

RULE 119.3 - LIEN PROCEDURE

- A. The General Manager, upon approval of the Board, may, as an alternative to any other enforcement action, collect charges and penalties due the District by making the same a lien upon the real property and collectible at the same time and in the same manner as taxes and assessments are so collected upon such property.

Rule added by Ordinance No. 7 (7/13/81); renumbered by Ordinance No. 133 (5/19/2008)

- B. Whenever the amount of any administrative penalty and/or administrative cost imposed pursuant to this Regulation in connection with real property has not been satisfied in full within ninety (90) days and/or has not been successfully challenged by a timely writ of mandate, this obligation may constitute a lien against the real property on which the violation occurred.
- C. The lien provided herein shall have no force and effect until recorded with the County Recorder. Once recorded, the Administrative Order or Abatement Order shall have the force and effect and priority of a judgment lien governed by the provisions of Sections 697.340 of the Code of Civil Procedure and may be extended as provided in Sections 683.110 to 683.220, inclusive, of the Code of Civil Procedure.
- D. Interest shall accrue on the principal amount of the judgment remaining unsatisfied pursuant to law.
- E. Prior to recording any such lien, the General Manager shall prepare and file with the Board a report stating the amounts due and owing.
- F. The General Manager shall fix a time, date and place for hearing before the Board on the report and any protests or objections thereto.
- G. The General Manager shall cause written notice to be served on the property owner not less than ten (10) days prior to the time set for the hearing. Such notice shall be served as provided in this Regulation.

Rule added by Ordinance No. 133 (5/19/2008)