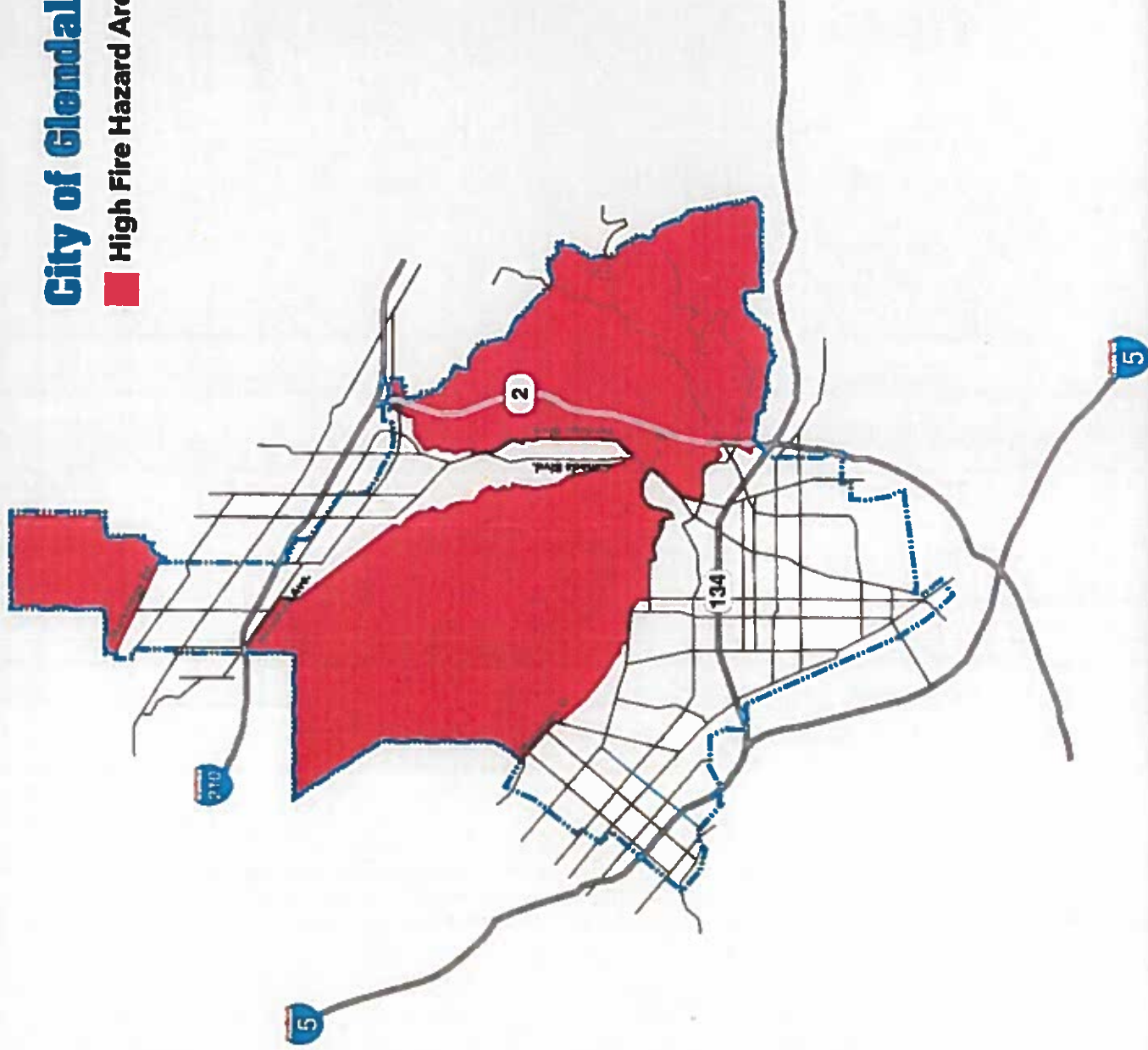


## City of Glendale

■ High Fire Hazard Area



# Defensible Space Standards for the High Fire Hazard Areas of Glendale



*Annual inspections to ensure  
adequate defensible space  
begin May 1st.*



**Glendale Fire Prevention Bureau**  
780 Flower St., Glendale, CA 91201

**GlendaleFire.com**  
**(818) 548-3814**

Note: Oak, bay and sycamore trees are protected in the City of Glendale. For more information call (818) 548-3950 or visit [GlendaleTrees.org](http://GlendaleTrees.org).

   @GlendaleFireCa

# DEFENSIBLE SPACE

## ZONE 1

Creating and maintaining defensible space is essential for increasing your home's chance of surviving a wildfire. It's the buffer that homeowners are required to maintain on their property between a structure and the plants, brush and trees or other items surrounding the structure that could catch fire. This space is needed to slow the spread of wildfire and improves the safety of firefighters defending your home.

**Two zones make up the required 100 feet of defensible space.**

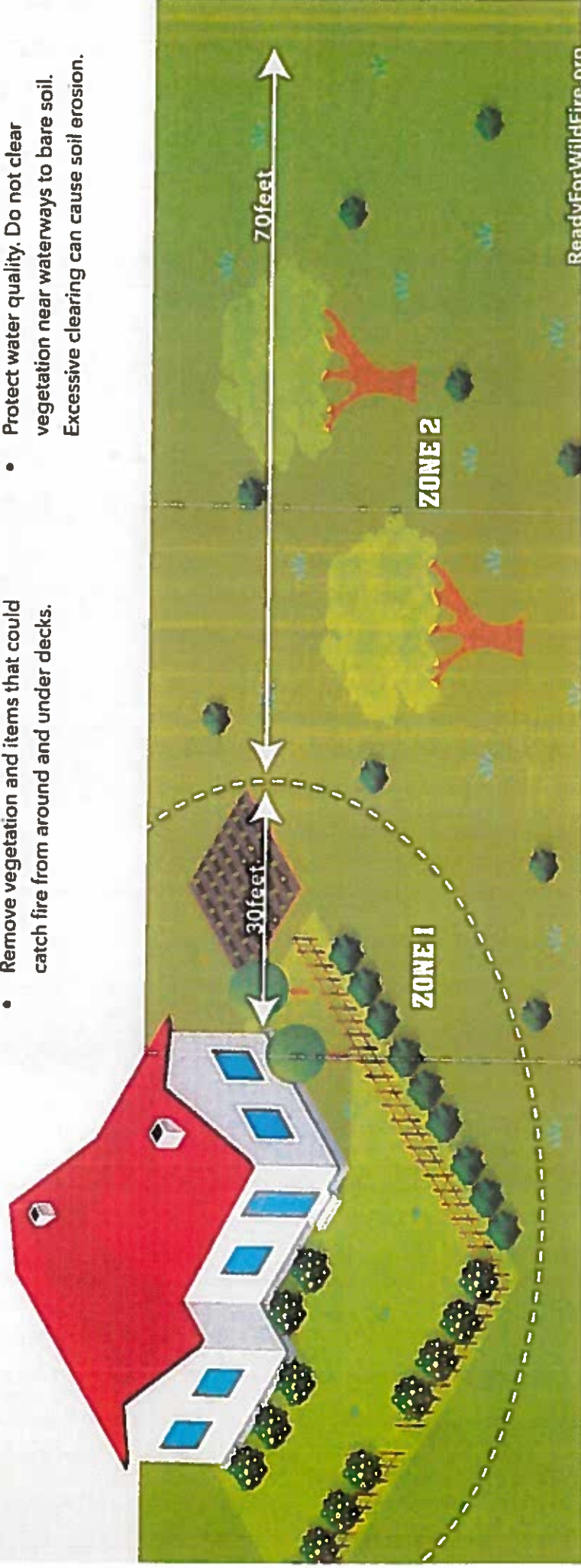
**Extends 30 feet out from buildings, decks, and other structures**

- Remove all dead plants, grass and weeds.
- Remove dead or dry leaves and pine needles from your yard, roof and rain gutters.
- Trim trees regularly to keep branches a minimum of 10 feet from other trees.
- Remove dead branches that hang over your roof, and keep branches 10 feet away from your chimney.
- Remove or prune flammable plants and shrubs near windows.
- Remove vegetation and items that could catch fire from around and under decks.

## ZONE 2

**Extends 30 to 100 feet out from buildings, decks, and other structures**

- Cut or mow annual grass down to a maximum height of 4 inches.
- Create a minimum horizontal spacing of 20 feet between shrubs and trees.
- Create a minimum vertical spacing of 6 feet between grass, shrubs and the lowest branches on a tree.
- Remove fallen leaves, needles, twigs, bark, cones, and small branches. However, they may be permitted to a depth of 4 inches if erosion control is an issue.
- Protect water quality. Do not clear vegetation near waterways to bare soil. Excessive clearing can cause soil erosion.







CITY OF GLENDALE, CALIFORNIA  
Glendale Fire Department

780 Flower St  
Glendale, CA 91201  
(818) 548-4810 Fax (818) 549-9777  
www.glendaleca.gov

## Notice to Abate Fire Hazard

**Property Owner**  
HON, LILY

**APN:** 5672025046

**Address**  
125 BAILEY PL  
GLENDALE CA, 912064702

**VMP:** WUI2020-346934

**Initial Inspection Date:** 06-01-2020

**Notification Date:** 06-05-2020

**Site Location**

125 BAILEY PL GLENDALE CA 91206

The next inspection will be on or after: 07-05-2020

The following violation(s) must be corrected in order to meet the minimum requirements for fire and life safety as set forth in Volume VI Chapter 49 of the Glendale Building and Safety Code.

<b>GBSC 4906.3</b>	<b>Roof Clearance</b>
<b>Inspector's Comment:</b>	Cut back tree branches overhanging the roof of your house to make 3 feet of space between the roof and the nearest branches.
<b>GBSC 4906.3</b>	<b>Hazardous Vegetation</b>
<b>Inspector's Comment:</b>	Cut tall grass and weeds to four inches in height or less in the front yard. Cut lower branches off trees and shrubs to make 6 feet of space between the ground and the lowest branches along the East side of the property.

You are required to correct the violation(s) noted above on your own property only. Failure to abate the violation(s) within 30 days may result in a declaration of public nuisance and removal of the hazard by the City, with costs of such action, plus a fee for each non-compliance re-inspection and an administrative fee, to be placed as a special assessment on the next regular property tax bill, unless such costs are paid within 30 days of notification of those costs.

**Inspector:** Jeremy Cawn

<b>FIRE COMPANIES</b>	<b>FIRE DEPARTMENT ADDRESSES</b>	
Fire Prevention Bureau	780 Flower Street, Glendale, CA 91201	(818) 548-3814 vmp@glendaleca.gov



mo: 06/01/2020 07:03:37  
34°55'N - 118°12'36"W  
675 263514 ft  
12025046  
125 BAILEY PL, GLENDALE, CA 91201

Bailey Pl 100







CITY OF GLENDALE, CALIFORNIA  
Glendale Fire Department

780 Flower St  
Glendale, CA 91201  
(818) 548-4810 Fax (818) 549-9777  
www.glendaleca.gov

## Notice of Intention to Abate Public Nuisance

**Property Owner**

HON, LILY

**APN:** 5672025046

**Address**

125 BAILEY PL  
GLENDALE CA, 912064702

**Compliance Inspection Date:** 07-08-2020

**Notification Date:** 08-18-2020

**Site Location**

125 BAILEY PL GLENDALE CA 91206

**VMP:** WUI2020-346934

**The next inspection will be on or after:** 09-02-2020

Your property was found to be in noncompliance with the Hazardous Vegetation Ordinance. If you are having problem abating the hazard, please contact your fire inspector immediately. We are anticipating your full cooperation with our Vegetation Management Program. Your participation in this program is essential to the fire safety for the City of Glendale, and we encourage you to contact us regarding questions you may have.

The following violation(s) must be corrected in order to meet the minimum requirements for fire and life safety as set forth in Volume VI Chapter 49 of the Glendale Building and Safety Code.

**GBSC 4906.3**

**Roof Clearance**

**Inspector's Comment:** Cut back tree branches overhanging the roof of your house to make 3 feet of space between the roof and the nearest branches.

**GBSC 4906.3**

**Hazardous Vegetation**

**Inspector's Comment:** Cut tall grass and weeds to four inches in height or less in the front yard.  
No abatement work performed  
Cut lower branches off trees and shrubs to make 6 feet of space between the ground and the lowest branches along the East side of the property.

As the owner shown on the last equalized assessment roll of the above noted property, you are hereby notified that the undersigned, pursuant to the Glendale Building and Safety Code, Volume VI, Chapter 49 determined that there exists upon said property the above noted condition which constitutes a public nuisance pursuant to the provisions of the Glendale Building and Safety Code, Volume VI, Chapter 49.

You are hereby notified to abate said nuisance within 15 days from the date of mailing of this notice, and upon your failure to do so, the same will be abated by whatever action necessary by the City and the costs thereof, together with administrative costs, will be assessed to you as owner of the property upon which said public nuisance is located.

You are hereby notified to abate said nuisance within 15 days from the date of mailing of this notice, and upon your failure to do so, the same will be abated by whatever action necessary by the City and the costs thereof, together with administrative costs, will be assessed to you as owner of the property upon which said public nuisance is located.

As owner of the property on which said public nuisance is located, you are hereby notified that you may, within 10 days after the mailing of this notice of intention, request in writing to the Fire Department a public hearing to contest the finding of the public nuisance on said property. If such a request is not received by the Fire Chief within such 10 day period, the Chief shall have the authority to abate said public nuisance and assess the costs as aforesaid without a public hearing. You may submit a sworn written statement within said 10 day period setting forth your position and intentions regarding the public nuisance on said property with your reasons for denial and such may be construed as a request for hearing at which your presence is not required. You may appear in person at any hearing requested by you or, in lieu thereof, may present a sworn written statement aforesaid in time for consideration at such a hearing.

Please contact your fire inspector if you have any questions or would like further information.

Inspector: Jeremy Cawn

FIRE COMPANIES	FIRE DEPARTMENT ADDRESSES	
Fire Prevention Bureau	780 Flower Street, Glendale, CA 91201	(818) 548-3814 vmp@glendaleca.gov



ms: 06/12/2020 06:36:39  
54.655°N 119.1237°W  
524 725260 R  
2025086

125 BAILEY PL GLENDALE CA

Bywood Dr 2400  
Bailey Pl 100





7018 2290 0002 2034 5694

U.S. Postal Service®  
CERTIFIED MAIL® RECEIPT

Domestic Mail Only

1. On the front of the envelope, attach this receipt to the mail piece.

OFFICIAL USE

2. Check the appropriate box(es) and fill in the appropriate information.  
☐ Return Receipt (hardcopy)  
☐ Return Receipt (electronic)  
☐ Certified Mail Restricted Delivery  
☐ Adult Signature Required  
☐ Adult Signature Restricted Delivery

3. Attach postage and fees.

ANGELES CA, 90052  
JUN 17 2020

HON. LILY  
125 BAYLEY PLACE  
GLENDALE, CA 91206-4702

7014 2870 0001 5011 0793

U.S. Postal Service®  
CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com).

OFFICIAL USE

4. Attach postage and fees.  
Postage \$  
Certified Fee  
Return Receipt Fee (Endorsement Required)  
Registered Delivery Fee (Endorsement Required)

ANGELES CA, 90052  
JUN 16 26 2020

Hon. Lily  
125 Bayley Place  
Glendale, CA 91206-4702



ma: 08/18/2020 06:42:27  
34 655'N 112°12'36"W  
630 1978158  
2025086

195 BAILEY PL GLENDALE CA





PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS FOLD AT DOTTED LINE

**CERTIFIED MAIL**



7014 2870 0001 5011 1875  
7014 2870 0001 5011 1875

U.S. Postal Service<sup>™</sup>  
**CERTIFIED MAIL<sup>®</sup> RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)<sup>®</sup>.

**OFFICIAL USE**

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		

**FIRE PREVENTION BUREAU  
780 FLOWER STREET  
GLENDALE, CA 91201  
ATTN: J.CAWN**

PS Form 3800, July 2014

See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece.

**HON, LILY  
125 BAILEY PLACE  
GLENDALE, CA 91206**



9590 9402 5379 9189 3520 92

2. Article Number (Transfer from service label)

7014 2870 0001 5011 1875

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

address different from item 1? ☐ Yes  
or delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail<sup>®</sup>
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ I Mail
- ☐ I Mail Restricted Delivery

- ☐ Priority Mail Express<sup>®</sup>
- ☐ Registered Mail<sup>™</sup>
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation<sup>™</sup>
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt



Attorneys for THE CITY OF GLENDALE

IN THE MATTER OF:  
125 BAILEY PLACE  
GLENDALE, CA 91206

APPLICATION FOR INSPECTION  
WARRANT UNDER CCP §§ 1822.50, *ET  
SEQ.*; MEMORANDUM OF POINTS AND  
AUTHORITIES

[Filed concurrently with Declaration of Jeremy Cawn, Fire Inspector]

Respectfully Submitted:

9/25/20

**MICHAEL GARCIA, CITY ATTORNEY**

DAVID LIGTENBERG  
Deputy City Attorney

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. INTRODUCTION**

3 The City of Glendale, California, Building and Safety Code ("GBSC") provides that  
4 hazardous vegetation, as defined in GBSC Volume VI, section 4906.1.3, is a public nuisance and  
5 subject to abatement. As will be demonstrated below and supported by the Declaration of Jeremy  
6 Cawn, Fire Inspector, such a nuisance exists at 125 Bailey Place in the City of Glendale. An  
7 Inspection Warrant is now necessary to abate this nuisance, given the immediate fire, life, health,  
8 and safety hazards at the property.

9 **II. FACTS**

10 The Fire Prevention Bureau of the Glendale Fire Department conducts periodic  
11 inspections of property and communities within the City of Glendale. These inspections seek to  
12 enforce GBSC VI.4906.1.2 which prohibits hazardous vegetation in order to protect the whole  
13 community from risks to health, safety, and property from wildfires. Inspections are guided by  
14 particular definitions and requirements in GBSC VI.4906.1.3.

15 On June 1, 2020, Fire Inspector Jeremy Cawn noted violations of the code at 125 Bailey  
16 Place. He provided written notice via certified mail to the property owner that the violations  
17 constituted a public nuisance, according to procedures set forth in GBSC VI.4906.1.3.14, and  
18 requesting that particular actions take place to remedy the nuisance within 30 days.

19 Upon re-inspection on July 8, 2020, no changes or improvements were noted regarding  
20 the recorded violations. Next, according to procedures set forth in GBSC VI.4906.2.2, Mr. Cawn  
21 posted notice on the subject property on August 18, 2020, and sent notice that the City intends to  
22 abate the public nuisance. GBSC VI.4906.2.2 requires that such notice be posted and mailed not  
23 less than 15 days prior to the date of the City's proposed abatement. Those 15 days concluded on  
24 September 2, 2020.

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1 **III. ABSENT CONSENT TO ENTER PRIVATE PROPERTY, A WARRANT IS**  
2 **REQUIRED PRIOR TO ENTRY FOR PURPOSES OF INSPECTION**

3 The Fourth Amendment requires that the City obtain an Inspection Warrant for the non-  
4 consensual inspection of private property. (*Camara v. Municipal Court* (1967) 387 U.S. 523,  
5 528-529.) As detailed, such a warrant is appropriate based on the facts of this case and is the  
6 appropriate vehicle for abatement of the nuisance.

7 **A) This Court Is Authorized by CCP §§ 1822.50 et seq. to Issue an Inspection**  
8 **Warrant to the City of Glendale**

9 Section 1822.50 of the Code of Civil Procedure defines administrative inspection  
10 warrants and places them in the context of "any inspection required or authorized by state or  
11 local law or regulation relating to building, fire, safety, plumbing, electrical, health, labor, or  
12 zoning." CCP section 1822.51 provides that:

13 An inspection warrant shall be issued upon cause, unless some other  
14 provision of state or federal law makes another standard applicable. An  
15 inspection warrant shall be supported by an affidavit, particularly describing  
16 the place, dwelling, structure, premises, or vehicle to be inspected and the  
17 purpose for which the inspection is made. In addition, the affidavit shall  
18 contain either a statement that consent to inspect has been sought and  
19 refused or facts or circumstances reasonably justifying the failure to seek  
20 such consent.

21 Accordingly, as such a warrant *shall* be issued upon cause, pursuant to CCP § 1822.52:

22 Cause shall be deemed to exist if either reasonable legislative or  
23 administrative standards for conducting a routine or area inspection are  
24 satisfied with respect to the particular place, dwelling, structure, premises,  
25 or vehicle, or there is reason to believe that a condition of nonconformity  
26 exists with respect to the particular place, dwelling, structure, premises, or  
27 vehicle.  
28

1 A city has authority to declare what constitutes a public nuisance and to enact regulations  
2 designed to eliminate or reduce such a nuisance. (Gov. Code § 38771; *see also* Cal. Const.,  
3 art. XI, § 7.) In *City and County of San Francisco v. Municipal Court* (1985) 167 Cal.App.3d  
4 712, 719, the court stated that a civil inspection warrant must be justified by reasonable  
5 governmental interests. Where the governmental interest at stake is to enforce building standards  
6 and thereby prevent conditions that are hazardous to public health and safety, the test for  
7 determining reasonableness may vary with the particular municipal program being enforced.  
8 (*Id.*)

9 Finally, when abatement is warranted, or when simultaneous inspection and abatement  
10 must occur, the procedure set forth in these sections still holds. In *Gleaves v. Waters* (1985) 175  
11 Cal.App.3d 413, the court approved of the use of CCP section 1822.50 *et seq.* to obtain warrants  
12 solely for abatement activity. And in *Flahive v. City of Dana Point* (1999) 72 Cal.App.4<sup>th</sup> 241,  
13 246 at fn. 8, the court cited the *Gleaves* holding with approval, finding the procurement of an  
14 inspection warrant to be the valid procedure for abatement of a nuisance by a local official.

15 **B) All Prerequisites for the Issuance of an Inspection Warrant Are Met in the**  
16 **Instant Action**

17 This Application satisfies all prerequisites for the issuance of an Inspection Warrant. As  
18 required by CCP section 1822.54, the proposed Inspection Warrant describes each place,  
19 dwelling, structure, premises, or vehicle to be inspected and designates the purpose and  
20 limitations of the inspection. As provided in CCP section 1822.55, the proposed Inspection  
21 Warrant is effective for not more than fourteen (14) days. The proposed Warrant provides that  
22 the inspection shall be made within prescribed hours and in the manner required by CCP section  
23 1822.56.

24 ///

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1 **IV. CONCLUSION**

2 Based on the foregoing and the Declaration of Jeremy Cawn, Fire Inspector, attached  
3 hereto, the City of Glendale respectfully request that this Court issue an Inspection Warrant to  
4 permit the City of Glendale to enter onto the subject property in the absence of the owner and use  
5 reasonable force as necessary to abate the stated nuisance so that the property is in compliance  
6 with all applicable laws, including, but not limited to GBSC VI.4906 and to eliminate the threat  
7 to the public's health and safety.

8  
9 Respectfully Submitted:

10 Dated: 9/25/20

MICHAEL GARCIA, CITY ATTORNEY

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13 DAVID LIGHTENBERG  
14 Deputy City Attorney  
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To the City of Glendale; and to Jeremy Cawn, Fire Inspector; and to any other Code Enforcement Officer of the City of Glendale.

The purpose of the inspection shall be to ascertain the extent of imminently dangerous code violations throughout the exterior of said Property and to immediately abate all such violations. Violations known to exist are insufficient roof clearance and hazardous vegetation in the front yard and along the east side of the property.

**YOU ARE FURTHER COMMANDED** to have access to the exterior of the property in order to conduct an inspection and carry out the necessary means to abate and/or remove any immediate hazardous conditions and to properly secure the property.

**Dated: September 25, 2020**

Suzette Clover  
JUDGE OF THE SUPERIOR COURT





City of Glendale Fire Department  
Fire Prevention Bureau  
780 Flower Street  
Glendale, CA 91201



## HAZARDOUS VEGETATION ABATEMENT INVOICE

By certified mail

INVOICE DATE: 1/19/2021  
DATE OF WORK: 09/30/2020  
CASE NUMBER: WJ12020-346934  
NAME: HON, LILY  
ADDRESS: 125 BAILEY PL

HON, LILY  
125 BAILEY PL  
GLENDALE, CA 91206

Customer Service (818) 548-4810  
fpbinfo@glendaleca.gov  
www.glendalefire.com

### INVOICE DETAILS

ABATEMENT WORK	\$3,240.00
ADMINISTRATIVE CHARGES	\$ 374.00
TOTAL CURRENT CHARGES	\$3,614.00
TOTAL BALANCE DUE DUE BY 02/28/2021	\$ 3,614.00

### PLEASE DO NOT IGNORE THIS INVOICE!

#### THIS WILL BE THE ONLY INVOICE YOU RECEIVE

If you fail to pay the full amount by the stated deadline, the charges shall be placed as a special assessment on the tax bill for the property pursuant to the procedure set forth in Section 38773.5 of the California Government Code.

Authority: Ordinance 5937, Volume VI, Glendale Fire Standards,  
Section 4906 5 et. seq

If you have any questions  
regarding this invoice, please call

(818) 548-4810

Page 1 of 1

### RETURN THIS PORTION WITH YOUR PAYMENT

Make payment to  
**CITY OF GLENDALE**  
and mail or bring to the  
address below

DUE DATE: 02/28/2021  
AMOUNT DUE: \$ 3,614.00

MAKE CHECK PAYABLE TO CITY OF GLENDALE :

INVOICE DATE: 1/19/2021  
CASE NUMBER: WJ12020-346934  
NAME: HON, LILY  
ADDRESS: 125 BAILEY PL

GLENDALE FIRE DEPARTMENT  
FIRE PREVENTION BUREAU  
780 FLOWER ST  
GLENDALE CA 91201-3057



# **GLENDAL FIRE DEPARTMENT**

## **FIRE PREVENTION BUREAU**

780 FLOWER ST.  
GLENDAL, CA 91201-3057  
PH: (818) 548-4810  
WWW.GLENDALFIRE.ORG



125 BAILEY PL

## **HAZARDOUS VEGETATION ABATEMENT INVOICE**

### **Why did we send you this bill?**

There was hazardous vegetation on your property that was declared a Public Nuisance and the City paid to have the hazardous vegetation on your property abated after you failed to abate it on your own. You are responsible to repay the citizens of Glendale for the work performed.

### **What if you don't pay the bill?**

The bill becomes a special assessment against your property tax bill. If that bill does not get paid, your property may be sold after three years by the tax collector for unpaid delinquent assessments.

### **What we did to avoid billing you:**

We tried many times to notify you so you could deal with the identified nuisance on your property yourself. We provided you ample opportunity in terms of time, and the inspector was available to address any questions. After exhausting every opportunity given, our last resort was to hire a contractor to abate the nuisance.

### **How we notified you:**

1. At the beginning of April, we sent you a brochure and letter giving you a "heads up" that brush clearance inspections will begin in May. The brochure laid out clear expectations about how to pass the inspection. A copy is attached.
2. Your property was first inspected on June 1, 2020 and failed the first inspection due to numerous violations. You were sent a Notice to Abate by certified mail that identified the violations hazards. A copy is attached.
3. On July 8, 2020 your property was re-inspected. There was no compliance with the Notice to Abate.

4. On August 18, 2020, another reinspection was conducted. Because there was no substantial compliance with the Notice to Abate, a Notice of Intent to Abate a Public Nuisance sign was posted at the front of your property and a Notice of Intent to Abate a Public Nuisance was sent by certified mail. A copy is attached. A warrant was also processed.
5. On September 28, 2020, a warrant was delivered to your property by a police officer, the Fire Marshal, and the fire inspector authorizing the Fire Department to abate the hazardous conditions on your property.
6. On September 30, 2020, the necessary abatement work was conducted.

### **Why did we have to abate the nuisance on your property?**

Since we have limited resources, we only abate properties as an absolute last resort. Properties that are abated by the City meet one or more the following conditions: A history of failed inspections and non-compliance with Notices from the Fire Department; failure to make substantial effort to remove or reduce the hazardous vegetation present; the presence of hazardous vegetation within 30 feet of structure; the location and proximity of adjacent structures that are at risk from the hazardous vegetation on your property, and; the risk to firefighters entering your property to control a wildfire.

### **Can you appeal?**

No. Your right to appeal has expired. During the enforcement process you had an opportunity to appeal. Once abatement procedures are completed, there are no more appeal opportunities.