abate the BARRIGA PROPERTY located 1139 E. Weber Dr in the R1-6 Single Family Residential District. This case was initiated 11/28/23 following 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 the 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

Planning Application Submittal Form

Part 1 of 2

City of Tempe
Community Development Department
31 East 5th Street, Garden Level, Tempe, Arizona 85281
(480) 350-4311 Fax (480) 350-8677
Planning Fax (480) 350-8872
<http://www.tempe.gov/planning>



All applications must be accompanied by the required plans, submittal materials, and correct fee(s)

PROJECT INFORMATION – REQUIRED

PROJECT NAME	Barriga Property Abatement	EXISTING ZONING	R1-6	<input type="checkbox"/>
PROJECT ADDRESS	1139 E. Weber Dr. Tempe, Arizona 85288	SUITE(S)		<input type="checkbox"/>
PROJECT DESCRIPTION	Abatement of CE236454 Hearing 04/01/2025	PARCEL No(s)	132-13-015	<input type="checkbox"/>

PROPERTY OWNER INFORMATION – REQUIRED (EXCEPT PRELIMINARY SITE PLAN REVIEW & SIGN TYPE K)

BUSINESS NAME	ADDRESS	CITY	STATE	ZIP
CONTACT NAME				
EMAIL	PHONE 1	PHONE 2		

I hereby authorize the applicant below to process this application with the City of Tempe.

PROPERTY OWNER SIGNATURE	X	DATE
or attach written statement authorizing the applicant to file the application(s)		

APPLICANT INFORMATION – REQUIRED

COMPANY / FIRM NAME	City of Tempe Code Enforcement	ADDRESS	21 E. 6th Street #208		
CONTACT NAME	Aaron Dunn / Code Inspector	CITY	Tempe	STATE	Az. ZIP 85288
EMAIL	aaron_dunn@tempe.gov	PHONE 1	602-908-2647	PHONE 2	

I hereby attest that this application is accurate and the submitted documents are complete. I acknowledge that if the application is deemed to be incomplete it will be returned to me without review, to be resubmitted with any missing information.

APPLICANT SIGNATURE	X	DATE	2/20/25
---------------------	---	------	---------

BUSINESS INFORMATION – REQUIRED FOR USE PERMITS & SIGN DPRs

BUSINESS NAME	ADDRESS	CITY	STATE	ZIP
CONTACT NAME				
TYPE OF BUSINESS	PHONE	EMAIL		

<input checked="" type="checkbox"/>	APPLICATION (Check all that apply)	QTY	SPECIFIC REQUEST (See Planning & Zoning Fee Schedule for types)	FOR CITY USE ONLY (Planning record tracking numbers)
<input type="checkbox"/>	A. PRELIMINARY SITE PLAN REVIEW			SPR
<input type="checkbox"/>	B. ADMINISTRATIVE APPLICATIONS			ADM
<input type="checkbox"/>	C. VARIANCES			VAR
<input type="checkbox"/>	D. USE PERMITS / USE PERMIT STANDARDS			ZUP
<input type="checkbox"/>	E. ZONING CODE AMENDMENTS			ZOA ZON
<input type="checkbox"/>	F. PLANNED AREA DEVELOPMENT OVERLAYS			PAD REC
<input type="checkbox"/>	G. SUBDIVISION / CONDOMINIUM PLATS			SBD REC
<input type="checkbox"/>	H. DEVELOPMENT PLAN REVIEW			DPR
<input type="checkbox"/>	I. APPEALS			
<input type="checkbox"/>	J. GENERAL PLAN AMENDMENTS			GPA
<input type="checkbox"/>	K. ZONING VERIFICATION LETTERS			ZVL
<input checked="" type="checkbox"/>	L. ABATEMENTS			CE CM
<input type="checkbox"/>	M. SIGN TYPE K			GO SE
TOTAL NUMBER OF APPLICATIONS		0		

FOR CITY USE ONLY

DS TRACKING #	FILE APPLICATION WITH CE / CM / IP TRACKING #	DATE RECEIVED (STAMP)	VALIDATION OF PAYMENT (STAMP)
PL TRACKING #			TOTAL APPLICATION FEES
SPR TRACKING # (if 2 nd or 3 rd submittal, please use Planning Resubmittal Form)			RECEIVED BY INTAKE STAFF (INITIALS)

SEE REVERSE SIDE FOR REQUIRED PROJECT DATA



DATE: February 20, 2025
TO: David Rich, Senior Code Inspector
FROM: Aaron Dunn, Code Inspector
SUBJECT: CE236454, Miguel Barriga- Property Abatement

LOCATION: 1139 E. Weber Dr. Tempe, Az. 85288

PARCEL: 132-13-015

OWNER: Miguel Barriga
1139 E. Weber Dr.
Tempe, Az. 85288

FINDINGS:

This case originated on November 27, 2023, when Code Compliance received a complaint for the property located at 1139 E. Weber Drive in Tempe, Arizona. The original complaint was for junk, trash, and debris in the front yard and a deteriorated roof. The case was originally assigned to Code Inspector, David Rich.

On November 28, 2023, Inspector Rich went to the property and found the property to be in violation of junk, trash, and debris in the front and back, inoperable vehicles in the backyard and a deteriorated roof. A violation notice was mailed to the occupant of the property, Miguel Barriga. The notice mailed to Mr. Barriga included the violations observed, the corrective actions needed to bring the property into compliance along with contact information for the inspector.

On December 21, 2023, Code Inspector Rich received a phone call from Mr. Barriga asking for an extension. Inspector Rich granted Mr. Barriga an extension of a few more weeks to hire and begin the process of clearing out the junk, trash, and debris from the property.

On January 11, 2024, Inspector Rich conducted a follow up inspection and observed the before mentioned violations were still present at the property with no signs of progress.

On Jan 11, 2024, Inspector Rich mailed a second, or "final" notice to the occupant, Mr. Barriga.

On January 18, 2024, Inspector Rich contacted Mr. Barriga, who advised he was trying

to find individuals to assist him with the clean-up of his property.

On February 8, 2024, Inspector Rich checked the property with no signs of progress.

On February 9, 2024, Inspector Rich spoke with Mr. Barriga, who advised the rainy weather prevented him from working on the property.

On February 23, 2024, Inspector Rich checked the property with no progress on any of the before mentioned violations.

On February 24, 2024, Inspector Rich contacted Mr. Barriga, who advised he has been working on removing the junk, trash, and debris.

On March 12, 2024, Inspector Rich checked the property and there were individuals working on the roof. However, Inspector Rich advised there was still junk, trash, and debris that needed to be addressed.

On March 22, 2024, Inspector Rich checked the property and advised a portion of the roof had been re-shingled and some of the rear yard had been cleaned up, but the property was still in violation of junk, trash, and debris and inoperable vehicles. Inspector Rich left a "pink notice" on the door of the property.

On March 27, 2024, Inspector Rich checked the property and provided information to the homeowner about the heart program.

April 8, 2024, Inspector Rich called homeowner to inquire if owner had contacted heart program with no reply.

April 12, 2024, Inspector Rich spoke to Mr. Barriga, who advised he has reached out to "CARE 7" for assistance.

On April 19, 2024, the case was re-assigned to Code Inspector Gaines.

On June 13, 2024, Inspector Gaines checked property and noticed it was still in violation. Inspector Gaines mailed another "final notice" letter to the property.

On July 2, 2024, Tempe Code Compliance received an anonymous complaint at the property for junk, trash, and debris and inoperable vehicles in the backyard.

On July 12, 2024, Inspector Gaines checked the property with no signs of progress.

On July 29, 2024, Inspector Gaines spoke to Mr. Barriga, who advised he would "do his best," to start remedying the violations.

Inspector Gaines went by property on the following dates.

July 31, 2024

August 14, 2024

August 28, 2024

On Sept 16, 2024, Inspector Gaines spoke to Mr. Barriga, who advised he would have his yard in compliance by September 18, 2024.

On November 22, 2024, the case was re-assigned to me (Insp. Dunn).

On December 13, 2024, I checked the property with no progress.

On December 13, 2024, I mailed a citation to Mr. Barriga.

December 27, 2024, I received subpoena for civil citation.

January 10, 2025, Mr. Barriga pled guilty to TCC 21-3.b.1- Trash, Litter, Debris and TCC 21-3.b.3 -Inoperable vehicle(s)

February 18, 2025- Posted notice of intent to abate to property and mailed to property owner.

RECOMMENDATIONS:

I recommend an abatement of the nuisance violations at the property at 1139 E. Weber Dr. due to property owner's failure to bring property into compliance with Tempe City Codes 21-3.B.1 and 21.3.b.3. Mr. Barriga has been given ample time to come into compliance and maintain the property. The property owner has been issued a civil citation and has pled to the before mentioned charges in court. There has been no indication that the property owner 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,

Inspectors Name
Code Inspector

ACTION TAKEN: Submit
NAME: [Signature]
DATE: 2/21/2025



NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 02/18/2025
CASE #: CE236454

BARRIGA MIGUEL/HILDA A
1139 E WEBER DR
TEMPE, AZ 85281-0000

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

LOCATION: 1139 E WEBER DR TEMPE, AZ 85288
PARCEL: 13213015

This office will submit this complaint to the Community Development Abatement Hearing Officer located at the Tempe City Council Chambers 04/01/2025 *at 5:00 pm*. 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, including exterior areas under any roof not enclosed by the walls, doors or windows of any building
- CC 21-3.b.3 An unregistered vehicle outside of or under a roof area not enclosed

If the violations have not been corrected within thirty (30) 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:

- CC 21-3.b.1 Please remove all junk, trash, and debris from the exterior of the property.
- CC 21-3.b.3 Please remove all inoperable vehicles from the property.

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 \$3,886.00. In addition to the actual cost of abatement, an administrative charge of fifteen percent (15%) 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 of 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.

Code Inspector: Aaron Dunn

Phone Number: 480-350-5461

E-mail: Aaron_Dunn@tempe.gov



NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 04/01/2025
CASE #: CE236454

BARRIGA MIGUEL/HILDA A
1139 E WEBER DR
TEMPE, AZ 85281-0000

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

LOCATION: 1139 E WEBER DR TEMPE, AZ 85288
PARCEL: 13213015

This office will submit this complaint to the Community Development Abatement Hearing Officer located at the Tempe City Council Chambers *Rescheduled to 04/15/2025 at 5:00 pm*. 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, including exterior areas under any roof not enclosed by the walls, doors or windows of any building
- CC 21-3.b.3 An unregistered vehicle outside of or under a roof area not enclosed
- 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

If the violations have not been corrected within thirty (30) 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:

- CC 21-3.b.1 PLEASE REMOVE AND OR PROPERLY DISCARD THE ITEMS IN THE FRONT, CARPORT, SIDES, AND BACK OF THE PROPERTY. THIS INCLUDES THE FURNITURE, WOOD, CONTAINERS, BARRELS, BUCKETS, CARDBOARD BOXES, AUTO PARTS, TIRES, APPLIANCES, SINKS, WATER HEATERS, CABINETS, PLASTIC BOTTLES, TOTES, METAL, ANY HOUSEHOLD ITEMS, AND ANY OTHER MISCELLANEOUS ITEMS.
- CC 21-3.b.3 VEHICLES OUT IN THE OPEN MUST BE REGISTERED AND APPEAR OPERABLE. PLEASE PROPERLY REGISTER ANY UNREGISTERED VEHICLE(S) WITH AZ MVD AND DISPLAY CURRENT PLATES AND OR TAGS.

NOT MORE THAN TWO (2) ONGOING RESTORATION PROJECTS OR INOPERABLE OR UNREGISTERED VEHICLES IN A BACKYARD AREA
- CC 21-4.a.2.c PLEASE REPAIR OR REPLACE AREAS OF THE ROOF THAT HAVE CURLED, ROTTED, OR MISSING SHINGLES. REPLACE MATERIAL MUST BE COMPATIBLE WITH EXISTING ROOF MATERIAL.

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 **\$3,886.00**. In addition to the actual cost of abatement, an administrative charge of fifteen percent (15%) 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 of 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.

Code Inspector: Michael Moreno
Phone Number: 480-350-2836
E-mail: Michael_Moreno@tempe.gov



Artistic Land Management, Inc.

December 26, 2024

City of Tempe
Attn: Aaron Dunn
Code Compliance Inspector

RE: Clean-Up

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 at 1139 E. Weber Dr, Tempe, AZ. Please give us a call for any questions you may have at 480-821-4966.

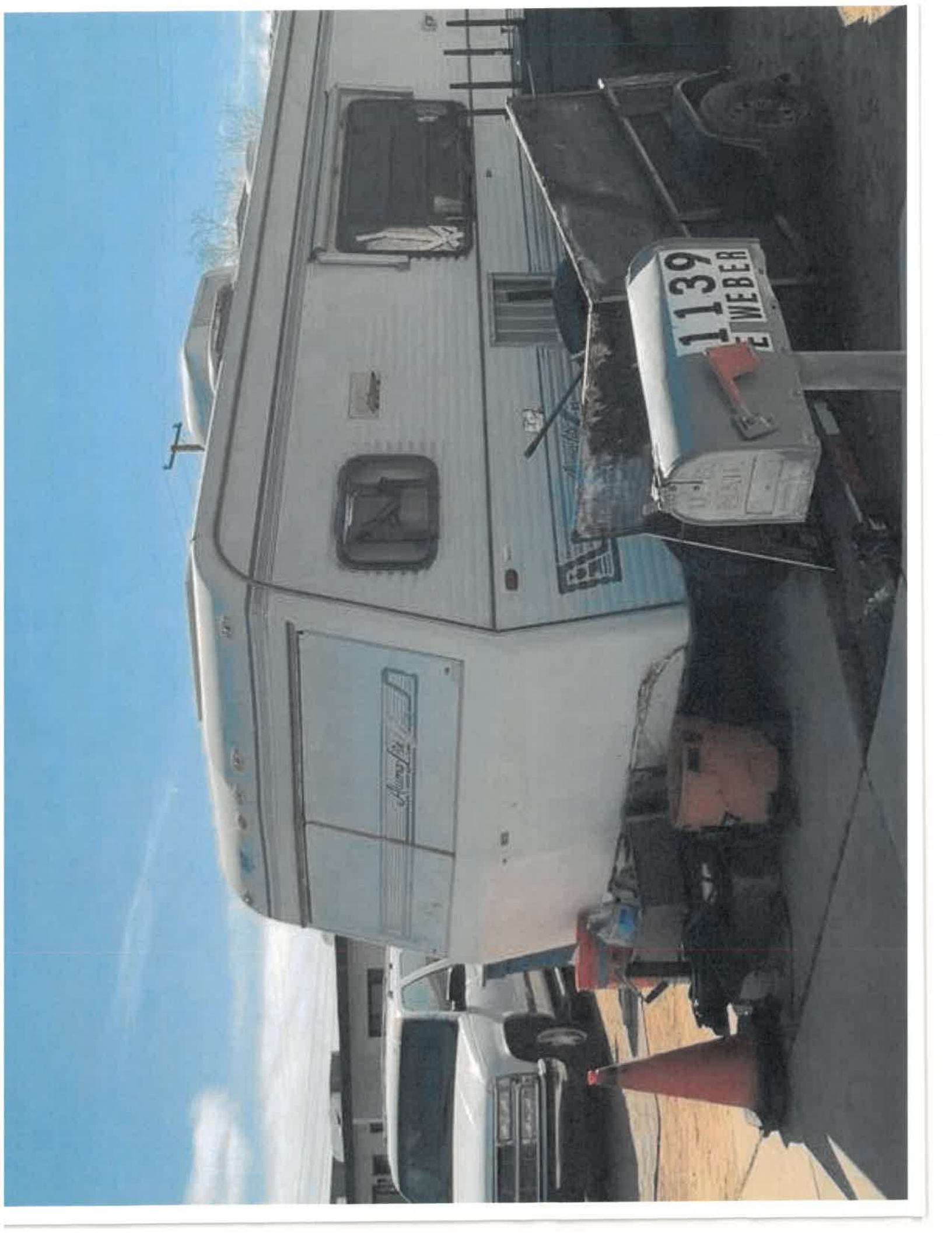
Scope of Work

- Remove any junk, trash, and debris from the front, sides, and rear of the property to include metal, wood, appliances, and other various forms of trash
- Haul off debris
- Police presence on-site for the duration of the visit

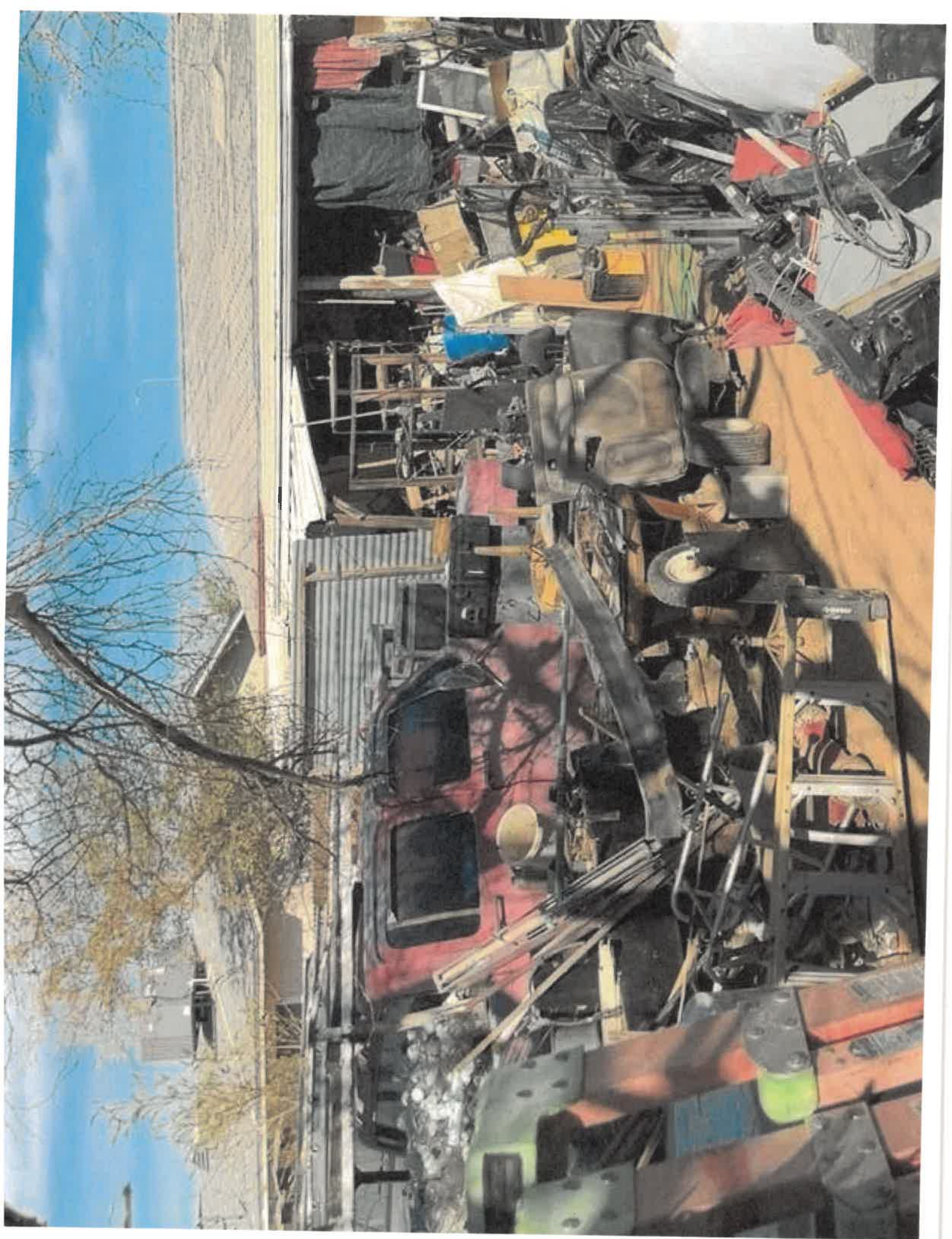
Total = \$3,886.00

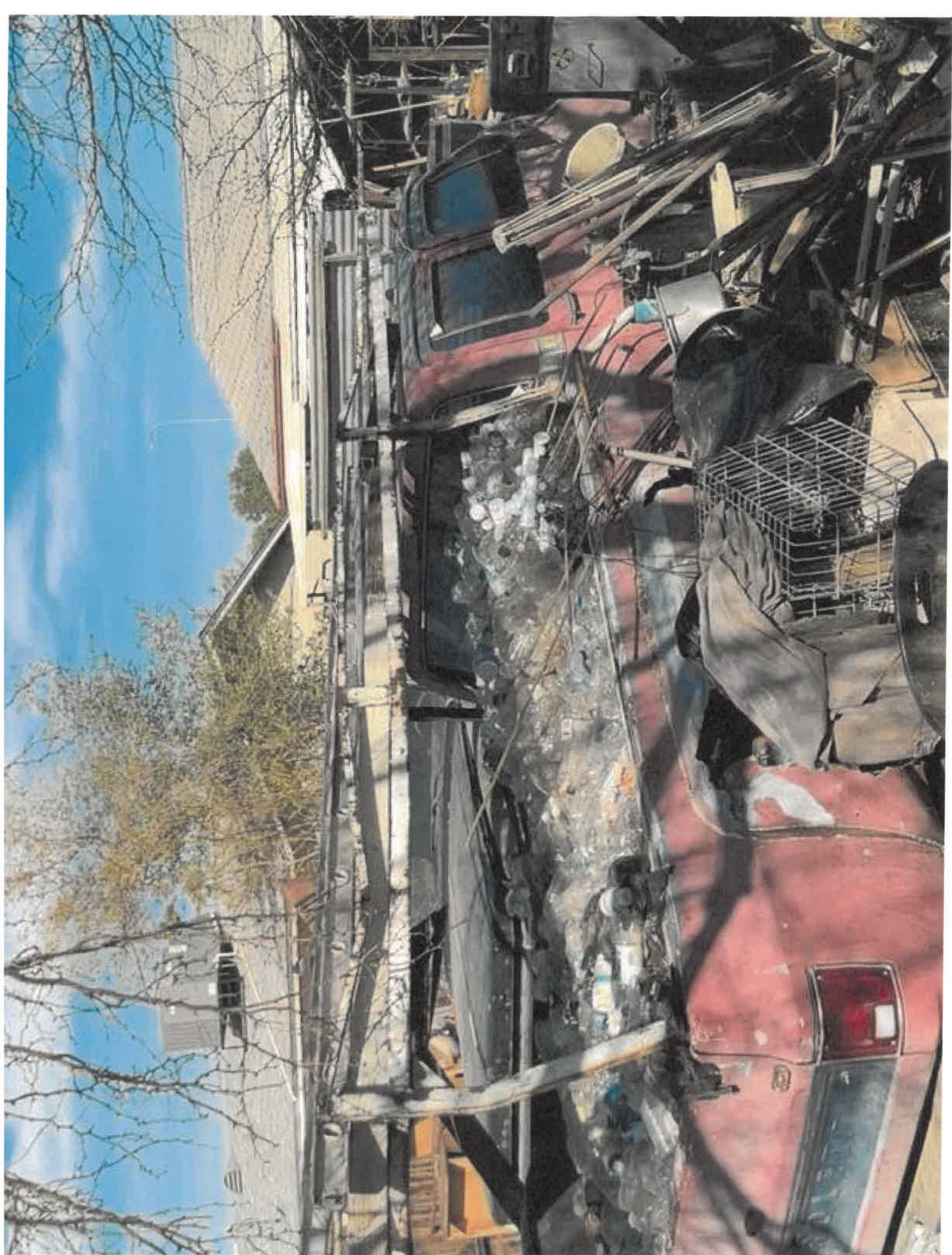
Respectfully,

Freddie Panzella

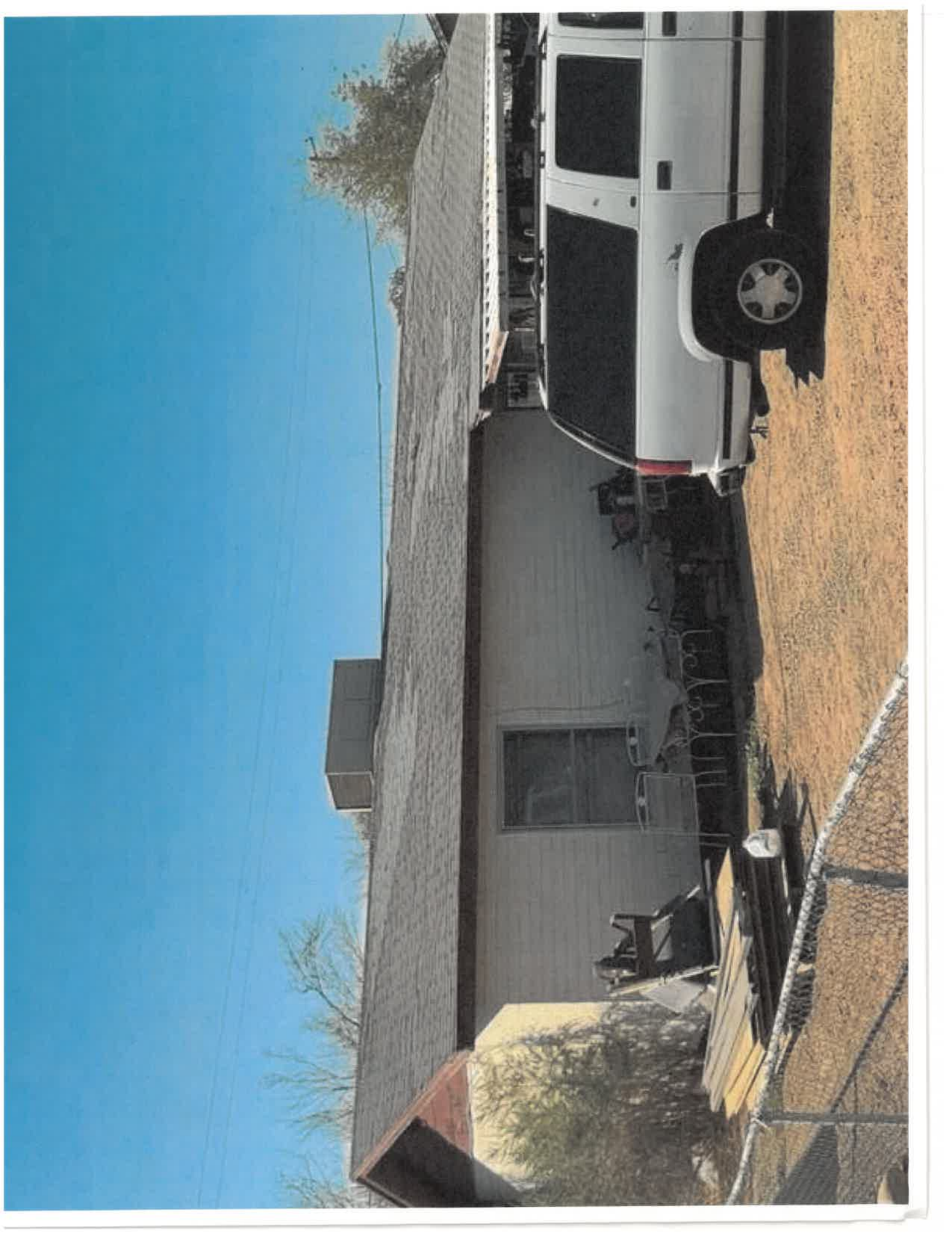


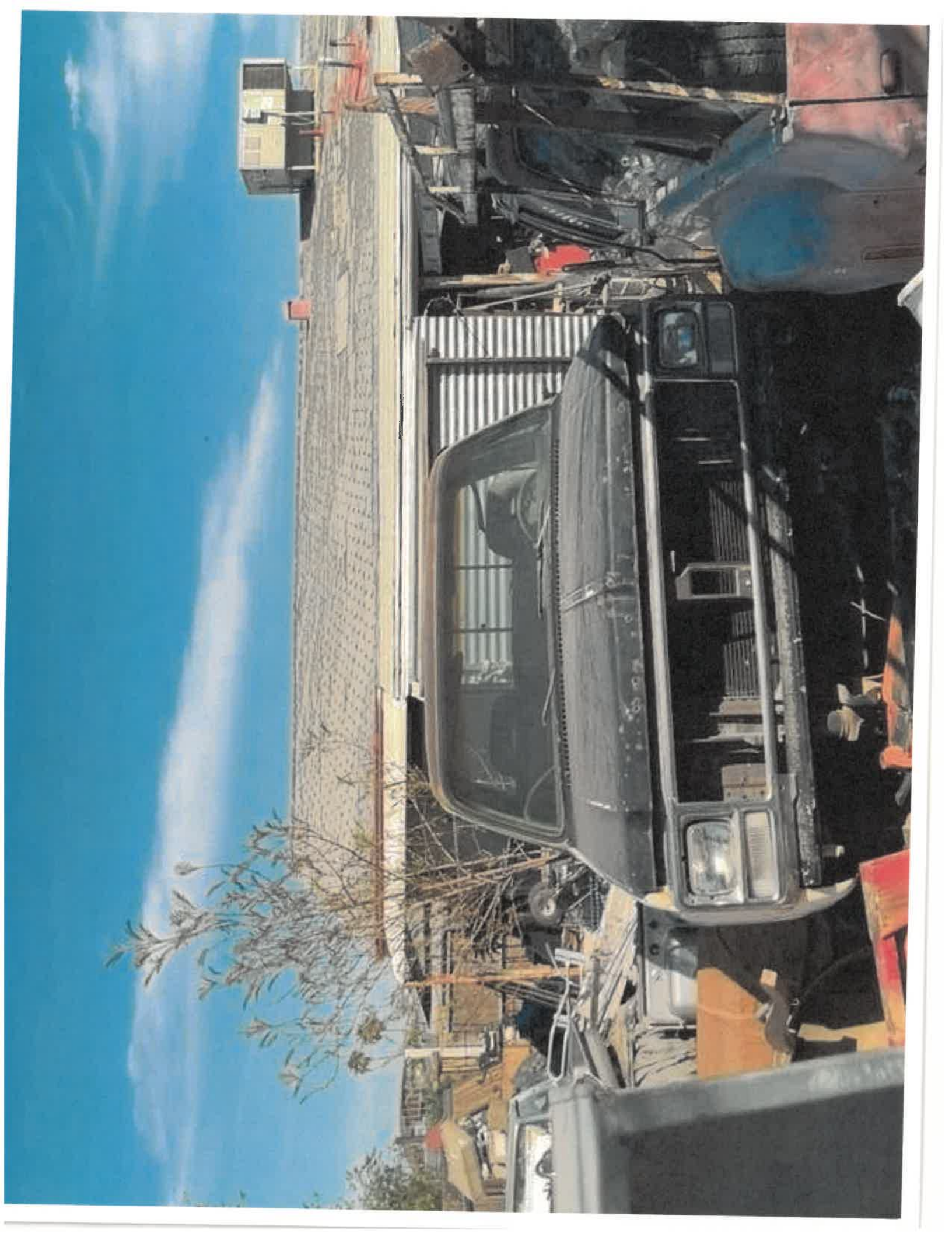


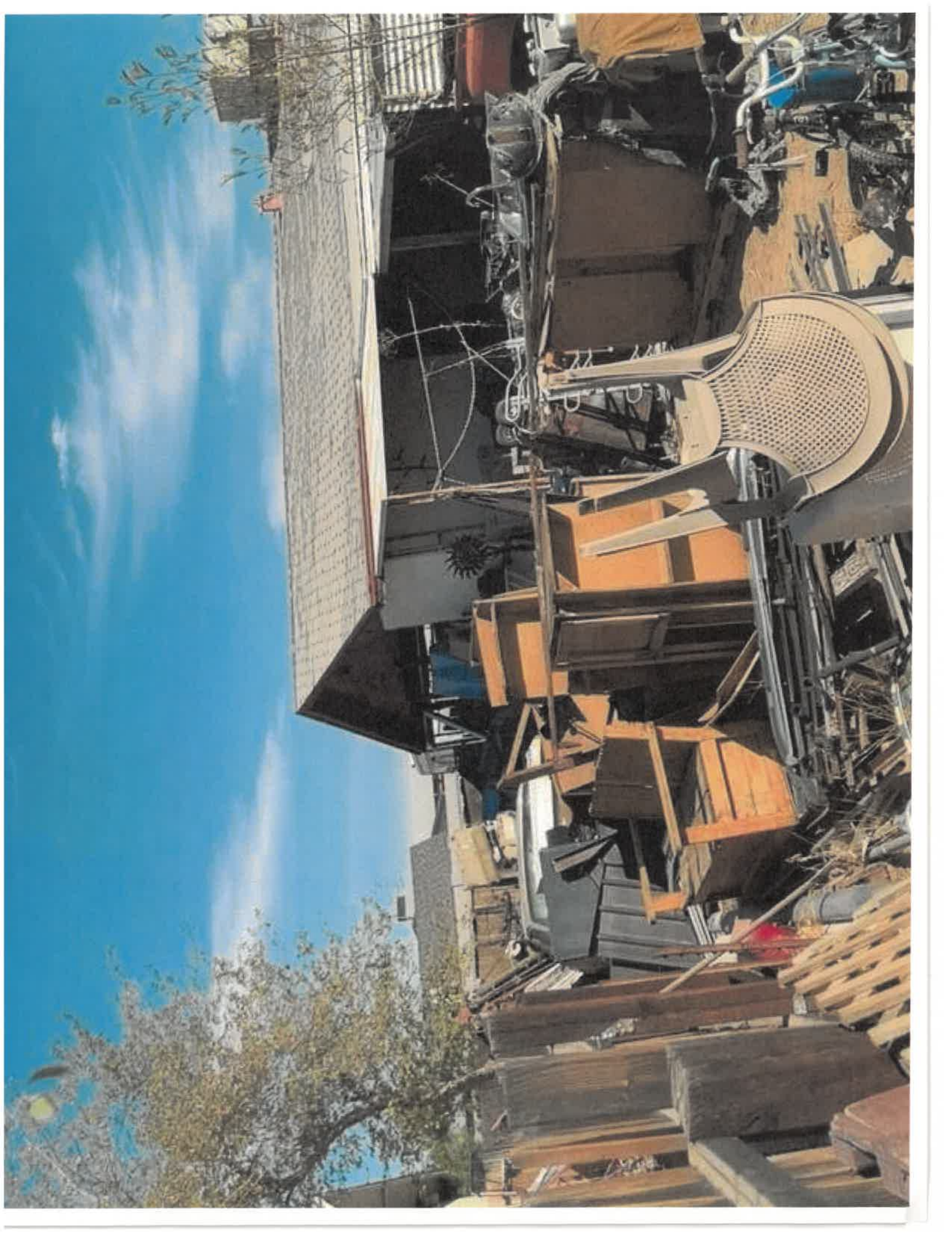














COMMUNITY DEVELOPMENT DEPARTMENT
 CODE COMPLIANCE
 CORRECTION NOTICE

11/28/2023

BARRIGA MIGUEL/HILDA A
 1139 E WEBER DR
 TEMPE, AZ 85281-0000

Case #: CE236454
 Site Address: 1139 E WEBER DR, TEMPE, AZ 85288

This is a notice to inform you that this site was inspected on 11/28/2023 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.3	An unregistered vehicle outside of or under a roof area not enclosed
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 AND OR PROPERLY DISCARD THE ITEMS IN THE FRONT, CARPORT, SIDES, AND BACK OF THE PROPERTY. THIS INCLUDES THE FURNITURE, WOOD, CONTAINERS, BARRELS, BUCKETS, CARDBOARD BOXES, AUTO PARTS, TIRES, APPLIANCES, SINKS, WATER HEATERS, CABINETS, PLASTIC BOTTLES, TOTES, METAL, ANY HOUSEHOLD ITEMS, AND ANY OTHER MISCELLANEOUS ITEMS.	12/28/2023
CC 21-3.b.3	VEHICLES OUT IN THE OPEN MUST BE REGISTERED AND APPEAR OPERABLE. PLEASE PROPERLY REGISTER ANY UNREGISTERED VEHICLE(S) WITH AZ MVD AND DISPLAY CURRENT PLATES AND OR TAGS. NOT MORE THAN TWO (2) ONGOING RESTORATION PROJECTS OR INOPERABLE OR UNREGISTERED VEHICLES IN A BACKYARD AREA	12/28/2023
CC 21-4.a.2.c	PLEASE REPAIR OR REPLACE AREAS OF THE ROOF THAT HAVE CURLED, ROTTED, OR MISSING SHINGLES. REPLACE MATERIAL MUST BE COMPATIBLE WITH EXISTING ROOF MATERIAL.	12/28/2023

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

David Rich
 Code Inspector

Direct: 480-350-5011
 Code Compliance: 480-350-4311
 Email:David_Rich@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

01/11/2024

BARRIGA MIGUEL/HILDA A
1139 E WEBER DR
TEMPE, AZ 85281-0000

Case #: CE236454
Site Address: 1139 E WEBER DR, TEMPE, AZ 85288

This is a notice to inform you that this site was inspected on 01/11/2024 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.3	An unregistered vehicle outside of or under a roof area not enclosed
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 AND OR PROPERLY DISCARD THE ITEMS IN THE FRONT, CARPORT, SIDES, AND BACK OF THE PROPERTY. THIS INCLUDES THE FURNITURE, WOOD, CONTAINERS, BARRELS, BUCKETS, CARDBOARD BOXES, AUTO PARTS, TIRES, APPLIANCES, SINKS, WATER HEATERS, CABINETS, PLASTIC BOTTLES, TOTES, METAL, ANY HOUSEHOLD ITEMS, AND ANY OTHER MISCELLANEOUS ITEMS.	2/10/2024
CC 21-3.b.3	VEHICLES OUT IN THE OPEN MUST BE REGISTERED AND APPEAR OPERABLE. PLEASE PROPERLY REGISTER ANY UNREGISTERED VEHICLE(S) WITH AZ MVD AND DISPLAY CURRENT PLATES AND OR TAGS. NOT MORE THAN TWO (2) ONGOING RESTORATION PROJECTS OR INOPERABLE OR UNREGISTERED VEHICLES IN A BACKYARD AREA	2/10/2024
CC 21-4.a.2.c	PLEASE REPAIR OR REPLACE AREAS OF THE ROOF THAT HAVE CURLED, ROTTED, OR MISSING SHINGLES. REPLACE MATERIAL MUST BE COMPATIBLE WITH EXISTING ROOF MATERIAL.	2/10/2024

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

David Rich
Code Inspector

Direct: 480-350-5011
Code Compliance: 480-350-4311
Email:David_Rich@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

06/13/2024

BARRIGA MIGUEL/HILDA A
 1139 E WEBER DR
 TEMPE, AZ 85281-0000

Case #: CE236454
 Site Address: 1139 E WEBER DR, TEMPE, AZ 85288

This is a notice to inform you that this site was inspected on 06/13/2024 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.3	An unregistered vehicle outside of or under a roof area not enclosed
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 AND OR PROPERLY DISCARD THE ITEMS IN THE FRONT, CARPORT, SIDES, AND BACK OF THE PROPERTY. THIS INCLUDES THE FURNITURE, WOOD, CONTAINERS, BARRELS, BUCKETS, CARDBOARD BOXES, AUTO PARTS, TIRES, APPLIANCES, SINKS, WATER HEATERS, CABINETS, PLASTIC BOTTLES, TOTES, METAL, ANY HOUSEHOLD ITEMS, AND ANY OTHER MISCELLANEOUS ITEMS.	6/27/2024
CC 21-3.b.3	VEHICLES OUT IN THE OPEN MUST BE REGISTERED AND APPEAR OPERABLE. PLEASE PROPERLY REGISTER ANY UNREGISTERED VEHICLE(S) WITH AZ MVD AND DISPLAY CURRENT PLATES AND OR TAGS. NOT MORE THAN TWO (2) ONGOING RESTORATION PROJECTS OR INOPERABLE OR UNREGISTERED VEHICLES IN A BACKYARD AREA	6/27/2024
CC 21-4.a.2.c	PLEASE REPAIR OR REPLACE AREAS OF THE ROOF THAT HAVE CURLED, ROTTED, OR MISSING SHINGLES. REPLACE MATERIAL MUST BE COMPATIBLE WITH EXISTING ROOF MATERIAL.	6/27/2024

CORRECTIVE ACTION MUST BE COMPLETED OR CITATIONS MAY BE ISSUED

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

Jamal Gaines
Code Inspector

Direct: 480-350-5463
Code Compliance: 480-350-4311
Email: Jamal_Gaines@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 1790560	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 CE 236454
Interpreter Required? <input type="checkbox"/> Spanish <input type="checkbox"/> Other Language	Defendant Name (First, Middle, Last) MIGUEL BARRIGA						Juvenile <input type="checkbox"/>
Residence Address, City, State, Zip Code 1139 E. WEBER DR. TEMPE, AZ 85288						Telephone: (cell phone) <input type="checkbox"/>	
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
Registered owner & address, City, State, Zip Code						Vehicle Identification Number	

The Undersigned Certifies That:

On	Month 12	Day 13	Year 2024	Time 12:50	<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 1139 E. WEBER DR.						<input checked="" type="checkbox"/> Tempe	85288	State of Arizona		Area	Dist.

The Defendant Committed the Following:

A	Section: TCC 21-3 A	ARS Violation: CC 21-3. b. 1 TRASH, LITTER, 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
B	Section: TCC 21-3 A	ARS Violation: CC 21-3. b. 3 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
C	Section: TCC 21-4 A	ARS Violation: CC 21-4. a. 2. C BROKEN, ROTTED, ROOFING	<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:	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
E	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

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: 12/27/2024 Time: Between 9AM & 4PM
<input type="checkbox"/> Court: Court Address, City, State, Zip Code	<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor Date: _____ Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM

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.	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 <u>MAILED CERTIFIED</u>	Complainant: A. DUNN ID #: 27841

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.

A = FIRST OFFENSE FEE APPLIES \$200.⁰⁰
B = FIRST OFFENSE FEE APPLIES 200.⁰⁰
C = FIRST OFFENSE FEE APPLIES 200.⁰⁰

Initials _____ Date issued if not violation date _____

TOTAL FEES = \$ 600.⁰⁰

COMPLAINT

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.



1790560

PRINT IN INK WITH BALL POINT PEN YOU ARE MAKING 5 COPIES