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**CITY OF TEMPE  
HEARING OFFICER**

**Meeting Date: 6/04/2025  
Agenda Item: 3**

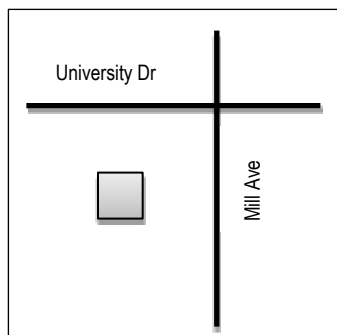
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**ACTION:** Request approval to abate public nuisance items at the WILLIAMS PROPERTY located at 1045 W. 9<sup>th</sup> St. The applicant is the City of Tempe – Code Compliance.

**FISCAL IMPACT:** \$4,140.00 for abatement request, including deteriorating landscaping, high grass and weeds, dead palm fronds, junk and debris, 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 WILLIAMS 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 CE248446: including deteriorating landscaping, high grass and weeds, dead palm fronds, junk and debris, and security on site.



Property Owner: Scott A. Williams  
Applicant: City of Tempe – Code Compliance  
Zoning District: R1-6: Single Family Residential District  
Code Compliance Inspector: Melissa Ensing, 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 WILLIAMS PROPERTY located at 1045 W. 9<sup>TH</sup> St. in the R1-6, Single Family Residential District. This case was initiated 12/17/24 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 5<sup>th</sup> 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	WILLIAMS PROPERTY ABATEMENT	EXISTING ZONING	R1-6 <input type="checkbox"/>
PROJECT ADDRESS	1045 W. 9TH ST., TEMPE, AZ 85281	SUITE(S)	<input type="checkbox"/>
PROJECT DESCRIPTION	ABATEMENT OF CE248446 JUNE 04, 2025	PARCEL No(s)	124-61-138 <input type="checkbox"/>

PROPERTY OWNER INFORMATION – REQUIRED (EXCEPT PRELIMINARY SITE PLAN REVIEW & SIGN TYPE K)			
BUSINESS NAME		ADDRESS	1045 W. 9th St.
CONTACT NAME	Scott A. Williams	CITY	Tempe
EMAIL		PHONE 1	
		STATE	AZ
		ZIP	85281
		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, SUITE 208
CONTACT NAME	MELISSA ENSING/CODE INSPECTOR	CITY	TEMPE
EMAIL	melissa_ensing@tempe.gov	PHONE 1	480-858-2085
		STATE	AZ
		ZIP	85281
		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 <i>Melissa Ensing</i>	DATE	5/1/2025
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BUSINESS INFORMATION – REQUIRED FOR USE PERMITS & SIGN DPRs			
BUSINESS NAME		ADDRESS	
CONTACT NAME		CITY	
TYPE OF BUSINESS		PHONE	
		STATE	
		ZIP	
		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)
PL TRACKING #			VALIDATION OF PAYMENT (STAMP)
SPR TRACKING # (if 2 <sup>nd</sup> or 3 <sup>rd</sup> submittal, please use Planning Resubmittal Form)			TOTAL APPLICATION FEES
			RECEIVED BY INTAKE STAFF (INITIALS)

**SEE REVERSE SIDE FOR REQUIRED PROJECT DATA**



**DATE:** May 1, 2025  
**TO:** Dave Rich, Senior Code Inspector  
**FROM:** Melissa Ensing, Code Inspector  
**SUBJECT:** CE248446, Scott A. Williams Property Abatement

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**LOCATION:** 1045 W. 9<sup>TH</sup> ST., TEMPE, AZ 85281

**PARCEL:** 124-61-138

**OWNER:** SCOTT A. WILLIAMS  
1045 W. 9<sup>TH</sup> ST.  
TEMPE, AZ 85281

**FINDINGS:**

12/17/2024 The Code Compliance Division received complaint for deteriorated landscape. There was grass and weeds growing in the front yard gravel landscape. Notice to comply mailed to owner.

01/07/2025 Inspected property and found no improvement. I added trash and debris in the carport and front yard to the notice. Mailed final notice to comply to owner.

01/27/2025 Inspected property and found no improvement. I hung the pink door notice on the front door.

02/24/2025 Inspected property and found further deterioration with the landscape including over height grass and weeds, dead fronds on palm trees and trash and debris in the rear yard and alley. Mailed updated final notice.

03/11/2025 Final Correction Notice was returned. No forwarding address.

03/26/2025 Civil Citation issued.

04/10/2025 Owner failed to appear for court.

05/01/2025 Posted notice of intent to abate to property and mailed to property owner.

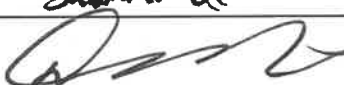
**RECOMMENDATIONS:**

I recommend an abatement of the nuisance violations at the property at 1045 W. 9<sup>th</sup> St. due to property owner's failure to bring property into compliance with Tempe City Codes 21-3.B.8, 21-3.B.1 and 29.2. Mr. Williams has been given ample time to come into compliance and maintain the property. The property owner has been issued a civil citation and has failed to appear to 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,

Melissa Ensing  
Code Inspector

ACTION TAKEN: Submitted.  
NAME   
DATE: 5/2/2025



## NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 05/01/2025  
CASE #: CE248446

**WILLIAMS SCOTT A**  
**1045 W 9TH ST**  
**TEMPE, AZ 85281-5302**

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

**LOCATION:** 1045 W 9TH ST TEMPE, AZ 85281  
**PARCEL:** 12461138

This office will submit this complaint to the Community Development Abatement Hearing Officer located at the Tempe City Council Chambers **06/04/2025 at 5:00pm**. 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.8 Any landscaping, visible from public property, that is substantially dead, damaged, or characterize by uncontrolled growth, or presents a deteriorated appearance
- 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 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
- Sec.29-2. Adjacent property owners to maintain sidewalks, gutters, alleys

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.8 Please remove grass and weeds from gravel front yard. Gravel landscape must be maintained free of grass and weeds.  
Please remove dead grass and weeds from rear yard.  
Please remove all grass/weeds/vegetation from the alley behind your property.
- CC 21-3.b.1 Please remove trash, debris, and other misc. items from the carport, driveway and rear yard.
- CC 21-3.b.8 Please remove the dead fronds from the palm trees.
- Sec.29-2. Property owners must maintain each alley that is adjacent to their premises free of weeds and debris to the center line of such alley

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 **\$4140.00**. 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.**

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**Code Inspector: Melissa Ensing**

**Phone Number: 480-858-2085**

**E-mail: [Melissa\\_Ensing@tempe.gov](mailto:Melissa_Ensing@tempe.gov)**



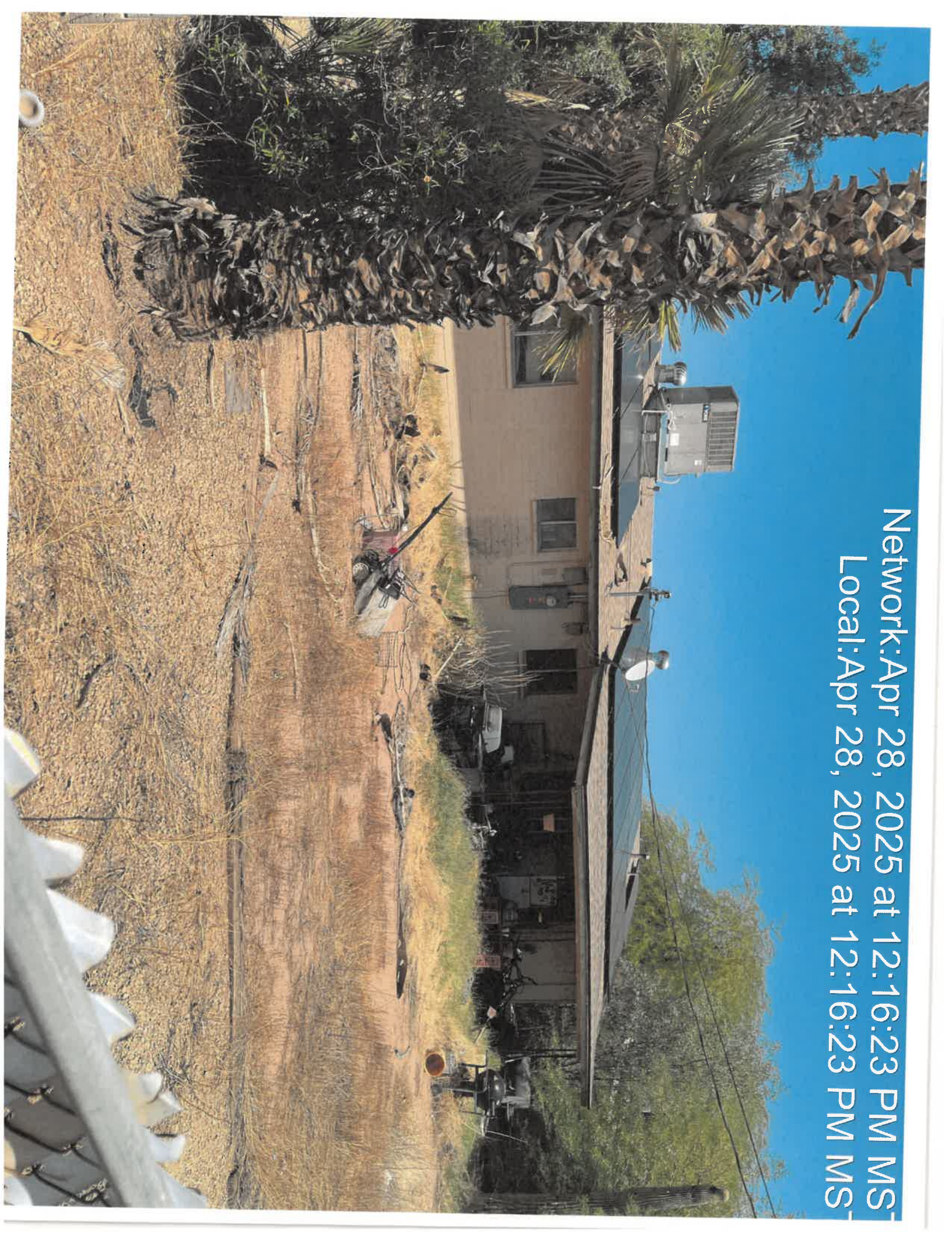
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Local: Apr 28, 2025 at 12:14:54 PM MS-



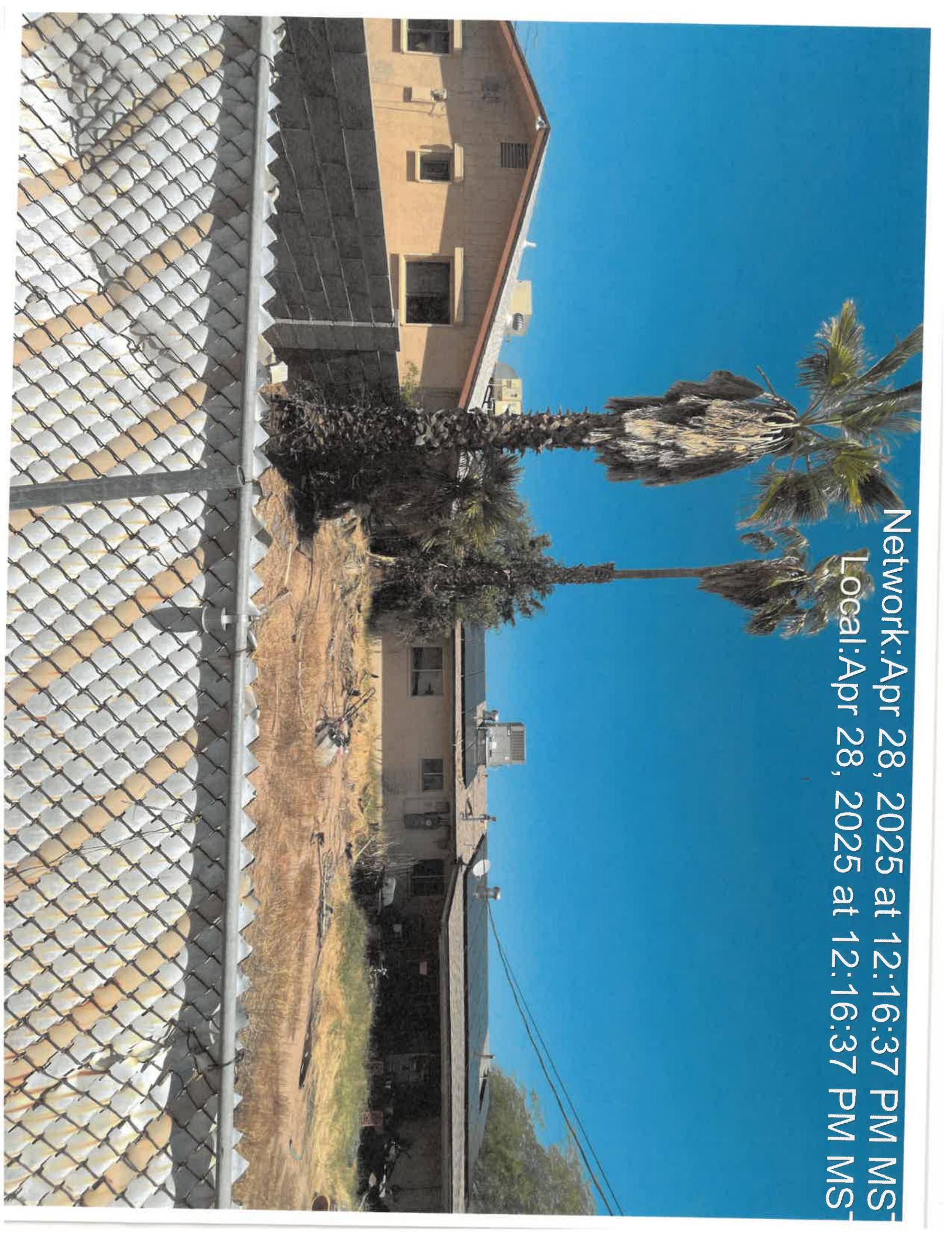
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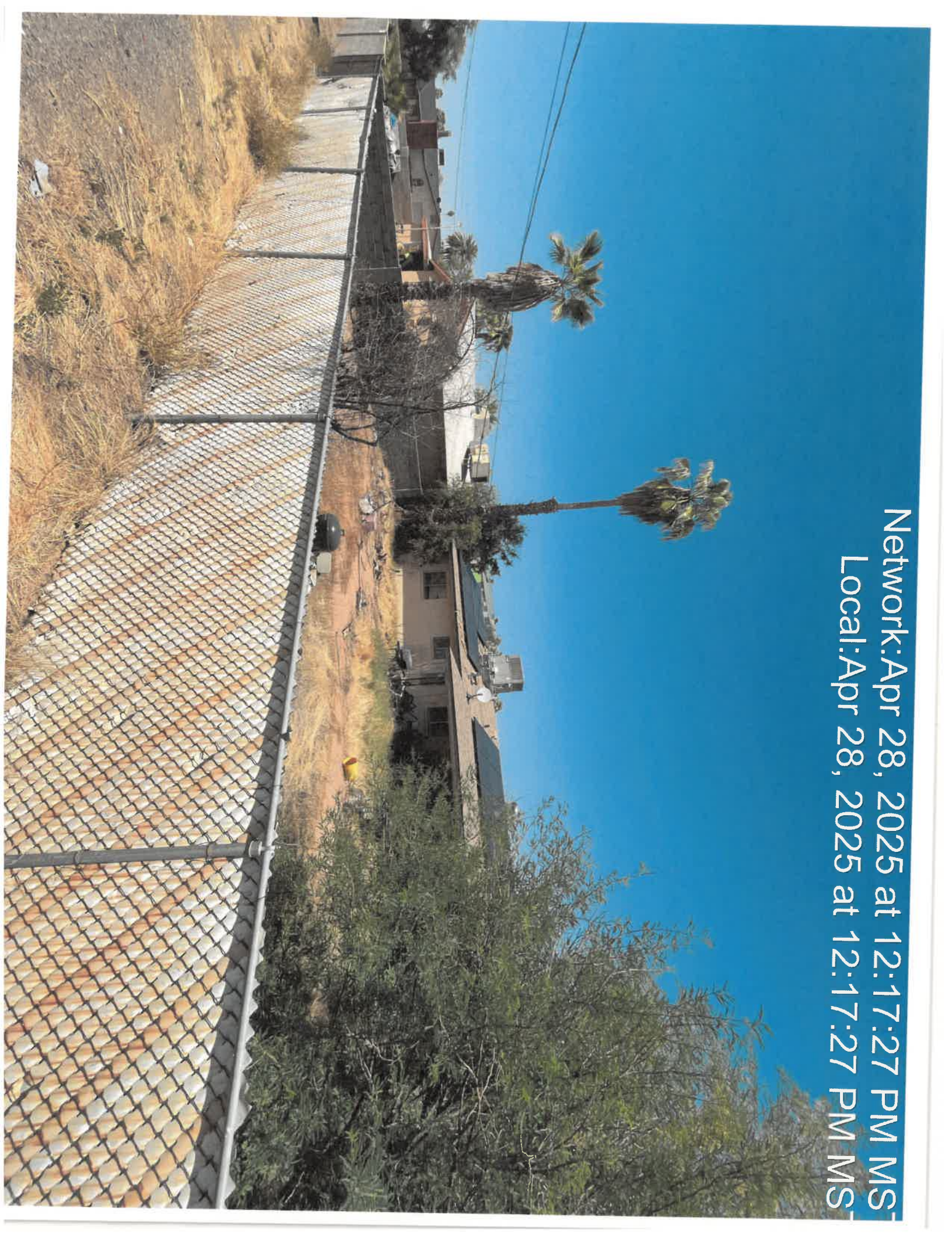
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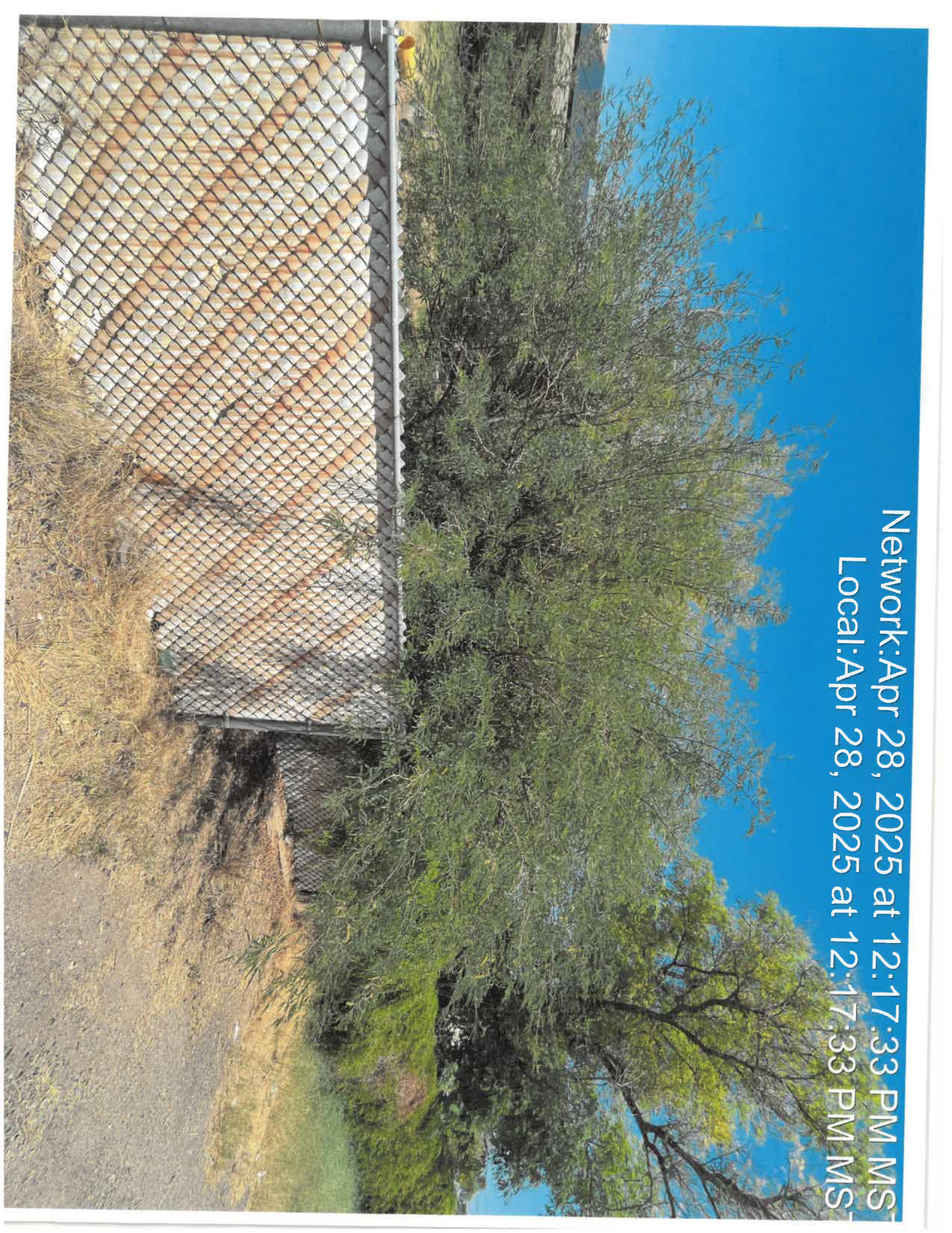
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Local: Apr 28, 2025 at 12:17:27 PM MS-



Network: Apr 28, 2025 at 12:17:33 PM MS-  
Local: Apr 28, 2025 at 12:17:33 PM MS-





COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
CORRECTION NOTICE

12/17/2024

WILLIAMS SCOTT A  
1045 W 9TH ST  
TEMPE, AZ 85281-5302

Case #: CE248446  
Site Address: 1045 W 9TH ST, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 12/17/2024 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.8	Any landscaping, visible from public property, that is substantially dead, damaged, or characterize by uncontrolled growth, or presents a deteriorated appearance

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.8	Please remove grass and weeds from gravel front yard. Gravel landscape must be maintained free of grass and weeds.	01/07/2025

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

<b>Melissa Ensing</b> Code Inspector	<b>Direct: 480-858-2085</b> <b>Code Compliance: 480-350-4311</b> <b>Email: Melissa_Ensing@tempe.gov</b>
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**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**

01/07/2025

WILLIAMS SCOTT A  
1045 W 9TH ST  
TEMPE, AZ 85281-5302

Case #: CE248446  
Site Address: 1045 W 9TH ST, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 01/07/2025 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.8	Any landscaping, visible from public property, that is substantially dead, damaged, or characterize by uncontrolled growth, or presents a deteriorated appearance
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.8	Please remove grass and weeds from gravel front yard. Gravel landscape must be maintained free of grass and weeds.	1/21/2025
CC 21-3.b.1	Please remove trash, debris, and other misc. items from the carport and driveway.	1/21/2025

**CORRECTIVE ACTION MUST BE COMPLETED OR A \$400 CITATION MAY BE ISSUED**

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

**Melissa Ensing**  
Code Inspector

**Direct: 480-858-2085**  
**Code Compliance: 480-350-4311**  
**Email: [Melissa\\_Ensing@tempe.gov](mailto:Melissa_Ensing@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 UPDATED**

02/24/2025

WILLIAMS SCOTT A  
1045 W 9TH ST  
TEMPE, AZ 85281-5302

Case #: CE248446  
Site Address: 1045 W 9TH ST, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 02/24/2025 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.8	Any landscaping, visible from public property, that is substantially dead, damaged, or characterize by uncontrolled growth, or presents a deteriorated appearance
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	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
Sec.29-2.	Adjacent property owners to maintain sidewalks, gutters, alleys

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.8	Please remove grass and weeds from gravel front yard. Gravel landscape must be maintained free of grass and weeds.  Please remove dead grass and weeds from rear yard.  Please remove all grass/weeds/vegetation from the alley behind your property.	3/26/2025
CC 21-3.b.1	Please remove trash, debris, and other misc. items from the carport, driveway and rear yard.	3/26/2025
CC 21-3.b.8	Please remove the dead fronds from the palm trees.	3/26/2025
Sec.29-2.	Property owners must maintain each alley that is adjacent to their premises free of weeds and debris to the center line of such alley	3/26/2025

**CORRECTIVE ACTION MUST BE COMPLETED BY 03/26/2025 OR A \$400 CITATION MAY BE ISSUED**

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

**Melissa Ensing**  
**Code Inspector**

**Direct: 480-858-2085**  
**Code Compliance: 480-350-4311**  
**Email: [Melissa\\_Ensing@tempe.gov](mailto:Melissa_Ensing@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.