



ERIC GIBSON  
DIRECTOR

## County of San Diego

### DEPARTMENT OF PLANNING AND LAND USE

5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CALIFORNIA 92123-1666  
INFORMATION (858) 694-2960  
TOLL FREE (800) 411-0017

# CIVIL PENALTY NOTICE AND ORDER

**DATE OF NOTICE:** May 13, 2011

**LOCATION OF VIOLATION:** 19150 High Glen Road, Alpine

**APN:** 521-130-08-00

**ZONE:** A72

**PROPERTY OWNER:** **Covert Canyon, LLC**  
5590 Ruffin Road  
San Diego, CA 92123

You are hereby notified that your property at 19150 High Glen Road in the unincorporated area of San Diego County is in violation of the San Diego County Zoning Ordinance (SDCZO) and the San Diego County Code of Regulatory Ordinances (SDCCRO). You are subject to civil penalties pursuant to SDCCRO sections 18.201 through 18.214.

Civil Penalties for violations of the County Codes may be assessed at a daily rate not to exceed \$1,000.00 per day per violation; not to exceed a total maximum of \$50,000 per parcel or structure for any related series of violation(s). State Code violations may be assessed at a daily rate not to exceed \$2,500 per day per violation; not to exceed a total maximum of \$250,000

Penalties may be assessed for each individual code section violated. These penalties may accrue daily for as long as the violations exist.

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**SECTION VIOLATED**

**DESCRIPTION**

- |                          |                                                                                                                                     |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| 1. SDCZO Section 2725b   | Paramilitary type training facilities not allowed in an A72 zoned agricultural property without the issuance of a Major Use Permit. |
| 2. SDCCRO Section 33.101 | Operation of a shooting range not allowed without a permit issued by the Sheriff's Department.                                      |

**REQUIRED CORRECTIVE MEASURES**

1. Immediately cease all activities associated with the operation of a shooting range until you obtain a Major Use Permit
2. Once a Major Use Permit is issued you must obtain a permit from the Sheriff's Department to operate a shooting range.

**AMOUNT OF PENALTIES ASSESSED**

Pursuant to Section 18.205 of the San Diego County Code of Regulatory Ordinance the Director of the Department of Planning and Land Use has assessed civil penalties against you as follows:

**Violation #1:** For the operation of a paramilitary type training facility on your property, the Director has assessed civil penalties in the amount of \$1,000.00 per day, for 1 day, on April 28, 2011, for a total of **\$1,000.00**. The Director considered that the violation has been maintained periodically since June 12, 2007 and is continuing, that the violation is in the major range due to the negative impacts to the community itself and that after being notified of the violation you have failed to cease the illegal activity.

**Violation #2:** For the operation of the shooting range on your property without a permit issued by the Sheriff's Department, the Director has assessed civil penalties against you in the amount of \$1,000.00 per day, for 1 day, on April 28, 2011, for a total of **\$1,000.00**. The Director considered that the violation has been maintained periodically since June 12, 2007 and is continuing, that the violation is in the major range and that after being notified of the violation you have failed to cease the illegal activity.

**PROCESS FOR PAYMENT OF CIVIL PENALTIES**

Full payment of civil penalties in the amount of **\$2,000.00** are due in full within 45 days from the date of service of the Notice and Order unless you have filed a timely appeal. (If the Director has assessed a continuing violation against you in this Notice and Order, you are required to make an initial payment within 45 days of the date of service. Subsequent payments shall be made within 45 days of pervious payments until the violation is corrected to the satisfaction of the department Director.)

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Payments should be made by cashier's check or money order payable to the San Diego County Treasurer, at the address below. Please include a copy of the Notice and Order with your payment and write the violation address on the check:

County of San Diego  
Department of Planning and Land Use  
5201 Ruffin Road, Suite B  
San Diego, CA 92123  
Attn: Fiscal

Civil penalties paid to the County of San Diego before an appeal hearing will be refunded in full or part if the hearing officer determines the violation did not occur, you are not the responsible person or the penalty amount is unreasonable.

### **RIGHT OF APPEAL**

You have the right to appeal this Notice and Order within 14 days after the Notice is served. Service occurs when you have received this Notice and Order by personal delivery or when the notice was deposited into the U.S. Mail and mailed to your mailing address as it appears in public records. The postmark on the envelope indicates the date the notice was mailed. An appeal must be made on a Request for Hearing form at the office of the department that issued the Notice or by completing the enclosed Request for Hearing form by U.S. Mail. If you request a hearing by mail your request must be postmarked no later than 14 days after the date of service. Failure to properly file a written appeal within 14 days shall constitute a waiver of your right to appeal whether the violation occurred, whether you are responsible for the violation, the dates of the violations (whether the violations are continuing) and whether the amount assessed is reasonable.

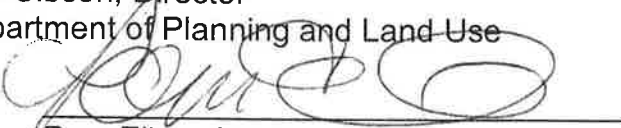
### **WAIVER**

If you fail, neglect or refuse to obey an order to pay civil penalties, the unpaid amount shall constitute a personal obligation and/or a lien upon the real property. Failure to pay a personal obligation will cause the Director to refer the obligation to County Counsel to file a court action to recover these costs. Failure to pay a lien will cause the Director to refer the lien to the County Auditor for collection in the same manner that ordinary municipal taxes are collected.

If you have any questions concerning this Notice and Order, or to schedule a compliance inspection, please contact Lew Balke, Code Enforcement Officer at (858) 694-3043.

Eric Gibson, Director  
Department of Planning and Land Use

BY:

  
Pam Elias, Chief  
Code Enforcement Division  
Department of Planning and Land Use

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