

GILA COUNTY COMMUNITY DEVELOPMENT DIVISION
IN AND BEFORE THE HEARING OFFICER

COUNTY OF GILA,

Plaintiff,

vs.,

Barbara Mahaffey-Owner of the premises @
4909 N German Ranch Rd
Strawberry, Arizona
Barbara Mahaffey
Occupants: Kelly Mahaffey (daughter) & David
Wicks

Defendant

Complaint No. HCP1402-003

Tax Parcel No.: 301-17-007Z

Violation No.:

Arizona Revised Statutes Title 49-141
Environmental Nuisance that threatens to
cause harm to public health or the
environment;

Arizona Administrative Code Title 18
Ch 9

Department of Environmental Quality
Water Pollution;

2003 IRC Section R 306.1 Every dwelling
unit shall be provided with a toilet, sink,
and a bathtub or shower;

2003 IRC Section R 306.3 All plumbing
fixtures shall be connected to a sanitary
sewer or to an approved septic system.

(The Honorable Peter Van Haren)

THE MATTER HAVING BEEN HEARD, the Hearing Officer finds the following:

- 1 The Defendant was personally served and duly notified of the date and time set for the hearing.
- 2 The Defendants Barbara Mahaffey, and Occupants Kelly Mahaffey and David Wicks appeared at said hearing.
- 3 The property is zoned R1-D12
- 4 Gila County presented evidence and testimony at hearing, including pictures of the property located at 4909 N German Ranch Rd., Strawberry, Arizona.
- 5 The property is located in unincorporated Gila County at 4909 N German Ranch Rd., PARCEL "2" ROS 3492 NW1/4 SEC 28 T12N R8E=0.50 AC in Arizona, and is in

violation of Arizona Revised Statutes Title 49-141, Arizona Administrative Code Title 18 Ch 9, 2003 IRC Section R 306.1 and 2003 IRC Section R 306.3. The property does not comply with Gila County Wastewater and Building Ordinances and therefore, the Defendant is responsible for the violations on this property.

IT IS THEREFORE ORDERED that the following judgment shall be entered against the Defendant Kelly Mahaffey and David Wicks.

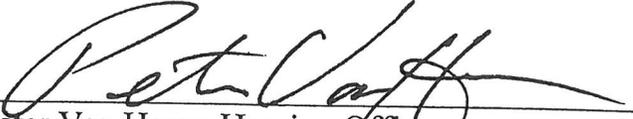
This Matter having been heard on August 12, 2014 and the Hearing Officer finding that a violation exists, JUDGMENT is entered in favor of the Plaintiff Gila County Community Development.

1. An immediate civil sanction in the amount of \$500.00 is imposed for said violation on David Wicks and Kelly Mahaffey. It is also ordered to vacate the property within 72 hours.
2. A daily civil sanction of \$500.00 a day is imposed until the property comes into compliance.
3. The Defendant, Kelly Mahaffey and David Wicks is ordered to bring the violating property into compliance with the Gila County Wastewater and Building Ordinance by September 12, 2014.

This includes:

- A. This structure shall not be occupied until an approved septic system is installed on this property and its use has been authorized.

DATED this 2 day of Aug, 2014


Peter Van Haren-Hearing Officer
Gila County Community Development
Hearing Date: 8/12/2014

GILA COUNTY COMMUNITY DEVELOPMENT DIVISION
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COUNTY OF GILA,
Plaintiff,

vs.

Kelly Mahaffey & David Wicks

Occupants(s)

Barbara Mahaffey-owner of the premises @

4909 N German Ranch RD

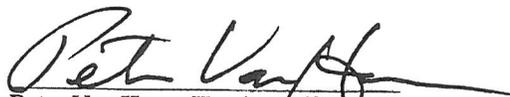
Strawberry, Arizona

Defendant(s).

NOTICE OF RIGHT TO APPEAL

NOTICE is hereby given to the above referenced Defendants(s) of the right to a review of the Hearing Officer's final decision, provided said Defendant(s) file a written Notice of Request for Appellate Review with the Code Compliance Supervisor within (15) days after the signing of the final decision, notice or order by the Hearing Officer. This filing shall contain the original Notice of Request for Appellate Review and an identical copy.

FURTHERMORE, any such Notice of Request for Appellate Review shall clearly identify the decision being appealed. Any such Notice of Request for Appellate Review shall be signed by the Defendant(s) as Appellant, an attorney designated by the Defendant(s) or other designated representative. Any such Notice of Request for Appellate Review shall clearly list the names, addresses and telephone numbers of all parties and their attorney (or designated representative). Any such Notice of Request for Appellate Review shall state whether Defendant(s) will represent himself or the name of appellant's attorney or designated representative. Failure to designate a representation by counsel or designated representative at the time of request for appeal may cause a recess or postponement of these proceedings by the Board of Supervisors.


Peter Van Haren-Hearing Officer
Gila County Community Development