



MINUTES

April 28, 2022

BOARD OF APPEALS HEARING 3:00 p.m. City Council Chambers 311 Vernon Street Roseville, CA

1. CALL TO ORDER

Chairperson Arthur Pauly, Jr. called the meeting to order at 3:00 p.m. in the City Council Chambers.

2. ROLL CALL (SILENT)

The following Hearing Panel members were present:

Pete Constant
Bruce Hagler
Arthur Pauly, Jr.

The following Staff members were present:

My Tien Doan	Deputy City Attorney
Lynda Risucci	Legal Clerk

3. IDENTIFICATION OF CHAIR

Chairperson for the April 28, 2022 hearing was Arthur Pauly, Jr.

4. PLEDGE OF ALLEGIANCE

Chairperson Arthur Pauly, Jr. led the audience in the Pledge of Allegiance.

5. PUBLIC COMMENT

No one from the public offered any comments.

6. SWEAR IN

Chairperson Arthur Pauly, Jr. administered the Oath to those in attendance who would be offering testimony at the hearing.

7. MATTERS TO BE HEARD

7.1. Citation No. 12641:

Appellant: Kristan Haight

- Roseville Municipal Code Section 7.12.010, Animal at Large, Two Counts, First Offense
- Roseville Municipal Code Section 7.12.010, Animal at Large, Two Counts, Second Offense
- Roseville Municipal Code Section 7.16.010, Failure to License, Two Counts, First Offense
- Roseville Municipal Code Section 7.20.010, Kennel License Required, Second Offense

A. Staff Report:

Animal Control Officer Sarah Severns offered testimony in regard to the staff materials in Exhibit A and answered panel questions.

Per RMC Section 2.50.060(D), the Staff Report was submitted to the City of Roseville Attorney's Office prior to the hearing, and was provided to the Appellant and the panel members in advance of the hearing.

Exhibit A:

- Staff Report including case history and narrative

Complainant's Statement:

Complainant Brian Fogel offered testimony in support of the complaint and answered panel questions.

B. Appellant's Response:

Exhibit C:

(Appellant's Exhibit C was provided to the panel in advance of the hearing for review.)

- Request for Hearing form, received by the Roseville City Attorney's Office on January 30, 2022.

Appellant Kristan Haight presented Exhibit D, and offered testimony in support of the appeal and answered panel questions.

Exhibit D:

- PetData receipt for Jingles
- April 28, 2022 correspondence from Kristan Haight to Board regarding Citation 12641 enclosing City of Roseville Animal License Receipts for Bella, Jingles, and Lucy.

C. Rebuttals and Panel Questions:

Complainant Brian Fogel offered rebuttal testimony and answered panel questions.

Appellant Kristan Haight offered no rebuttal testimony.

D. Panel Decision:

The panel discussed the evidence and testimony presented for Administrative Citation No.12641.

In regard to Roseville Municipal Code Section 7.12.010, Animal at Large, Two Counts, First Offense, a motion was made by Pete Constant and seconded by Bruce Hagler to deny the appeal and uphold the citation because the City/Complainant proved by a preponderance of the evidence that the violation occurred and that the appellant is the responsible party.

The motion passed with the following vote:

AYES: Pete Constant, Bruce Hagler, Arthur Pauly, Jr.

NOES: None

In regard to Roseville Municipal Code Section 7.12.010, Animal at Large, Two Counts, Second Offense, a motion was made by Pete Constant and seconded by Bruce Hagler to deny the appeal and uphold the citation because the City/Complainant proved by a preponderance of the evidence that the violations occurred and that the appellant is the responsible party.

The motion passed with the following vote:

AYES: Pete Constant, Bruce Hagler, Arthur Pauly, Jr.

NOES: None

In regard to Roseville Municipal Code Section 7.16.010, Failure to License, Two Counts, First Offense, a motion was made by Pete Constant and seconded by Bruce Hagler to grant the appeal and dismiss the citation at the request of the City.

The motion passed with the following vote:

AYES: Pete Constant, Bruce Hagler, Arthur Pauly, Jr.

NOES: None

In regard to Roseville Municipal Code Section 7.20.010, Kennel License Required, Second Offense, a motion was made by Pete Constant and seconded by Bruce Hagler to grant the appeal and dismiss the citation at the request of the City.

The motion passed with the following vote:

AYES: Pete Constant, Bruce Hagler, Arthur Pauly, Jr.

NOES: None

Chairperson Arthur Pauly, Jr. signed the decision form, asked the Appellant to see staff for the paperwork, and informed the parties that they may file a petition for review with the Superior Court in Placer County within 20 days.

7.2. Citation No. 20584

Appellant: Lawrence Arkus

- Roseville Municipal Code Section 10.54.020(D)(3), Inadequately Maintained Property

At 3:32 p.m., the appellant, Lawrence Arkus, was not present. The item was trailed to allow Lawrence Arkus his 15 minutes from the commencement of the hearing to appear per the Administrative Standards procedures.

At 3:56 p.m., the Appellant was not present. According to the Administrative Standards procedures, if the responsible party fails to appear for the hearing within 15 minutes after the hearing commences, the responsible party's appeal will be automatically denied.

A. Staff Report:

Code Enforcement Inspector, Alan Rogers, was present but did not offer testimony because the Appellant was not present.

Per RMC Section 2.50.060(D), the Staff Report was submitted to the City of Roseville Attorney's Office prior to the hearing, and was provided to the Appellant and the panel members in advance of the hearing.

Exhibit A:

- Staff Report including case history and narrative.

B. Appellant's Response:

Exhibit C:

(Appellant's Exhibit C was provided to the panel in advance of the hearing for review.)

- Request for Hearing form, received by the Roseville City Attorney's Office on July 06, 2021.

C. Rebuttals and Panel Questions:

No rebuttal testimony or panel questions were presented.

D. Panel Decision:

In regard to Roseville Municipal Code Section 10.54.020(D)(3), a motion was made by Pete Constant and seconded by Bruce Hagler to deny the appeal and uphold the citation because the appellant failed to appear.

The motion passed with the following vote:

AYES: Pete Constant, Bruce Hagler, Arthur Pauly, Jr.

NOES: None

Chairperson Arthur Pauly, Jr. signed the decision form, asked the Appellant to see staff for the paperwork, and informed the parties that they may file a petition for review with the Superior Court in Placer County within 20 days.

7.3. Citation No. 20774

Appellant: Peder Knudtson

- Roseville Municipal Code Section 19.22.030(C)(3)(b), Accessory Structures – Permitted Accessory Structures to Dwelling Use Type (Single-Family and Two-Family), Enclosed Structures, Second Offense

A. Staff Report:

Code Enforcement Inspector Alan Rogers offered testimony in regard to the staff materials in Exhibit A.

Per RMC Section 2.50.060(D), the Staff Report was submitted to the City of Roseville Attorney's Office prior to the hearing, and was provided to the Appellant and the panel members in advance of the hearing.

Exhibit A:

- Staff Report including case history and narrative

Code Enforcement Inspector Alan Rogers answered panel questions.

B. Appellant's Response:

Exhibit C:

(Appellant's Exhibit C was provided to the panel in advance of the hearing for review.)

- Request for Hearing form, received by the Roseville City Attorney's Office on February 01, 2022.

Appellant Peder Knudtson presented Exhibit D and offered testimony in support of the appeal.

Exhibit D:

- Correspondence dated February 01, 2022
- March 07, 2011 Invoice from Mike Sawin
- One photograph of measurement of shed

C. Panel Questions and Rebuttals:

Appellant Peder Knudtson answered panel questions.

Code Enforcement Inspector Alan Rogers offered rebuttal testimony and answered panel questions.

Appellant Peder Knudtson offered rebuttal testimony.

D. Panel Decision:

The panel discussed the evidence and testimony presented for Administrative Citation No. 20774.

In regard to Roseville Municipal Code Section 19.22.030(C)(3)(b), second offense, a motion was made by Bruce Hagler and seconded by Pete Constant to deny the appeal and uphold the citation because the City proved by a preponderance of the evidence that the violation occurred and that the appellant is the responsible party.

The motion passed with the following vote:

AYES: Pete Constant, Bruce Hagler, Arthur Pauly, Jr.

NOES: None

Chairperson Arthur Pauly, Jr. signed the decision form, asked the Appellant to see staff for the paperwork, and informed the parties that they may file a petition for review with the Superior Court in Placer County within 20 days.

8. ADJOURNMENT

A motion was made by Pete Constant and seconded by Bruce Hagler to adjourn the hearing.

AYES: Pete Constant, Bruce Hagler, Arthur Pauly, Jr.,

NOES: None

Chairperson Arthur Pauly, Jr. adjourned the April 28, 2022 hearing at 3:58 p.m.

Lynda Risucci
Legal Clerk