



County of Fresno

BOARD OF SUPERVISORS

Chairman Deborah A. Poochigian District Five	Vice-Chairman Buddy Mendes District Four	Brian Pacheco District One	Andreas Borgeas District Two	Henry Perea District Three	Bernice E. Seidel Clerk
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Notice of Hearing before the Board of Supervisors of the County of Fresno, Appeal of Administrative Citation

Donald Kolz
P.O. Box 354
Tollhouse, California 93667

Mr. Kolz:

Notice is hereby given that the Board of Supervisors of the County of Fresno has set a public hearing for **Tuesday, the 15th day of September 2015, at the hour of 9:00 a.m.**, or as soon thereafter as the matter may be called, in the Board Room of said Board of Supervisors, Room 301, Hall of Records, 2281 Tulare Street, in the City of Fresno, to consider the following matters:

Consider and take action on appeal of administrative citation in the amount of \$40,000 filed by Donald Kolz, pertaining to the property located at 34222 High Mountain Lane, Tollhouse, California 93667 for violations of Fresno County Ordinance Code section 10.60.060 of Title 10, Medical Marijuana Cultivation Regulations.

This hearing is being conducted pursuant to the request for hearing you filed with the County of Fresno on June 17, 2015. This hearing is your opportunity to appear and show cause as to why the administrative fine should not be imposed on you.

The Agenda and Agenda Item for this hearing will be mailed to you at the address listed above and will be available on the County of Fresno's website at <https://fresnocounty.legistar.com/Calendar.aspx>, by Thursday, September 10, 2015, at 6:00 p.m.

DATED: August 19, 2015

BERNICE E. SEIDEL
Clerk, Board of Supervisors

By *[Signature]*, Deputy

English

You have requested a hearing to contest an administrative citation you received for cultivating marijuana in violation of the Fresno County Ordinance Code. The hearing will be conducted in English. It is your responsibility to bring an interpreter if you feel you need the assistance of an interpreter to understand what is being said at the hearing, or for others to understand what you are saying. The County will not provide interpretation assistance.

Spanish

Usted ha solicitado una audiencia para impugnar un citatorio administrativo que recibió por cultivar marihuana en violación al Código de Ordenanzas del Condado de Fresno. La audiencia se llevará a cabo en inglés. Usted tiene la responsabilidad de llevar a un intérprete si le parece que va a necesitar la ayuda de un intérprete para entender lo que se estará diciendo durante la audiencia, o para que otras personas entiendan lo que usted estará diciendo. El Condado no proporcionará la asistencia de un intérprete.

Hmong

Koj tau thov tuaj sib hais (hearing) vim tsis txaus siab txog qhov koj tau txais ib dalm ntawv raug nplua (administrative citation) txog qhov cog xas (cultivating marijuana) txhaum Fresno County Txoj Cai (Fresno County Ordinance Code). Qhov kev sib hais yuav hais ua lus Amerikas. Koj yuav tau coj ib tug neeg tuaj txhais lus rau koj yog koj xav tias mua) tus txhais (lus yuav ua rau koj to taub cov lus sib hais losyog ua rau lwm tus neeg to taub koj cov lus hais. County tsis mua) kev pab txhais lus rau koj.

Cambodian

អ្នកបានស្នើសុំសវនាការមួយ ដើម្បីជំទាស់តវ៉ាដីការបង្គាប់ឱ្យចូលរួមតាមច្បាប់រដ្ឋបាល ដែលអ្នកបានទទួលចំពោះការធ្វើអាជីវកម្មកញ្ឆា

ដែលកំណត់ចំពោះសៀវភៅបញ្ញត្តិទៅនៃកូដធីប្រែស្រា (Fresno County Ordinance Code)។ សវនាការនេះ

នឹងប្រព្រឹត្តទៅដោយប្រើភាសាអង់គ្លេស។ លើឈ្មោះ ការទទួលខុសត្រូវរបស់អ្នក ដើម្បីនាំយកអ្នកបកប្រែភាសា បើអ្នកមានអារម្មណ៍ថាអ្នកត្រូវការជំនួយពីអ្នកបកប្រែភាសា

ដើម្បីយល់និងអំពីអ្វីៗដែលនិយាយទៅលើសវនាការ ឬអ្នកផ្សេងទៀតដែលយល់អំពីអ្វីៗដែលអ្នកនិយាយ។ ទោធី County

នឹងមិនផ្តល់ជំនួយអ្នកបកប្រែភាសាឡើយ។

Vietnamese

Bạn được yêu cầu đến dự phiên tòa tranh luận về một phán quyết hành chính bạn đã nhận được về hành vi trồng cần sa vi phạm Luật pháp Hạt Fresno. Phiên toàn sẽ sử dụng tiếng Anh. Bạn phải có trách nhiệm đi cùng một phiên dịch viên nếu bạn cảm thấy rằng bạn cần sự hỗ trợ của một phiên dịch viên để có thể hiểu mọi điều được đề cập đến trong phiên tòa, hoặc để những người khác hiểu mọi điều bạn đang nói. Hạt Fresno sẽ không hỗ trợ phiên dịch.

Laotian

ທ່ານໄດ້ຂໍໃຫ້ມີການພິຈາລະນາສືບສວນເພື່ອແກ້ຕ່າງພາຍເກາະຕົວທາງດ້ານບໍລິຫານ ທີ່ທ່ານໄດ້ຮັບຕໍ່ກັບ ການປູກກັນຊາໃນການລະເມີດກົດລະບຽບຄຳສັ່ງຂອງຄາວຕີເຟັຣັສໂນ (Fresno County Ordinance Code). ການພິຈາລະນາສືບສວນຈະດຳເນີນການໂດຍໃຊ້ພາສາອັງກິດ. ມັນເປັນຄວາມຮັບຜິດຊອບຂອງ ທ່ານທີ່ຈະຕ້ອງໄດ້ເອົາລຳມແປພາສານຳ ຖ້າທ່ານຮູ້ສຶກວ່າ ທ່ານຕ້ອງການຄວາມຊ່ວຍເຫຼືອຂອງລຳມ ແປພາສາ ເພື່ອໃຫ້ເຂົາໃຈສິ່ງທີ່ເວົ້າຢູ່ໃນການພິຈາລະນາສືບສວນ, ຫຼືໃຫ້ຜູ້ອື່ນເຂົ້າໃຈໃນສິ່ງທີ່ທ່ານເວົ້າ. ທາງຄາວຕີເຟັຣັສໂນຈະບໍ່ມີການຈັດການຊ່ວຍເຫຼືອເລື່ອງການແປພາສາໃຫ້.

PROOF OF SERVICE

I, Lisa Craft, declare as follows:

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. I am employed at the Clerk to the Board of Supervisors' Office, Hall of Records, Third Floor, 2281 Tulare Street, Fresno, CA 93721. On August 19, 2015, I served a copy of the within document

**Notice of Hearing before the Board of Supervisors of the
County of Fresno, Appeal of Administrative Citation.**

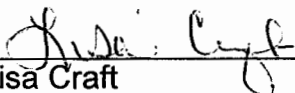
on the interested party(ies) in said action addressed as follows:

**Donald Kolz
P.O. Box 354
Tollhouse, California 93667**

- by placing the document(s) listed above for mailing in the United States mail at Fresno, California, in accordance with my employer's ordinary practice for collection and processing of mail, and addressed as set forth above.
- by transmitting via facsimile the above listed document(s) to the fax number(s) set forth above on this date before 5:00 p.m. pacific standard time.
- by personally delivering the document(s) listed above to the person(s) at the address(es) set forth above.
- by placing the document(s) listed above in a sealed envelope, and placing the same for overnight delivery by California Overnight at Fresno, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 19, 2015, at Fresno, California.



Lisa Craft

Craft, Lisa

From: Wille, Arthur
Sent: Tuesday, August 18, 2015 9:42 AM
To: Craft, Lisa
Cc: Hawkins, Scott C.; Seidel, Bernice
Subject: Notice of Hearing for September 15, 2015 Board Meeting (Donald Kolz)
Attachments: 00122426.docx; Request for Hearing Packet (Kolz).pdf

CyAutoId: 1381643
CycomPath: C:\CycomSql\
CyMatterId: 1378663
CyMultiRecMemos: N
CyStaffId: AGW

Lisa:

Attached is the draft Notice of Hearing for the appeal filed by Donald Kolz. Also attached for your reference is the Request for Hearing Mr. Kolz filed. Please proofread the Notice of Hearing carefully. Also, please make sure to insert the translated notice of hearing at page 2. If you would, please send the final Notice of Hearing packet (Notice of Hearing, translated page, proof of service) to Scott Hawkins and me for final review before mailing.

The Notice of Hearing should be mailed out tomorrow, if at all possible, or Thursday at the latest. Please contact me or Scott with any questions.

Arthur Wille
Senior Deputy County Counsel
Office of the Fresno County Counsel
2220 Tulare Street, Suite 500
Fresno, CA 93721
Tel: (559) 600-3462
Fax: (559) 600-3480
Email: awille@co.fresno.ca.us

NOTICE: THIS E-MAIL, INCLUDING ANY ATTACHMENTS HERETO, HAS BEEN TRANSMITTED BY AN ATTORNEY AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED AND/OR CONFIDENTIAL. THIS E-MAIL IS SOLELY FOR THE USE OF ITS ORIGINAL INTENDED RECIPIENT. IF THIS E-MAIL HAS BEEN FORWARDED TO YOU, OR IF THIS E-MAIL HAS BEEN SENT OR DELIVERED TO YOU IN ERROR, PLEASE BE ADVISED THAT ANY REVIEW, USE, DISSEMINATION, DISTRIBUTION, PRINTING OR COPYING OF THIS E-MAIL, OR ANY ATTACHMENTS HERETO, IS STRICTLY PROHIBITED. IF YOU ARE NOT THE ORIGINAL INTENDED RECIPIENT OF THIS EMAIL, PLEASE NOTIFY THE ORIGINAL SENDER IMMEDIATELY BY RETURN E-MAIL. THEREAFTER, PLEASE DELETE THIS MESSAGE, INCLUDING ANY ATTACHMENTS HERETO, FROM YOUR SYSTEM; PLEASE ALSO DESTROY ALL PRINTOUTS THAT MAY HAVE BEEN MADE OF THIS EMAIL OR ANY ATTACHMENTS HERETO. THANK YOU IN ADVANCE FOR YOUR COOPERATION.



For Office Use Only	
Date received:	6/17/15
Copied to:	W. Williams Ave. Wilk
Date copy sent:	6/17/15
Hearing set for:	

REQUEST FOR HEARING

MEDICAL MARIJUANA
ADMINISTRATIVE CITATION APPEAL

Date: 6-17-15

Return to:

BERNICE E. SEIDEL, Clerk, Board of Supervisors
Hall of Records, Room 301
2281 Tulare
Fresno, CA 93721

RECEIVED
JUN 17 2015

CLERK, BOARD OF SUPERVISORS

I wish to appeal for the following **specific reason(s)**: 1) I am a private patient not connected to any dispensary or collective. I am guaranteed the right as a private patient to procure or cultivate 1 or more plants for my own personal use. 2) I was not provided warning & ample time to clear any code violations before being fined.

Please notify me of the date and time of the appeal hearing before the Board of Supervisors at the following address:

Appellant

DONALD KOLZ
(Name)

PO BOX 354 TOLLHOUSE
(Address) (City)

93667 559-341-9788
(Zip Code) (Daytime Phone No.)

Note: Fresno County Ordinance Code Section 10.64.070 sets forth the applicable procedures for the Board of Supervisors appeal hearing related to the administrative citation.

Donald Kolz
(Signature)

ADMINISTRATIVE CITATION

1. Date: 06/03/15 Case No: 15-8088 Citation No: 1
2. Location of Property: 34222 HIGH MOUNTAIN LANE APN: 140-310-23
3. The following Fresno County Ordinance Codes were violated on the following date: 06/03/15 and on the property noted above:

Description of Violation: Fresno County Ordinance Section 10.60.060 of Title 10 – cultivation of medical marijuana where prohibited

4. A fine/penalty of \$ 40,000 has been imposed pursuant to Fresno County Ordinance Code 10.64.04 – The administrative citation penalty for each and every medical marijuana plant cultivated in violation shall be (1) One Thousand Dollars (\$1,000) per plant; plus (2) One Hundred Dollars (\$100) per plant per day the plant remains unabated past the abatement deadline set forth in the administration citation.

All Citations must be paid within 30 days. No invoice will be sent.

AMOUNT DUE: \$ 40,000

PAYMENT DUE BY: 07/03/15

5. PAYMENT AND COLLECTIONS: Pursuant to Fresno County Ordinance Code 10.64.080, fines shall be paid within 30 days of the date of issuance of this Citation, listed below. Fines shall be made payable to "County of Fresno" in person or by mail to 2281 Tulare Street, Room 105, Fresno, CA 93721. In the event the responsible party fails to pay the administrative penalty when due, the County may take any actions permitted by law or Ordinance to collect the unpaid penalty, which shall accrue interest at a rate of ten (10) percent per month, commencing thirty (30) days after the administrative penalty becomes due and continuing until paid.
6. APPEAL: You have the right to contest this Citation by filing a request for hearing within Fifteen (15) days from the date this Citation was mailed (noted below). You may file the appeal with the Clerk to the Board of Supervisors at 2281 Tulare Street, Room 301, Fresno, CA 93721. The Fresno County Board of Supervisors will preside at the hearing and hear all facts and testimony presented and deemed appropriate. The hearing will be set for a date that is not less than ten (10) days from the date of mailing.

Recipient's name and address:

(Name) KOLZ, DONALD CHRISTOPHER

Address: 34222 HIGH MOUNTAIN LANE

TULLHOUSE, CA 93667

Code Enforcement staff name and telephone number:

Name: I. MATHIS # 6123

Phone No.: (555) 600-8425

Code Enforcement Signature:

I, the above-named Code Enforcement staff, certify under penalty of perjury, that I caused this Citation to be mailed by first class mail postage prepaid with return receipt requested to the above-named recipient at the recipient's address on

06/03, 2015.



FRESNO COUNTY SHERIFF-CORONER'S OFFICE
RECEIPT FOR ITEMS SEIZED
NARCOTIC ENFORCEMENT TEAM

LOCATION: 34222 HIGH MOUNTAIN LN

CASE NO: 15-8088

SUBJECTS: DONALD KALZ

ITEM NO:	DESCRIPTION	LOCATION	BY DET.
1	10LB SAMPLE MARIJUANA	GARDEN	MC SWAIN
2	5 RANDOM MARIJUANA SAMPLES	GARDEN	MC SWAIN
3	RECOMMENDATION: DONALD KALZ	GARDEN	MC SWAIN
4	40 MARIJUANA PLANTS	GARDEN	MC SWAIN

REPORTING OFFICER E. MATHIS

DATE: 6/3/15

English

You have requested a hearing to contest an administrative citation you received for cultivating marijuana in violation of the Fresno County Ordinance Code. The hearing will be conducted in English. It is your responsibility to bring an interpreter if you feel you need the assistance of an interpreter to understand what is being said at the hearing, or for others to understand what you are saying. The County will not provide interpretation assistance.

Spanish

Usted ha solicitado una audiencia para impugnar un citatorio administrativo que recibió por cultivar marihuana en violación al Código de Ordenanzas del Condado de Fresno. La audiencia se llevará a cabo en inglés. Usted tiene la responsabilidad de llevar a un intérprete si le parece que va a necesitar la ayuda de un intérprete para entender lo que se estará diciendo durante la audiencia, o para que otras personas entiendan lo que usted estará diciendo. El Condado no proporcionará la asistencia de un intérprete.

Hmong

Koj tau thov tuaj sib hais (hearing) vim tsis txaus siab txog qhov koj tau txais ib daim ntawv raug nplua (administrative citation) txog qhov cog xas (cultivating marijuana) txhaum Fresno County Txoj Cai (Fresno County Ordinance Code). Qhov kev sib hais yuav hais ua lus Amerikas. Koj yuav tau koj ib tug neeg tuaj txhais lus rau koj yog koj xav tias muaj tus txhais lus yuav ua rau koj to taub cov lus sib hais losyog ua rau lwv tus neeg to taub koj cov lus hais. County tsis muaj kev pab txhais lus rau koj.

Cambodian

អ្នកបានស្នើសុំសវនាការមួយ ដើម្បីជំទាស់ការបញ្ជាបំបាត់ដីឱ្យចូលក្នុងច្បាប់ស្តីពីការដាំគ្រឿងកញ្ឆា ដែលអ្នកបានទទួលចំពោះការធ្វើអាជីវកម្មកញ្ឆា

ដែលកំណត់កម្រិតនៃការបញ្ជាទៅនៃកូដឡូន (Fresno County Ordinance Code)។ សវនាការនេះ

នឹងប្រព្រឹត្តទៅនាមធ្យមសាលាអង់គ្លេស។ លើសនេះ ជាការទទួលខុសត្រូវរបស់អ្នក ដើម្បីនាំយកអ្នកបកប្រែភាសា បើអ្នកមានអារម្មណ៍ថាអ្នកត្រូវការជំនួយពីអ្នកបកប្រែភាសា

ដើម្បីយល់និងអំពីអ្វីៗដែលនិយាយនៅសវនាការ ឬអ្នកច្រើនទៀតដែលយល់អំពីអ្វីៗដែលអ្នកនិយាយ។ ទោធី County

នឹងមិនផ្តល់ជំនួយអ្នកបកប្រែភាសាឡើយ។

Vietnamese

Bạn được yêu cầu đến dự phiên tòa tranh luận về một phán quyết hành chính bạn đã nhận được về hành vi trồng cần sa vi phạm Luật pháp Hạt Fresno. Phiên toàn sẽ sử dụng tiếng Anh. Bạn phải có trách nhiệm đi cùng một phiên dịch viên nếu bạn cảm thấy rằng bạn cần sự hỗ trợ của một phiên dịch viên để có thể hiểu mọi điều được đề cập đến trong phiên tòa, hoặc để những người khác hiểu mọi điều bạn đang nói. Hạt Fresno sẽ không hỗ trợ phiên dịch.

Laotian

ທ່ານໄດ້ຂໍໃຫ້ມີການພິຈາລະນາສົບສວນເພື່ອແກ້ຕ່າງພາຍເກາະຕົວທາງດ້ານບໍລິຫານ ທີ່ທ່ານໄດ້ຮັບຕໍ່ກັບການປູກກັນຊາໃນການລະເມີດກົດລະບຽບຄຳສັ່ງຂອງຄາວຕີເຟັຣໂນ (Fresno County Ordinance Code). ການພິຈາລະນາສົບສວນຈະດຳເນີນການໂດຍໃຊ້ພາສາອັງກິດ. ມັນເປັນຄວາມຮັບຜິດຊອບຂອງທ່ານທີ່ຈະຕ້ອງໄດ້ເອົາລຳມແປພາສາມານຳ ຖ້າທ່ານຮູ້ສຶກວ່າ ທ່ານຕ້ອງການຄວາມຊ່ວຍເຫຼືອຂອງລຳມແປພາສາ ເພື່ອໃຫ້ເຂົ້າໃຈສິ່ງທີ່ເວົ້າຢູ່ໃນການພິຈາລະນາສົບສວນ, ຫຼືໃຫ້ຜູ້ອື່ນເຂົ້າໃຈໃນສິ່ງທີ່ທ່ານເວົ້າ. ທາງຄາວຕີເຟັຣໂນຈະບໍ່ມີການຈັດການຊ່ວຍເຫຼືອເລື່ອງການແປພາສາໃຫ້.

SENDER: COMPLETE THIS SECTION

1 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
2 Print your name and address on the reverse so that we can return the card to you.
3 Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Donald Kolz
P.O. Box 354
Tollhouse, CA 93667

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X *Donald Kolz* Agent Addressee
B. Received by (Printed Name) *DONALD KOLZ* C. Date of Delivery *9/10/15*
D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

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Sent To *Donald Kolz*
Street, Apt. No.; or PO Box No. *P.O. Box 354*
City, State, ZIP+4 *Tollhouse CA 93667*

PROOF OF SERVICE

I, Lisa Craft, declare as follows:

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. I am employed at the Clerk to the Board of Supervisors' Office, Hall of Records, Third Floor, 2281 Tulare Street, Fresno, CA 93721. On August 28, 2015, I served a copy of the within document

Board Agenda Item, Exhibit A Map Showing Location of Property, Exhibit B Citation Issued to Appellant, Exhibit C Request for Hearing Filed by Appellant, Exhibit D Incident Report, Exhibit E Notice of Hearing Sent to Appellant, Exhibit F Photos of Property.

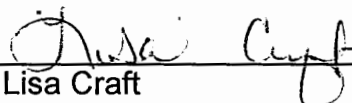
on the interested party(ies) in said action addressed as follows:

**Donald Kolz
P.O. Box 354
Tollhouse, California 93667**

- by placing the document(s) listed above for mailing in the United States mail at Fresno, California, in accordance with my employer's ordinary practice for collection and processing of mail, and addressed as set forth above.
- by transmitting via facsimile the above listed document(s) to the fax number(s) set forth above on this date before 5:00 p.m. pacific standard time.
- by personally delivering the document(s) listed above to the person(s) at the address(es) set forth above.
- by placing the document(s) listed above in a sealed envelope, and placing the same for overnight delivery by California Overnight at Fresno, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 28, 2015, at Fresno, California.



Lisa Craft

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Total Postage & Fees	\$

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Boyd Koltz
Street, Apt. No., Box No., PO Box No.