

Allison Aube

From: Peter Lemos
Sent: Thursday, September 7, 2017 8:33 AM
To: Trevor Womack; Aaron Rose
Subject: STOP case Empire Theater property

As info, we received a call from the Pat Craig who advised us that he is taking over the Empire property. The bank is taking the property from Kit Bennet. It sounds like they are having Mr. Craig work as their receiver and when all the repairs are made Pat Craig will buy the property from the bank. There will be a meeting scheduled this week with Mr. Craig and the building department to begin work.

Peter Lemos
Police Services Manager
Stockton Police Department, Neighborhood Services Section
City of Stockton
E-Mail: peter.lemos@stocktonca.gov
209-937-7093

Allison Aube

From: Trevor Womack
Sent: Sunday, September 10, 2017 11:04 PM
To: Peter Lemos; Aaron Rose
Subject: Re: STOP case Empire Theater property

Thanks Pete.

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From: Peter Lemos
Sent: Thursday, September 7, 2017 8:32:37 AM
To: Trevor Womack; Aaron Rose
Subject: STOP case Empire Theater property

As info, we received a call from the Pat Craig who advised us that he is taking over the Empire property. The bank is taking the property from Kit Bennet. It sounds like they are having Mr. Craig work as their receiver and when all the repairs are made Pat Craig will buy the property from the bank. There will be a meeting scheduled this week with Mr. Craig and the building department to begin work.

Peter Lemos
Police Services Manager
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City of Stockton
E-Mail: peter.lemos@stocktonca.gov
209-937-7093

Allison Aube

From: Aaron Rose
Sent: Sunday, May 14, 2017 3:57 PM
To: Peter Lemos
Subject: Empire Theater

Pete, I please need a summary for this property. Just needs to be a basic one, as if we were putting on the STOP list.

Thanks

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Allison Aube

From: Scott Carney
Sent: Thursday, August 3, 2017 4:07 PM
To: Laurie Montes; Kurt Wilson; Connie Cochran
Subject: Empire Theater

Just got word from David K that there is construction underway at Empire Theater. Early report is that Fire was there and took pictures of activity. David is coordinating Code, Building, Fire and CAO to discuss appropriate action. Cause no plans have been filed.

Allison Aube

From: Erik Newman
Sent: Thursday, May 18, 2017 3:15 PM
To: Laurie Montes
Subject: Fwd: 1825 Pacific Ave-Violations

FYI..

Sent from my iPad

Begin forwarded message:

From: Richard Edwards <Richard.Edwards@stocktonca.gov>
Date: May 18, 2017 at 3:04:51 PM PDT
To: Erik Newman <Erik.Newman@stocktonca.gov>, Brad Palmer <Brad.Palmer@stocktonca.gov>
Subject: 1825 Pacific Ave-Violations

Richard Edwards has shared a OneDrive for Business file with you. To view it, click the link below.

 [1825 Pacific 050917 - updated 051817.docx](#)

Chiefs,

Attached is the updated document listing the violations associated with 1825 Pacific Avenue (Empire Theater and the adjoining occupancies). The Notice to Vacate is being drafted, but I am unsure of when it will be served. I'll forward additional information as it becomes available.

Rick

Richard J. Edwards
Fire Marshal
Stockton Fire Department

Office (209)-937-8566
Cellular (530)-318-8174
Richard.edwards@stocktonca.gov

Allison Aube

From: Erik Newman
Sent: Thursday, June 1, 2017 5:41 PM
To: Laurie Montes
Subject: 1825 Pacific Violations
Attachments: 1825 pacific NTV violations 053017.docx; ATT00001.htm

Hi Laurie,

Here's the latest format for the violations at 1825 Pacific.

1825-1831 Pacific Avenue
APN: 137-020-42
CASE #12-100159
May 15, 2017

HAZARDOUS VIOLATIONS – NOTICE TO VACATE:

1. Failure to comply with Stipulation Agreement, issued on August 19, 2016 – SMC 1.32.010
2. Failure to comply with Community Development Department’s corrective action notice, issued March 26, 2014. – SMC 1.32.010
3. Failure to comply with Civil Penalty Notice and Order, issued February 6, 2014. – SMC 1.32.010
4. Failure to comply with Administrative Citation, NSS# 100683, issued December 9, 2013. – SMC 1.32.010
5. Failure to comply with Administrative Citation, NSS# FY02217, issued March 6, 2012. – SMC 1.32.010
6. Failure to comply with Notice to Vacate, issued January 31, 2012. – SMC 1.32.010 // UCADB 404.2
7. Illegal, un-permitted alterations and additions to the tenant occupied spaces. – SMC 15.04.250, 260, 310 // UCADB 302.13

1825 Pacific Avenue – Royal Theatre

8. Blocked exit egress pathways within the main theatre. – UCADB 302.2 // CBC 1014.4
9. West side exit door within the main theatre is difficult to open. – CBC 1008.1.8.7 // UCADB 302.2
10. East side exit door within the main theatre is difficult to open. – CBC 1008.1.8.7 // UCADB 302.2
11. West side emergency lights within the main theatre are not functioning. – CFC 604.6
12. East side emergency lights within the main theatre are not functioning. – CFC 604.6

13. The ceiling throughout the theatre is damaged and deteriorated due to water intrusion. – CFC 703.1 // UCADB 302.13
14. Extension cords are used as permanent sources of electrical installation throughout the theatre. – CFC 605.5
15. Separation walls between Main Theatre, dressing rooms, storage areas and north storage area are not constructed to meet minimum code standards. – UCADB 302.13 // CFC 703.1
16. The curtain on the north stage is not flame retardant. – CFC 807.3 Title 19, Division 1, S.08.Decorative Materials // UCADB 302.13

1825 Pacific Avenue – Espresso Coffee and Seating/Patio area:

17. The entrance and exit from Espresso Coffee and the main Theatre are blocked, creating a hazard for emergency exit. – CFC 1028.3
18. Inoperable Exit signs and/or disconnected Exit signs within Espresso Coffee. – UCADB 302.13 // CFC 604.6.1
19. Unsecured compressed gas cylinders within Espresso Coffee and the seating/patio area. – CFC 5303.5.3
20. Extension cords are used as permanent sources of electrical installation throughout the business and seating area, electric room, storage rooms, box office and office area. Extension cords have been installed through walls, ceilings, doorways, etc. and are damaged/deteriorated. – CFC 605.5 // UCADB 302.13
21. Extension cords are installed under mats behind the service counter of Espresso Coffee to supply island equipment, used as permanent sources of electrical installation. These cords are damaged/deteriorated and being walked on, further damaging them. – CFC 605.5
22. Stage lighting at the Lobby Piano are connected with extension cords. – CFC 605.5
23. Exposed wiring in the storage area off the seating area, electric room off the seating area and box office area. – UCADB 302.13 // CFC 605.6

1825-1831 Pacific Avenue
APN: 137-020-42
CASE #12-100159
May 15, 2017

24. Illegal wiring and cords installed at Lobby box office ticket windows and advertisement boards. – UCADB 302.13 // CFC 605.3
25. Electrical cords for equipment are damaged or deteriorated in the storage area off the seating area. – UCADB 302.13
26. Fire extinguishers are not properly serviced and operational. – CFC 906.2

1825 Pacific Avenue, Suite 2 – Centrale:

27. Unsecure compressed gas cylinders within Centrale. – CFC 3003.5.3 // CFC 5303.5.3
28. Exit sign at the rear of the kitchen are not illuminated. – CFC 1013.3
29. Extension cords being used as permanent sources of electrical installation throughout the business. – CFC 605.5
30. Missing exterior receptacle covers in the patio area of Centrale. – CFC 605.6 // UCADB 302.13
31. Exposed wiring in the exterior patio area of Centrale. – UCADB 302.13 // CFC 605.6

1825 Pacific Avenue, Suite 3 and 4 – Catalyst Realty:

32. Extension cords being used as permanent sources of electrical installation throughout the first and second floor of Catalyst Realty. – CFC 605.5
33. Second story emergency exit is not accessible. – CFC 1008.1.2 // CBC 1015.1 // CFC 1019.1
34. Exit sign is not illuminated. – CFC 1013.3

1825 Pacific Avenue, Suite 5 – Gusty Wings:

35. Extension cords being used as permanent sources of electrical installation throughout the restaurant. – CFC 605.5 // UCADB 302.13

1825-1831 Pacific Avenue
APN: 137-020-42
CASE #12-100159
May 15, 2017

36. Fat fryer on west side of cookers is not positioned under extinguishing system nozzle. – CFC 904.1 // NFPA 17A

1825 Pacific Avenue, Suite 6 – The Mile:

37. Front roll up door does not stay open safely and securely. Currently, the door is secured open by use of a screwdriver as a wedge. – UCADB 302.13
38. Extension cords being used as permanent sources of electrical installation throughout The Mile. – CFC 605.5
39. Extension cord through upstairs office window to power outside exterior lighting. – CFC 605.5
40. Interior space behind the wall at the upper level of the stairway is open and does not provide fire protection. – CFC 703.1 // UCADB 302.13
41. Wall is breached at the west side of the bar and does not provide fire protection. – CFC 703.1 // UCADB 302.13
42. Exposed wiring throughout the bar area, second floor stairway and second floor security room. – UCADB 302.13 // CFC 605.6

1827 Pacific Avenue – Living Unit:

43. Illegal, un-permitted alteration of Office space into an apartment unit. – UCADB 302.9 // 15.04.250, 260, 310
44. Exterior door has a dual-keyed lock which does not allow for appropriate emergency egress without the use of a key. – SMC 15.24.030 (b) 12 // H&S 17920.3.l // UCADB 302.13 // CBC 1008.1.8.7
45. Windows have permanent bars or are too small to allow for appropriate emergency egress. – SMC 15.24.030 (b) 12 // H&S 17920.3.l // UCADB 302.13 // CBC 1008.1.8.7
46. Interior hall lighting at stairs does not function. – UHC 701.2 // SMC 15.24.030 (b) 4, 13 // H&S 17920.3.d, 17920.3.l

1825-1831 Pacific Avenue
APN: 137-020-42
CASE #12-100159
May 15, 2017

47. The room next to the kitchen/bathroom area which is being used as a bedroom does not meet minimum requirements to function as a bedroom. – UHC 503.2 // UCADB 302.13
48. The ceiling material throughout the living space is damaged and deteriorated. – SMC 15.24.030 (b) 3 // H&S 17920.3.c // CFC 703.1 // UCADB 302.13
49. The wall material throughout the living space is damaged and deteriorated. – SMC 15.24.030 (b) 3 // H&S 17920.3.c // UCADB 302.13
50. The bathroom ventilation system and light is installed in the shower. – SMC 15.24.030 (b) 6 // H&S 17920.3.f
51. Missing or damaged receptacle plug covers and light switch plate covers throughout the living unit. – UHC 701.2
52. Missing handrails on loft stairway. – SMC 15.24.030 (b) 9 // H&S 17920.3.i
53. There are no carbon monoxide and smoke detectors installed in the living space. – 15.24.030 (b) 16 // CFC 1103.8 // CFC 915.1 // UCADB 302.13

1829 Pacific – Serendipity Salon:

54. The stairs to the second floor of the Salon do not meet minimum code requirements for size, width, handrails and other requirements. – UCADB 302.1
55. Extension cords being used as permanent sources of electrical installation. – CFC 605.5
56. Missing illuminated exit signs and egress lighting. – CFC 1013.3 // UCADB 302.13

1831 Pacific – Casa Flores:

57. Missing panel covers on sub-panels. – CFC 605.6
58. Missing illuminated exit signage and egress lighting. – CFC 1013.3
59. Exit sign is not illuminated. – CFC 1013.3

1825-1831 Pacific Avenue
APN: 137-020-42
CASE #12-100159
May 15, 2017

60. Damaged sheetrock in the stairway behind the register. – SMC 15.24.030 (b) 9 // CFC 703.1
61. Grease in the flue cooking vent which creates a fire hazard. – CFC 904.12.6
62. Missing or improper K-type extinguisher in the kitchen area. – CFC 904.12.5.2
63. Accumulation of excessive grease from the exhaust hood and cooking appliances in the kitchen area. – CFC 904.12.6
64. The plastic storage cover plate in the attic storage area on the second floor needs to be replaced with an approved fire rated cover. – CFC 703.1
65. Exposed wiring in the bathroom on the second level storage area, accessed by the stairway behind the register. – CFC 605.6
66. Extension cords being used as permanent sources of electrical installation. – CFC 605.5

ITEMS CONSIDERED DANGEROUS BUT NOT HAZARDOUS:

67. Lack of or improperly installed sprinkler/fire protection systems. – SMC 15.12.040

1825 Pacific Avenue – Royal Theatre:

68. Electrical panels/shutoffs require identification and labeling. – NEC 408.4 A
69. Damaged, deteriorated paths of travel in seating area within the theatre. – UCADB 302.13
70. Ceiling scuttle door is missing inside the closet next to the east exit door. – CFC 703.1
71. Damaged, deteriorated electrical plug outlet cover plates throughout the theatre. – CFC 605.6

1825 Pacific Avenue – Espresso Coffee and Seating/Patio area:

72. Test switch is missing on emergency lighting to the north of the entrance/exit. – CFC 604.6.1

1825-1831 Pacific Avenue
APN: 137-020-42
CASE #12-100159
May 15, 2017

73. The exit sign to the north of the entrance/exit door is not on for the same location. – CFC 604.6.1

74. Provide appropriate clearance around sub-panels throughout which are blocked. – NEC 110.26.A // UCADB 302.13

75. Covers on all open electrical boxes, panels to include dead front fillers, light fixtures, receptacle outlets and other electrical covers throughout are missing. – CFC 605.6

76. Damaged and/or missing receptacle plug covers throughout Espresso Coffee and seating area. - CFC 605.6

77. Ceiling material in the kitchen area is damaged, deteriorated and/or missing. – CFC 703.1 // UCADB 302.13

1825 Pacific Ave, Suite 1 – Balance Physical Therapy:

78. Railings on the interior stairway are not connected to the stairs. – UCADB 302.2

1825 Pacific Ave, Suite 2 - Centrale:

79. Accumulation of grease and debris from kitchen hoods and cooking appliances. – CFC 904.12.6

1825 Pacific Ave, Suite 3 and 4 – Catalyst Realty:

80. Ceiling tile in the second floor electrical room is damaged, deteriorated and/or missing. – CFC 703.1 // UCADB 302.13

81. Damaged ceiling and walls in the storage room. – CFC 703.1 // UCADB 302.13

1825 Pacific Ave, Suite 5 – Gusty Wings:

82. Fat fryers need side splash guards. – CFC 904.1 // NFPA 17A

83. Accumulation of grease from hood areas and walls. – CFC 904.11.6.3

1825-1831 Pacific Avenue
APN: 137-020-42
CASE #12-100159
May 15, 2017

84. Garbage, debris and other combustible items being stored around water heater. – CFC 315.3.3

1825 Pacific Ave, Suite 6 – The Mile:

85. Inappropriate clearance around sub-panels throughout, to include kitchen and bar area.
– NEC 110.26.A // UCADB 302.13
86. Fire extinguishers need to be within 75 feet of area to be protected. – CFC Table 906.3.1

1829 Pacific Ave – Serendipity Salon:

87. Inappropriate clearance around sub-panel. – UCADB 302.13 // NEC 110.26.A
88. Missing or damaged electrical plug covers throughout the Salon. – CFC 605.6
89. Fire extinguishers require annual service/recharge. – CFC 906.2

1831 Pacific Ave – Casa Flores:

90. Inappropriate clearance around sub-panel. – NEC 110.26.A // UCADB 302.13
91. Electrical installation within the foot print of the kitchen exhaust hood at the cooking area is not correctly installed. – NEC 110.26.A // UCADB 302.13
92. Damaged ceiling, floors and walls throughout the restaurant, kitchen, storage area, bathrooms and stairway. – CFC 703.1
93. There is an accumulation of garbage, junk, debris, combustible materials, stored materials and other such items which have created a tripping hazard in the second floor storage area, electrical rooms, mechanical rooms, stairs, etc. – CFC 315
94. Improperly installed hand rails on the stairway behind the register. – UCADB 302.2
95. Damaged stair covering (tile) on the stairway behind the register. – UCADB 302.2
96. Missing or damaged electrical plug covers throughout the restaurant. – CFC 605.6

1825-1831 Pacific Avenue
APN: 137-020-42
CASE #12-100159
May 15, 2017

ITEMS TO BE ON A NOTICE OF VIOLATION (NOT HAZARDOUS/DANGEROUS):

1. Lack of required revocable permit for the sidewalk café which is in the public right-of-way. – 16.72.127

1825 Pacific Avenue – Royal Theatre:

2. It is unlawful to commence or carry on any profession, trade, calling, occupation or business without first having procured a license from the city of Stockton. – SMC 5.04.040 B
3. An operational permit is required to operate a place of assembly. - CFC 105.6.36

1825 Pacific Ave, Suite 1 – Balance Physical Therapy:

4. There is active water intrusion within Balance Physical Therapy at the stairway and properly repair. – UCADB 302.13

1825 Pacific Ave, Suite 2 – Centrale:

5. Properly date the fire alarm control panel batteries. – National Fire Code 72, table 14.3.1

1825 Pacific Ave, Suite 3 and 4 – Catalyst Realty:

6. There is active water intrusion within the break room on the second floor and properly repair. – UCADB 302.13

1825 Pacific Ave, Suite 5 – Gusty Wings:

7. Exit sign which is not illuminated or working properly. – CFC 1013.3

1825 Pacific Ave, Suite 6 – The Mile:

8. Improperly installed plumbing at the bar sink. – UPC 706

1825-1831 Pacific Avenue
APN: 137-020-42
CASE #12-100159
May 15, 2017

9. All kitchen appliances shall be permitted, inspected and meet minimum code requirements. – UCADB 302.13

1831 Pacific Ave – Casa Flores:

10. There is water intrusion in the kitchen area ceiling which has damaged the ceiling material. – UCADB 302.13
11. Remove the old and unmaintained extinguishing system stored in the attic room. – CFC 901.6
12. Leaking, broken and/or inoperable plumbing fixtures exist throughout the restaurant. – UPC 706
13. Inoperable bathroom ventilation on the half-bath behind the register, midway up the stairway. – UCADB 302.13
14. Leaking toilet in the half-bath behind the register, midway up the stairway. – UCADB 302.13
15. Inoperable bathroom ventilation system in the bathroom on the second level storage area, accessed by the stairway behind the register. – UCADB 302.13

Corrective Actions Required:

1. Submit two complete sets of plans prepared by a licensed Architect or Engineer to reflect all as-built conditions to the entire parcel address to comply with the currently adopted 2016 Building codes and Stockton Municipal codes to the Community Developments Department. This shall include, but not limited to the following listed violations. – 15.04.250, 260, 310 // UCADB 302.13

Pacific Avenue – Royal Theatre

2. Ensure exit egress pathways are not blocked within the main theatre and clear of all obstacles. Egress pathways must be accessible as required for emergency exit. – UCADB 302.2 // CBC 1014.4

1825-1831 Pacific Avenue
APN: 137-020-42
CASE #12-100159
May 15, 2017

3. Repair or replace west side exit door which is difficult to open. – CBC 1008.1.8.7 // UCADB 302.2
4. Repair or replace east side exit door which is difficult to open. – CBC 1008.1.8.7 // UCADB 302.2
5. Repair or replace west side emergency lights which are not functioning. – CFC 604.6
6. Repair or replace east side emergency lights which are not functioning. – CFC 604.6
7. Determine the source of the water intrusion throughout the theatre which has caused the ceiling to be damaged and/or deteriorated. Once determined, repair appropriately. Replace the damaged, deteriorated and/or missing ceiling material throughout and properly seal. – CFC 703.1 // UCADB 302.13
8. Cease using extension cords as permanent sources of electrical installation throughout the theatre. – CFC 605.5
9. Legally construct or remove the separation walls between Main Theatre, dressing rooms, storage areas and north storage area which are not constructed to meet minimum code standards. – UCADB 302.13 // CFC 703.1
10. The curtain on the north stage needs to either (a) be removed; (b) flame-retardant treated; or (c) to be field tested by Stockton Fire Department Inspector. – CFC 807.3 Title 19, Division 1, S.08.Decorative Materials // UCADB 302.13

1825 Pacific Avenue – Espresso Coffee and Seating/Patio area:

11. Clear hazards near the entrance/exit which are a blocking hazard for people exiting the theatre. – CFC 1028.3
12. Properly repair inoperable Exit signs or remove disconnected Exit signs which are no longer in service. – UCADB 302.13 // CFC 604.6.1
13. Properly secure all compressed gas cylinders in an approved manner. – CFC 5303.5.3

1825-1831 Pacific Avenue

APN: 137-020-42

CASE #12-100159

May 15, 2017

14. Cease using extension cords as permanent sources of electrical installation throughout the business and seating area, electric room, storage rooms, box office and office area. – CFC 605.5 // UCADB 302.13
15. Remove the stage lighting at the Lobby Piano which are connected with extension cords. – CFC 605.5
16. Properly cap all exposed wiring in the storage area off the seating area, electric room off the seating area and box office area. – UCADB 302.13 // CFC 605.6
17. Remove all illegal wiring and cords from Lobby box office ticket windows and advertisement boards. – UCADB 302.13 // CFC 605.3
18. Repair or replace all electrical cords for equipment which are damaged or deteriorated in the storage area off the seating area. – UCADB 302.13
19. Fire extinguishers require annual service/recharge. Ensure all fire protection systems have been properly serviced. – CFC 906.2

1825 Pacific Avenue, Suite 2 – Centrale:

20. Properly secure all compressed gas cylinders in an approved manner. – CFC 3003.5.3 // CFC 5303.5.3
21. Repair or replace the exit sign at the rear of the kitchen which is not illuminated. – CFC 1013.3
22. Cease using extension cords as permanent sources of electrical installation throughout the business. – CFC 605.5
23. Replace all missing exterior receptacle covers in the patio area of Centrale. – CFC 605.6 // UCADB 302.13
24. Properly cap all exposed wiring in the exterior patio area of Centrale. – UCADB 302.13 // CFC 605.6

1825-1831 Pacific Avenue
APN: 137-020-42
CASE #12-100159
May 15, 2017

1825 Pacific Avenue, Suite 3 and 4 – Catalyst Realty:

25. Cease using extension cords as permanent sources of electrical installation throughout the first and second floor of Catalyst Realty. – CFC 605.5
26. Second story emergency exit is not accessible. Exit doors must swing in the direction of travel and there must be 2 exits per occupancy load. – CFC 1008.1.2 // CBC 1015.1 // CFC 1019.1
27. Repair or replace the exit sign which is not illuminated. – CFC 1013.3

1825 Pacific Avenue, Suite 5 – Gusty Wings:

28. Cease using extension cords as permanent sources of electrical installation throughout the restaurant. Remove all illegal extension cords from the ceilings, counter areas, kitchen and dining areas. – CFC 605.5 // UCADB 302.13
29. Fat fryer on west side of cookers needs to be repositioned under extinguishing system nozzle. – CFC 904.1 // NFPA 17A

1825 Pacific Avenue, Suite 6 – The Mile:

30. Ensure the front roll up door properly functions to include securing. When business door is unlocked, roll-up door must stay open on its own. Currently, the door is secured open by use of a screwdriver wedge. – UCADB 302.13
31. Cease using extension cords as permanent sources of electrical installation throughout The Mile. – CFC 605.5
32. Eliminate extension cord from upstairs office to outside exterior lighting. – CFC 605.5
33. Properly seal the opening to interior space behind the wall at the upper level of the stairway with approved fire-rated construction. – CFC 703.1 // UCADB 302.13
34. Properly repair the wall breach west of the bar with fire-rated construction. – CFC 703.1 // UCADB 302.13

1825-1831 Pacific Avenue
APN: 137-020-42
CASE #12-100159
May 15, 2017

35. Properly cap all exposed wiring throughout the bar area, second floor stairway and second floor security room. – UCADB 302.13 // CFC 605.6

1827 Pacific Avenue – Living Unit:

36. Provide documentation that apartment unit is an approved use. Previous approved use was for Royal Theatre Office. If no documentation provided, return to original configuration/use. – UCADB 302.9 // 15.04.250, 260, 310
37. Repair or replace front exterior door and hardware which is damaged, deteriorated. Exterior doors must be egressable during an emergency without the use of tools, i.e. keys. Remove the dual-keyed lock and install an approved locking mechanism. – SMC 15.24.030 (b) 12 // H&S 17920.3.l // UCADB 302.13 // CBC 1008.1.8.7
38. Properly install windows which are egressable during an emergency. Remove the bars on the windows and ensure all windows open, close and properly operate. – SMC 15.24.030 (b) 12 // H&S 17920.3.l // UCADB 302.13 // CBC 1008.1.8.7
39. Properly repair or replace the interior hall lighting. – UHC 701.2 // SMC 15.24.030 (b) 4, 13 // H&S 17920.3.d, 17920.3.l
40. Cease occupying the room next to the kitchen/bathroom area as a bedroom. Habitable rooms shall have an area of not less than 70 square feet. – UHC 503.2 // UCADB 302.13
41. Properly repair the damaged and/or missing ceiling material throughout the living space. – SMC 15.24.030 (b) 3 // H&S 17920.3.c // CFC 703.1 // UCADB 302.13
42. Repair or replace the damaged wall material throughout the living space. – SMC 15.24.030 (b) 3 // H&S 17920.3.c // UCADB 302.13
43. Properly install bathroom lighting and bathroom ventilation system. – SMC 15.24.030 (b) 6 // H&S 17920.3.f
44. Properly install receptacle plug covers and light switch plate covers throughout the living unit. – UHC 701.2
45. Properly install handrails on loft stairway. – SMC 15.24.030 (b) 9 // H&S 17920.3.i

1825-1831 Pacific Avenue
APN: 137-020-42
CASE #12-100159
May 15, 2017

46. Properly install required carbon monoxide and smoke detectors in an approved manner.
– 15.24.030 (b) 16 // CFC 1103.8 // CFC 915.1 // UCADB 302.13

1829 Pacific – Serendipity Salon:

47. Properly construct the stairs to the second floor of the Salon which do not meet minimum code requirements for size, width, handrails and other requirements. – UCADB 302.1
48. Cease using extension cords as permanent sources of electrical installation. – CFC 605.5
49. Provide the required egress requirements including any required illuminated exit signage and egress lighting. – CFC 1013.3 // UCADB 302.13

1831 Pacific – Casa Flores:

50. Install all missing panel covers on sub-panels. – CFC 605.6
51. Provide the required egress requirements including illuminated exit signage and egress lighting. – CFC 1013.3
52. Repair or replace the exit sign which is not illuminated. – CFC 1013.3
53. Repair or replace the damaged sheetrock in the stairway behind the register. – SMC 15.24.030 (b) 9 // CFC 703.1
54. Clean the grease from the flue cooking vent and maintain in a neat and sanitary manner. – CFC 904.12.6
55. Properly install K-type extinguisher in the kitchen area. – CFC 904.12.5.2
56. Properly clean the accumulation of grease from the exhaust hood and cooking appliances in the kitchen area. – CFC 904.12.6
57. The plastic storage cover plate in the attic storage area on the second floor needs to be replaced with an approved fire rated cover. – CFC 703.1
58. Properly cap off all exposed wiring in the bathroom on the second level storage area, accessed by the stairway behind the register. – CFC 605.6

59. Cease using extension cords as permanent sources of electrical installation. – CFC 605.5

ITEMS CONSIDERED DANGEROUS BUT NOT HAZARDOUS:

60. In an existing building where a change of use occurs and the new use is more restrictive than the previous use or the original intended use of the building changes, an automatic sprinkler system shall be installed. In existing buildings, other than residential, greater than 6,000 square feet in area, and the repair and/or alterations are performed in excess of 10% (ten percent), an automatic fire sprinkler system shall be installed within the building. – SMC 15.12.040

1825 Pacific Avenue – Royal Theatre:

61. Properly identify and label electrical panels/shutoffs. – NEC 408.4 A

62. Repair or replace damaged, deteriorated paths of travel in seating area (i.e. steps) and the covering material within the theatre. – UCADB 302.13

63. Ceiling scuttle door is missing inside the closet next to the east exit door. Repair or replace appropriately. – CFC 703.1

64. All electrical plug outlet cover plates must be intact throughout the theatre. – CFC 605.6

1825 Pacific Avenue – Espresso Coffee and Seating/Patio area:

65. Test switch is missing on emergency lighting to the north of the entrance/exit. Repair or replace to ensure correct operation. – CFC 604.6.1

66. The exit sign to the north of the entrance/exit door is not on for the same location. Repair or replace to ensure correct operation. – CFC 604.6.1

67. Provide appropriate clearance around sub-panels throughout. Remove all materials 3 feet from in front of the equipment to a width of the panel and grade level to 6 feet, 6 inches. – NEC 110.26.A // UCADB 302.13

68. Properly install covers on all open electrical boxes, panels to include dead front fillers, light fixtures, receptacle outlets and other electrical covers throughout. – CFC 605.6

1825-1831 Pacific Avenue
APN: 137-020-42
CASE #12-100159
May 15, 2017

69. Repair or replace all damaged and/or missing receptacle plug covers throughout Espresso Coffee and seating area. - CFC 605.6

70. Repair or replace the ceiling material in the kitchen area which is damaged, deteriorated and/or missing. – CFC 703.1 // UCADB 302.13

1825 Pacific Ave, Suite 1 – Balance Physical Therapy:

71. Properly secure the railings on the interior stairway. – UCADB 302.2

1825 Pacific Ave, Suite 2 - Centrale:

72. Properly clean all grease and debris from kitchen hoods and cooking appliances. – CFC 904.12.6

1825 Pacific Ave, Suite 3 and 4 – Catalyst Realty:

73. Repair or replace the ceiling tile in the second floor electrical room which is damaged, deteriorated and/or missing. – CFC 703.1 // UCADB 302.13

74. Repair or replace the damaged ceiling and walls in the storage room. – CFC 703.1 // UCADB 302.13

1825 Pacific Ave, Suite 5 – Gusty Wings:

75. Properly install splash guards on fat fryers. – CFC 904.1 // NFPA 17A

76. Properly clean grease from hood areas and walls. – CFC 904.11.6.3

77. Remove all items being stored around water heater and allow access to unit. – CFC 315.3.3

1825 Pacific Ave, Suite 6 – The Mile:

78. Provide appropriate clearance around sub-panels throughout, to include kitchen and bar area. Remove all materials 3 feet from in front of the equipment to a width of the panel and grade level to 6 feet, 6 inches. – NEC 110.26.A // UCADB 302.13

1825-1831 Pacific Avenue
APN: 137-020-42
CASE #12-100159
May 15, 2017

79. Fire extinguishers need to be within 75 feet of area to be protected. – CFC Table 906.3.1

1829 Pacific Ave – Serendipity Salon:

80. Provide appropriate clearance around sub-panel. Remove all materials 3 feet from in front of the equipment to a width of the panel and grade level to 6 feet, 6 inches. – UCADB 302.13 // NEC 110.26.A

81. Replace the missing or damaged electrical plug covers throughout the Salon. – CFC 605.6

82. Fire extinguishers require annual service/recharge. – CFC 906.2

1831 Pacific Ave – Casa Flores:

83. Provide appropriate clearance around sub-panel. Remove all materials 3 feet from in front of the equipment to a width of the panel and grade level to 6 feet, 6 inches. – NEC 110.26.A // UCADB 302.13

84. Properly install all electrical within the foot print of the kitchen exhaust hood at the cooking area. The current installation of the electrical panel below the exhaust hood is not an approved installation. – NEC 110.26.A // UCADB 302.13

85. Repair or replace the damaged ceiling, floors and walls throughout the restaurant, kitchen, storage area, bathrooms and stairway. – CFC 703.1

86. Remove the accumulation of garbage, junk, debris, combustible materials, stored materials and other such items which have created a tripping hazard in the second floor storage area, electrical rooms, mechanical rooms, stairs, etc. Allow for proper egress to and from these areas throughout the restaurant. – CFC 315

87. Properly install hand rails on the stairway behind the register. – UCADB 302.2

88. Repair or replace the damaged stair covering (tile) on the stairway behind the register. – UCADB 302.2

1825-1831 Pacific Avenue
APN: 137-020-42
CASE #12-100159
May 15, 2017

89. Replace the missing or damaged electrical plug covers throughout the restaurant. – CFC 605.6

ITEMS TO BE ON A NOTICE OF VIOLATION (NOT HAZARDOUS/DANGEROUS):

1. A sidewalk café, fence or any object over, on or under any public right-of-way requires a revocable permit. Obtain a revocable permit for the café seating area outside the Royal Theatre/Empresso Café. Contact Community Development Department, Planning Division, to apply for the permit. If approved, properly conform to the permit requirements. If denied, remove the sidewalk café and return to original, approved configuration. – 16.72.127
2. It is unlawful to commence or carry on any profession, trade, calling, occupation or business without first having procured a license from the city of Stockton. Obtain a business license for the Royale Theatre. Contact Finance Department, 209-937-8313, for further direction. – SMC 5.04.040 B
3. An operational permit for the Royal Theatre is required to operate a place of assembly. - CFC 105.6.36

1825 Pacific Ave, Suite 1 – Balance Physical Therapy:

4. Determine the source of the active water intrusion within Balance Physical Therapy at the stairway and properly repair. Once repaired, replace the damaged ceiling material in an approved manner. – UCADB 302.13

1825 Pacific Ave, Suite 2 – Centrale:

5. Properly date the fire alarm control panel batteries. – National Fire Code 72, table 14.3.1

1825 Pacific Ave, Suite 3 and 4 – Catalyst Realty:

6. Determine the source of the active water intrusion within the break room on the second floor and properly repair. Once repaired, replace the damaged ceiling material in an approved manner. – UCADB 302.13

1825-1831 Pacific Avenue
APN: 137-020-42
CASE #12-100159
May 15, 2017

1825 Pacific Ave, Suite 5 – Gusty Wings:

7. Repair, replace or remove the exit sign which is not illuminated. – CFC 1013.3

1825 Pacific Ave, Suite 6 – The Mile:

8. Properly install plumbing at the bar sink. Flex pipe is not an approved material. – UPC 706
9. All kitchen appliances shall be permitted, inspected and meet minimum code requirements. – UCADB 302.13

1831 Pacific Ave – Casa Flores:

10. Determine the source of the water intrusion in the kitchen area ceiling and repair appropriately. Once repaired, replace the damaged ceiling material. – UCADB 302.13
11. Remove the old and unmaintained extinguishing system stored in the attic room. – CFC 901.6
12. Properly repair or replace all leaking, broken and/or inoperable plumbing fixtures throughout the restaurant. – UPC 706
13. Repair or replace the inoperable bathroom ventilation on the half-bath behind the register, midway up the stairway. – UCADB 302.13
14. Repair or replace the leaking toilet in the half-bath behind the register, midway up the stairway. – UCADB 302.13
15. Repair or replace the inoperable bathroom ventilation system in the bathroom on the second level storage area, accessed by the stairway behind the register. – UCADB 302.13

Allison Aube

From: Peter Lemos
Sent: Tuesday, June 6, 2017 9:36 AM
To: Trevor Womack; Bob Latz; John Freitas
Cc: Aaron Rose
Subject: Empire business issues.
Attachments: 1825 PACIFIC AC 5 060717.doc; 1825 pacific ac 060717 pg 2.docx

Peter Lemos
Police Services Manager
Stockton Police Department, Neighborhood Services Section
City of Stockton
E-Mail: peter.lemos@stocktonca.gov
209-937-7093



POLICE DEPARTMENT
 NEIGHBORHOOD SERVICES SECTION
 22 EAST WEBER AVENUE, ROOM 350
 STOCKTON, CA 95202
 OFFICE HOURS M-F/ 8-12 & 1-5

PHONE: (209) 937-8813
 FAX: (209) 937-7264

NOTICE OF VIOLATION

Notice of Intent to Record this Notice of Violation

Violation Warning Notice Administrative Citation / Fine \$ **500.00** **NSS# CAL 060717-1825**

() Initial Inspection Fee \$ () Case Processing Fee \$ () Hotel/Motel Reinspection \$
 (X) Reinspection Fee \$ 127.00 () Notice & Posting Fee \$

Violation Address: **1825-1831 PACIFIC AVE** Parcel #: **137-020-42**

Person Cited: (X) Property owner () Tenant () Other
 Name: **CHRISTOPHER J BENNITT**

Mailing Address: **4643 QUAIL LAKES DR, STE 123, STOCKTON, CA 95207**

SMC Section Violated	Violation/Correction Required
	SEE ATTACHED NARRATIVE FOR VIOLATIONS

(X) **NOTE: PLEASE REFER TO PAGE TWO (ATTACHED) FOR OTHER NOTED VIOLATIONS OR ADDITIONAL COMMENTS.**

(X) Violations must be corrected no later than 7/5/17. In order to avoid additional citations or other actions, **including recording of this Notice**, the violation(s) must be corrected or a possible fine and/or fee may be charged.

NOTICE OF INTENT TO ABATE

() If the violation(s) are not corrected by _____, the City of Stockton intends to **abate** the violation(s). The City will hire contractors to correct the violation(s) and the cost of the corrections as well as administrative fees will be charged to the responsible party. The City will record the cost of the abatement, if violations are not corrected by the above date.

Issuing Officer signature: *Carrie Lane* Print Name **Carrie Lane**

Phone: **937-8369** Date: 6/7/17 Time: _____ Case #: 12-100159

Signature of Person Cited: N/A Phone #: N/A

Signing the Citation only acknowledges receipt, it is not an admission of guilt. The Citation is valid without a signature.

CC: _____

NOTICE OF VIOLATION

City of Stockton Municipal Code, Chapter 1, provides for the reimbursement of costs associated with obtaining compliance with the ordinances. In an effort to recover these costs, the Initial Inspection Fees, Case Processing Fees, Reinspection Fees, Notice of Preparation Fees, Posting Fees, and Lien Processing Fees are charged. In addition, there is a provision for the issuance of Notice of Violation with a fine of **\$200** and/or **\$500**. Each section violated is a separate offense and may carry an independent fine. Likewise, each day any violation exists is a separate offense.

Rights of Appeal

Cost reimbursement items (Inspection Fees, Case Processing Fees, Notice and Posting Fees etc.) **are not** subject to appeal. The Notice of Intent to Abate, \$200 or \$500 Administrative Fine & Notice of Intent to Record may be appealed by filing the proper appeal form **within ten (10) business** days from the date the Notice was issued. If the Notice was mailed, the appeal must be made **within ten (10) business days** from the date the Notice was mailed. An appeal must be made in writing, on the proper "Administrative Hearing Request Form", to the City of Stockton, Neighborhood Services Section, 22 East Weber Avenue, Room 350, Stockton, CA 95202. **There is a non-refundable Administrative Hearing Fee which must accompany the appeal form.**

Failure of any person to properly file a written appeal and remit the required amount within ten (10) business days shall constitute a waiver of his/her right to an Administrative Hearing; an adjudication of the Notice of Violation or any part of it, and the total amount of the fine. Filing an appeal does not prevent subsequent code enforcement actions; however, all subsequent actions will be addressed at the hearing and do not require filing additional appeal forms.

Payment

The amount of the fine/fee is indicated on the front of this Notice of Violation. **Cash payments must be made in person at the Administrative Services Department, City Hall, 425 North El Dorado Street or the Neighborhood Services Section, 22 East Weber Avenue, Room 350, Stockton, CA 95202. Check, credit card or money order payments may be mailed to the Neighborhood Services Section address above.** An invoice will be mailed out with a due date for payment.

Consequences of Failure to Pay

Violation fines not paid within **60 days** will be charged a **penalty of 10%, along with a 1% monthly interest fee**. All other fees not paid within **25 days** will be charged a **1% monthly interest fee**. Property owners failing to pay the amount due by the due date are subject to liens and/or assessments to the property tax along with additional costs for administrative processing. The City of Stockton has the authority to collect all costs associated with the filing of such actions. Alternatively, the City may collect the fine in a civil or small claims court action.

Consequences of Failure to Correct Violations

There are numerous enforcement options that can be used to encourage the correction of violations. These options include, but are not limited to: civil penalties, abatement, criminal prosecution, civil litigation, recording the violation with the County Recorder, and forfeiture of certain State tax benefits for substandard residential rental property. These options authorize the City to collect fines in excess of **\$100,000** per year, demolish structures, make necessary repairs at the owner's expense, and incarcerate violators. Any of these options or others may be used if the Notice of Violation(s) do not achieve compliance.

Your maintenance of substandard housing may subject you to loss of deductions for interest, taxes, depreciation and amortization pursuant to the Revenue & Taxation Code of the State of California, Sections 17274 and 24436.5

1. A sidewalk café, fence or any object over, on or under any public right-of-way requires a revocable permit. Obtain a revocable permit for the café seating area outside the Royal Theatre/Empresso Café. Contact Community Development Department, Planning Division, to apply for the permit. If approved, properly conform to the permit requirements. If denied, remove the sidewalk café and return to original, approved configuration. – 16.72.127
2. It is unlawful to commence or carry on any profession, trade, calling, occupation or business without first having procured a license from the city of Stockton. Obtain a business license for the Royale Theatre. Contact Finance Department, 209-937-8313, for further direction. – SMC 5.04.040 B
3. An operational permit for the Royal Theatre is required to operate a place of assembly. - CFC 105.6.36

1825 Pacific Ave, Suite 1 – Balance Physical Therapy:

4. Determine the source of the active water intrusion within Balance Physical Therapy at the stairway and properly repair. Once repaired, replace the damaged ceiling material in an approved manner. – UCADB 302.13

1825 Pacific Ave, Suite 2 – Centrale:

5. Properly date the fire alarm control panel batteries. – National Fire Code 72, table 14.3.1

1825 Pacific Ave, Suite 3 and 4 – Catalyst Realty:

6. Determine the source of the active water intrusion within the break room on the second floor and properly repair. Once repaired, replace the damaged ceiling material in an approved manner. – UCADB 302.13

1825 Pacific Ave, Suite 5 – Gusty Wings:

7. Repair, replace or remove the exit sign which is not illuminated. – CFC 1013.3

1825 Pacific Ave, Suite 6 – The Mile:

8. Properly install plumbing at the bar sink. Flex pipe is not an approved material. – UPC 706
9. All kitchen appliances shall be permitted, inspected and meet minimum code requirements. – UCADB 302.13

1825-1831 Pacific Avenue
APN: 137-020-42
Case # 12-100159
June 7, 2017

1831 Pacific Ave – Casa Flores:

10. Determine the source of the water intrusion in the kitchen area ceiling and repair appropriately. Once repaired, replace the damaged ceiling material. – UCADB 302.13
11. Remove the old and unmaintained extinguishing system stored in the attic room. – CFC 901.6
12. Properly repair or replace all leaking, broken and/or inoperable plumbing fixtures throughout the restaurant. – UPC 706
13. Repair or replace the inoperable bathroom ventilation on the half-bath behind the register, midway up the stairway. – UCADB 302.13
14. Repair or replace the leaking toilet in the half-bath behind the register, midway up the stairway. – UCADB 302.13
15. Repair or replace the inoperable bathroom ventilation system in the bathroom on the second level storage area, accessed by the stairway behind the register. – UCADB 302.13

Allison Aube

From: Connie Cochran
Sent: Wednesday, June 7, 2017 12:32 PM
To: rphillips@recordnet.com
Subject: Property Owner Christopher "Kit" Bennitt
Attachments: Notice and Order to Vacate 1825_1827_1829_1831_Pacific.pdf;
PropertyOwnerAgreement_Executed.pdf

Attached is the Notice and Ordre to vacate and agreement with Property Owner.

Connie Cochran
City of Stockton
Community Relations Officer
(209) 937-8827 (office)
(209) 629-1251 (cell)
e-mail: connie.cochran@stocktonca.gov
website: www.stocktonca.gov
[facebook.com/CityofStockton](https://www.facebook.com/CityofStockton)
twitter.com/StocktonUpdates
[YouTube.com/StocktonUpdates](https://www.youtube.com/StocktonUpdates)



COMMUNITY DEVELOPMENT DEPARTMENT
BUILDING DIVISION – CITY HALL
345 N. EL DORADO ST, STOCKTON, CA 95202
WWW.STOCKTONCA.GOV
(209) 937-8266

**NOTICE AND ORDER TO VACATE AND CEASE AND DESIST ALL
OPERATIONS**

**JUNE 7, 2017 IMMEDIATELY DISCONTINUE ALL BUSINESS
OPERATIONS**

**JUNE 7, 2017 BY 5:00 PM DISCONTINUE ALL OCCUPANCY FOR
RESIDENTIAL PURPOSES**

**JUNE 9, 2017 1:00 PM DISCONTINUE ALL OCCUPANCY OF THE
BUILDING**

JUNE 7, 2017

OCCUPANT/BUSINESSES
ANY/ALL OCCUPANTS/BUSINESSES
1825 – 1831 PACIFIC AVENUE
STOCKTON, CA 95204

CHRISTOPHER J BENNITT
P.O. BOX 8346
STOCKTON, CA 95208

BANK OF AGRICULTURE AND COMMERCE
2021 W MARCH LANE, STE 2D
PO BOX 7066
STOCKTON, CA 95208

RE: 1825 THROUGH 1831 PACIFIC AVENUE (137-020-42) CASE 12-100159

PLEASE TAKE NOTICE THAT The subject property has been deemed a Hazardous and Dangerous building in violation of multiple regulations of the California Fire Code and the Uniform Code for the Abatement of Dangerous Buildings, 1997 edition, chapter 3, section 302 as adopted by the Stockton Municipal Code. Recent inspections by enforcement staff of the City of Stockton found the following immediately Hazardous and Dangerous conditions throughout the building, as more fully noted on the attached list of violations.

These Hazardous and Dangerous conditions located throughout the building pose such an immediate threat to the life, limb, health, safety, and welfare of the public at large and the occupants of this property as to constitute an emergency.

THEREFORE NOTICE IS HEREBY GIVEN THAT THIS PROPERTY IS ORDERED VACATED JUNE 7, 2017 IMMEDIATELY FOR BUSINESS PURPOSES pursuant to Uniform Code for the Abatement of Dangerous Buildings, Section 401.2 et seq. Further Notice is provided that the building and affected businesses cannot be re-occupied until such time as all violations are corrected and approved by the Building Official and Fire Marshal.

NOTICE & ORDER TO VACATE AND CEASE AND DESIST ALL OPERATIONS

CHRISTOPHER J BENNITT

JUNE 7, 2017

Page 2

RE: 1825 THROUGH 1831 PACIFIC AVENUE (137-020-42) CASE 12-100159

A copy of this Notice and Order to Vacate will be posted on the property. The lessor cannot retaliate against a lessee pursuant to section 1942.5 of the Civil Code. No person shall remain in or enter the posted property for any purpose, including conducting any operations, until a building permit has been acquired from the City to repair or demolish the building, and all required repairs have been approved by the City of Stockton. No person shall remove or deface any such Notice after it is posted until the required repairs or demolition have been completed and approved by the City of Stockton. Any person violating these provisions is guilty of a misdemeanor and is subject to imprisonment in the county jail for six months or a fine of \$1,000, or both.

Any person having record title or legal interest in this property has the right to appear before an Administrative Hearing Officer and appeal the City's action by submitting the hearing fee of \$84.75 with an appeal request form to The Community Development Department at the address listed above within ten (10) days of the postmarked date of this letter, pursuant to Stockton Municipal Code (S.M.C.) section 1.44.070. Submission of an appeal does not stay the Order to vacate the premises (Uniform Code for the Abatement of Dangerous Buildings, Section 504 and Uniform Housing Code Section 1204). Failure to file such an appeal shall constitute a waiver of all rights to an Administrative Hearing and adjudication of the Notice and Order or to any portion thereof.

Failure to abate will also result in reinspection fee(s) for each inspection until compliance is obtained. The amount charged for reinspection(s) is determined by the fee schedule of the individual departments. In addition, non-compliance may result in further action being taken against you, including, but not limited to Administrative Citations being issued, the violation(s) being abated at your expense, an Administrative fee of up to \$658.00, and/or civil penalties of up to \$1,000 per day. All violations listed herein must be abated by repair and approved prior to reoccupancy. Required permits for repairs or demolition must be obtained before commencing work.

If you have any questions, please contact **Senior Code Enforcement Officer Carrie Lane** at **(209) 937-8369**.



**DAVID KWONG
DIRECTOR/COMMUNITY
DEVELOPMENT DEPARTMENT**



**ERIK NEWMAN
FIRE CHIEF, STOCKTON
FIRE DEPARTMENT**

RE: 1825 THROUGH 1831 PACIFIC AVENUE (137-020-42) CASE 12-100159

LIST OF VIOLATIONS

I. DANGEROUS AND HAZARDOUS CONDITIONS MANDATING A NOTICE TO VACATE:

A. Failure to comply with Previous Violation Notices and Stipulation Agreement:

1. Failure to comply with Stipulation Agreement, issued on August 19, 2016 – SMC 1.32.010
2. Failure to comply with Community Development Department's corrective action notice, issued March 26, 2014. – SMC 1.32.010
3. Failure to comply with Civil Penalty Notice and Order, issued February 6, 2014. – SMC 1.32.010
4. Failure to comply with Administrative Citation, NSS# 100683, issued December 9, 2013. – SMC 1.32.010
5. Failure to comply with Administrative Citation, NSS# FY02217, issued March 6, 2012. – SMC 1.32.010
6. Failure to comply with Notice to Vacate, issued January 31, 2012. – SMC 1.32.010 // UCADB 404.2

B. Dangerous Conditions at Empire/Royal Theatre – 1825 Pacific Avenue:

1. Illegal, un-permitted alterations and additions to the tenant occupied spaces. – SMC 15.04.250, 260, 310 // UCADB 302.13
2. Blocked exit pathways within the main theatre. – UCADB 302.2 // CBC 1014.4
3. West side and East side exit doors within the main theatre do not open correctly presenting a hazard in the event of an emergency. – CBC 1008.1.8.7 // UCADB 302.2

NOTICE & ORDER TO VACATE AND CEASE AND DESIST ALL OPERATIONS

CHRISTOPHER J BENNITT

JUNE 7, 2017

Page 4

4. West side and East side emergency lights within the main theatre are not functioning which will prevent people from locating exit doors in an emergency. – CFC 604.6
5. The ceiling throughout the theatre is damaged and deteriorated due to water intrusion. – CFC 703.1 // UCADB 302.13
6. There are multiple extension cords being used as permanent sources of electrical installation throughout the theatre. – CFC 605.5
7. Separation walls between Main Theatre, dressing rooms, storage areas and north storage area have been constructed without meeting minimum Building code standards. – UCADB 302.13 // CFC 703.1
8. The curtain on the north stage is not flame retardant. – CFC 807.3 Title 19, Division 1, S.08.Decorative Materials // UCADB 302.13

C. Dangerous Conditions at Espresso Coffee House including Seating and Patio Area – 1825 Pacific Avenue:

1. The entrance and exit from the Coffee shop and the main Theatre are blocked, which will prevent people from utilizing the exits in the event of an emergency. – CFC 1028.3
2. There are inoperable Exit signs and/or disconnected Exit signs within the Coffee portion of the building which will prevent patrons from locating the exit in the event of an emergency. – UCADB 302.13 // CFC 604.6.1
3. There are unsecured compressed gas cylinders being stored within the Coffee shop as well as in the seating/patio area. – CFC 5303.5.3
4. There are multiple extension cords being used as permanent sources of electrical installation throughout the business and seating area, including the electric room, storage rooms, box office and the office area. In addition, extension cords have actually been installed through holes cut in the walls, ceilings, doorways and other locations. Many of the extension cords are damaged and deteriorated, presenting an even high risk of fire. – CFC 605.5 // UCADB 302.13

NOTICE & ORDER TO VACATE AND CEASE AND DESIST ALL OPERATIONS

CHRISTOPHER J BENNITT

JUNE 7, 2017

Page 5

5. Extension cords have been placed underneath the mats which employees stand on behind the service counter of the Coffee shop. These extension cords are all that are used to supply electricity to island equipment, rather than installation of permanent sources of electrical installation. These cords are damaged/deteriorated and being walked on, further damaging them and increasing the fire risk. – CFC 605.5
6. The stage lighting at the Lobby Piano is connected with extension cords. – CFC 605.5
7. There is illegal exposed wiring in the storage area off the seating area, the electric room off the seating area and the box office area. Further, the extension cords for the equipment is damaged or deteriorated in the storage area, increasing the fire risk. – UCADB 302.13 // CFC 605.6
8. There is illegal wiring and extension cords being used at Lobby box office ticket windows and used to light up the advertisement boards. – UCADB 302.13 // CFC 605.3
9. The required Fire extinguishers have not been properly serviced and are not operational. – CFC 906.2

D. Dangerous Conditions at Centrale – 1825 Pacific Avenue, Suite 2:

1. There are unsecured compressed gas cylinders being stored within Centrale. – CFC 3003.5.3 // CFC 5303.5.3
2. The Exit sign at the rear of the kitchen is not illuminated, which will prevent patrons from locating the exit in the event of an emergency. – CFC 1013.3
3. There are multiple extension cords being used as permanent sources of electrical installation throughout the business. – CFC 605.5
4. There are missing exterior receptacle covers in the patio area of Centrale. – CFC 605.6 // UCADB 302.13

NOTICE & ORDER TO VACATE AND CEASE AND DESIST ALL OPERATIONS

CHRISTOPHER J BENNITT

JUNE 7, 2017

Page 6

5. There is illegal exposed wiring in the exterior patio area of Centrale. – UCADB 302.13 // CFC 605.6

E. Dangerous Conditions at Catalyst Realty – 1825 Pacific Avenue, Suites 3 and 4:

1. There are multiple extension cords being used as permanent sources of electrical installation throughout the first and second floor of Catalyst Realty. – CFC 605.5
2. The second story emergency exit is not accessible, preventing the required exiting in the event of an emergency. – CFC 1008.1.2 // CBC 1015.1 // CFC 1019.1
3. The Exit signs within Catalyst Realty are not illuminated, which will prevent people from locating exit doors in an emergency. – CFC 1013.3

F. Dangerous Conditions at Gusty Wings – 1825 Pacific Avenue, Suite 5:

1. There are multiple extension cords being used as permanent sources of electrical installation throughout the restaurant. – CFC 605.5 // UCADB 302.13
2. The fat fryer on the west side of the cookers is not positioned under hood and duct system nozzle. – CFC 904.1 // NFPA 17A

G. Dangerous Conditions at The Mile – 1825 Pacific Avenue, Suite 6:

1. The main Front roll up door does not operate properly in the open safely and securely. Currently, the door is secured open by use of a screwdriver as a wedge, which if accidentally knocked out would cause serious injury to persons in it's path. – UCADB 302.13
2. There are multiple extension cords being used as permanent sources of electrical installation throughout The Mile. – CFC 605.5
3. There is an extension cord that is running through an upstairs office window to power the outside exterior lighting. – CFC 605.5
4. The interior space behind the wall at the upper level of the stairway is open and does not provide the required fire protection and would serve to spread a fire very rapidly throughout the entire building. – CFC 703.1 // UCADB 302.13

NOTICE & ORDER TO VACATE AND CEASE AND DESIST ALL OPERATIONS

CHRISTOPHER J BENNITT

JUNE 7, 2017

Page 7

5. The wall is breached at the west side of the bar and does not provide fire protection and would serve to spread a fire very rapidly throughout the entire building. – CFC 703.1 // UCADB 302.13
6. There is exposed electrical wiring throughout the bar area, second floor stairway and second floor security room. – UCADB 302.13 // CFC 605.6

H. Illegal Living Unit/Dangerous Conditions at Former Office Space conversion – 1827 Pacific Avenue:

1. Illegal, un-permitted alteration of Office space into a rented dwelling unit. – UCADB 302.9 // 15.04.250, 260, 310
2. The exterior door of the rented dwelling unit has a dual-keyed lock which would not allow the occupant to exit in an emergency without the use of a key. – SMC 15.24.030 (b) 12 // H&S 17920.3.l // UCADB 302.13 // CBC 1008.1.8.7
3. The windows have permanent bars blocking emergency exiting and do not meet the minimum sizing to allow for emergency escape and rescue. – SMC 15.24.030 (b) 12 // H&S 17920.3.l // UCADB 302.13 // CBC 1008.1.8.7
4. The required interior hall lighting at the stairs is not working. – UHC 701.2 // SMC 15.24.030 (b) 4, 13 // H&S 17920.3.d, 17920.3.l
5. The room next to the kitchen/bathroom area which is being used as a bedroom does not meet the minimum requirements as a bedroom. – UHC 503.2 // UCADB 302.13
6. The ceiling material throughout the living space is damaged and deteriorated. – SMC 15.24.030 (b) 3 // H&S 17920.3.c // CFC 703.1 // UCADB 302.13
7. The wall material throughout the living space is damaged and deteriorated. – SMC 15.24.030 (b) 3 // H&S 17920.3.c // UCADB 302.13
8. The bathroom ventilation system and light is illegally installed in the shower and does not meet the minimum safety requirements for wet locations. – SMC 15.24.030 (b) 6 // H&S 17920.3.f

NOTICE & ORDER TO VACATE AND CEASE AND DESIST ALL OPERATIONS

CHRISTOPHER J BENNITT

JUNE 7, 2017

Page 8

9. There are missing and damaged receptacle covers and light switch plate covers throughout the living unit. – UHC 701.2
10. There are missing handrails on loft stairway making an unsafe exit pathway. – SMC 15.24.030 (b) 9 // H&S 17920.3.i
11. There are no carbon monoxide and smoke detectors installed in the living space as required by code to notify. – 15.24.030 (b) 16 // CFC 1103.8 // CFC 915.1 // UCADB 302.13

I. Dangerous Conditions at Serendipity Salon – 1829 Pacific Avenue:

1. The stairs to the second floor of the Salon do not meet the minimum Building code requirements for size, width, handrails and other requirements creating a hazardous condition. – UCADB 302.1
2. Extension cords are being used as the permanent sources of electrical power for all equipment in the salon. – CFC 605.5
3. There are missing illuminated exit signs and exit lighting that would prevent occupants from being able to locate exits in the event of an emergency. – CFC 1013.3 // UCADB 302.13

J. Dangerous Conditions at Casa Flores Restaurant – 1831 Pacific Avenue:

1. There are missing panel covers on the electrical sub-panels which create a fire and electrical shock hazard. – CFC 605.6
2. There are missing illuminated exit signs and exit lighting which would prevent occupants from being able to locate exits in the event of an emergency. – CFC 1013.3
3. There is damaged sheetrock in the stairway behind the register, creating a potential fire hazard. – SMC 15.24.030 (b) 9 // CFC 703.1
4. There is a high fire hazard which exists as a result of the significant buildup of grease in the flue cooking vent. – CFC 904.12.6

NOTICE & ORDER TO VACATE AND CEASE AND DESIST ALL OPERATIONS

CHRISTOPHER J BENNITT

JUNE 7, 2017

Page 9

5. The Restaurant's kitchen is either missing the required Fire extinguishers, or the existing extinguishers are not those that are required to be installed in a commercial kitchen operation to be used in the event of a grease or similar fire. – CFC 904.12.5.2
6. There is an accumulation of excessive grease from the exhaust hood and cooking appliances in the kitchen area. – CFC 904.12.6
7. The Restaurant is currently using a plastic storage cover plate in the attic storage area rather than the approved fire rated cover, which is required to help contain a grease fire in the kitchen from spreading rapidly to the attic area, and then throughout the entire building. – CFC 703.1
8. There is a potential fire hazard caused by the exposed wiring in the bathroom on the second level storage area which is accessed by the stairway behind the register. – CFC 605.6
9. There are multiple extension cords being used as permanent sources of electrical installation throughout the Restaurant. – CFC 605.5

II. CONDITIONS CONSIDERED DANGEROUS BUT NOT HAZARDOUS:

A. Lack of or improperly installed sprinkler/fire protection systems. – SMC 15.12.040

B. Dangerous Conditions at Empire/Royal Theatre – 1825 Pacific Avenue:

1. The electrical panels/shutoffs require identification and labeling. – NEC 408.4 A
2. Repair the damaged and deteriorated paths of travel in the seating area within the theatre. – UCADB 302.13
3. The ceiling scuttle door is missing inside the closet next to the east exit door. – CFC 703.1
4. Repair the damaged and deteriorated electrical receptacle outlet cover plates throughout the theatre. – CFC 605.6

C. Dangerous Conditions at Espresso Coffee and Seating/Patio Area – 1825 Pacific Avenue:

1. The test switch is missing on the emergency lighting to the north of the entrance/exit. – CFC 604.6.1
2. The exit sign to the north of the entrance/exit door does not operate properly would prevent someone from locating an exit in an emergency. – CFC 604.6.1
3. Provide appropriate clearance around electrical sub-panels throughout the Coffee shop which are currently blocked by storage and other items. – NEC 110.26.A // UCADB 302.13
4. Provide covers on all open electrical boxes, electrical panels to include dead front, light fixtures, receptacle outlets and other electrical covers throughout the Coffee shop, the seating area and the patio area which are missing. – CFC 605.6
5. Repair damaged and/or missing receptacle covers throughout the Coffee shop and seating area. - CFC 605.6
6. Repair the ceiling material in the kitchen area which is damaged, deteriorated and missing. – CFC 703.1 // UCADB 302.13

D. Dangerous Conditions at Balance Physical Therapy – 1825 Pacific Avenue, Suite 1:

1. The railings on the interior stairway are not connected to the stairs and pose a safety hazard. – UCADB 302.2

E. Dangerous Conditions at Centrale – 1825 Pacific Avenue, Suite 2:

1. Completely remove the accumulation of grease and debris from kitchen hoods and cooking appliances in the Restaurant which, could create a fire hazard. – CFC 904.12.6

F. Dangerous Conditions at Catalyst Realty – 1825 Pacific Avenue, Suites 3 and 4:

1. Repair the ceiling tile in the second floor electrical room which is damaged, deteriorated and/or missing. – CFC 703.1 // UCADB 302.13
2. Repair the damaged ceiling and walls in the storage room. – CFC 703.1 // UCADB 302.13

G. Dangerous Conditions at Gusty Wings – 1825 Pacific Avenue, Suite 5:

1. The fat fryers need side splash guards. – CFC 904.1 // NFPA 17A
2. Completely clean grease from hood areas and walls which could create a fire hazard. – CFC 904.11.6.3
3. Completely remove the garbage, debris and other combustible items being stored around the water heater. – CFC 315.3.3

H. Dangerous Conditions at The Mile – 1825 Pacific Avenue, Suite 6:

1. There is not proper clearance provided around the electrical sub-panels throughout the establishment, including the kitchen and bar area. – NEC 110.26.A // UCADB 302.13
2. All Fire extinguishers need to be within 75 feet of the area to be protected. – CFC Table 906.3.1

I. Dangerous Conditions at Serendipity Salon – 1829 Pacific Avenue:

1. There is not proper clearance provided around the electrical sub-panel. – UCADB 302.13 // NEC 110.26.A
2. Repair the missing or damaged electrical covers throughout the Salon. – CFC 605.6
3. The Fire extinguishers require proof of annual service/recharge. – CFC 906.2

NOTICE & ORDER TO VACATE AND CEASE AND DESIST ALL OPERATIONS

CHRISTOPHER J BENNITT

JUNE 7, 2017

Page 12

J. Dangerous Conditions at Casa Flores Restaurant – 1831 Pacific Avenue:

1. There is not proper clearance provided around the electrical sub-panel. – UCADB 302.13 // NEC 110.26.A
2. The electrical installation within the foot print of the kitchen exhaust hood at the cooking area is not correctly installed. – NEC 110.26.A // UCADB 302.13
3. There is damaged ceiling, floors and walls throughout the restaurant, the kitchen, the storage area, the bathrooms and the stairway. – CFC 703.1
4. There is an accumulation of garbage, junk, debris, combustible materials, stored materials and other such items which have created a tripping hazard in the second floor storage area, the electrical rooms, the mechanical rooms, the stairs and other locations throughout the Restaurant. – CFC 315
5. There are improperly installed hand rails on the stairway behind the register. – UCADB 302.2
6. There is damaged stair covering (tile) on the stairway behind the register. – UCADB 302.2
7. There are missing or damaged electrical receptacle covers throughout the restaurant. – CFC 605.6

III. CORRECTIVE ACTIONS REQUIRED FOR THE DANGEROUS AND HAZARDOUS CONDITIONS:

1. Submit two complete sets of plans prepared by a licensed Architect or Engineer to reflect all as-built conditions to the entire parcel address to comply with the currently adopted 2016 Building codes and Stockton Municipal codes to the Community Developments Department. This shall include, but not limited to the following listed violations. – 15.04.250, 260, 310 // UCADB 302.13

NOTICE & ORDER TO VACATE AND CEASE AND DESIST ALL OPERATIONS

CHRISTOPHER J BENNITT

JUNE 7, 2017

Page 13

Empire/Royal Theatre:

1. Ensure exit egress pathways are not blocked within the main theatre and clear of all obstacles. Egress pathways must be accessible as required for emergency exit. – UCADB 302.2 // CBC 1014.4
2. Repair or replace west side exit door which does not operate properly. – CBC 1008.1.8.7 // UCADB 302.2
3. Repair or replace east side exit door which does not operate properly. – CBC 1008.1.8.7 // UCADB 302.2
4. Repair or replace west side emergency lights which are not functioning. – CFC 604.6
5. Repair or replace east side emergency lights which are not functioning. – CFC 604.6
6. Determine the source of the water intrusion throughout the theatre which has caused the ceiling to be damaged and/or deteriorated. Once determined, repair appropriately. Replace the damaged, deteriorated and/or missing ceiling material throughout and properly seal. – CFC 703.1 // UCADB 302.13
7. Cease using extension cords as permanent sources of electrical installation throughout the theatre. – CFC 605.5
8. Legally construct and/or remove the separation walls between Main Theatre, dressing rooms, storage areas and north storage area which are not constructed to meet minimum code standards. – UCADB 302.13 // CFC 703.1
9. The curtain on the north stage needs to either (a) be removed; (b) flame-retardant treated; or (c) to be field tested by Stockton Fire Department Inspector. – CFC 807.3 Title 19, Division 1, S.08.Decorative Materials // UCADB 302.13

Empresso Coffee and Seating/Patio area:

1. Clear hazards near the entrance/exit which are a hazard for people exiting the theatre. – CFC 1028.3

NOTICE & ORDER TO VACATE AND CEASE AND DESIST ALL OPERATIONS

CHRISTOPHER J BENNITT

JUNE 7, 2017

Page 14

2. Properly repair inoperable Exit signs or remove disconnected Exit signs which are no longer required or in service. – UCADB 302.13 // CFC 604.6.1
3. Properly secure all compressed gas cylinders in an approved manner. – CFC 5303.5.3
4. Cease using extension cords as permanent sources of electrical installation throughout the business and seating area, electric room, storage rooms, box office and office area. – CFC 605.5 // UCADB 302.13
5. Remove the stage lighting at the Lobby Piano which are connected with extension cords. – CFC 605.5
6. Properly cap all exposed wiring in the storage area off the seating area, electric room off the seating area and box office area. – UCADB 302.13 // CFC 605.6
7. Remove all illegal wiring and cords from Lobby box office ticket windows and advertisement boards. – UCADB 302.13 // CFC 605.3
8. Repair or replace all electrical cords for equipment which are damaged or deteriorated in the storage area off the seating area. – UCADB 302.13
9. Fire extinguishers require annual service/recharge. Ensure all fire protection systems have been properly serviced. – CFC 906.2

Centrale:

1. Properly secure all compressed gas cylinders in an approved manner. – CFC 3003.5.3 // CFC 5303.5.3
2. Repair or replace the exit sign at the rear of the kitchen which is not illuminated. – CFC 1013.3
3. Cease using extension cords as permanent sources of electrical installation throughout the business. – CFC 605.5
4. Replace all missing exterior receptacle covers in the patio area of Centrale. – CFC 605.6 // UCADB 302.13

NOTICE & ORDER TO VACATE AND CEASE AND DESIST ALL OPERATIONS

CHRISTOPHER J BENNITT

JUNE 7, 2017

Page 15

5. Properly cap all exposed wiring in the exterior patio area of Centrale. – UCADB 302.13 // CFC 605.6

Catalyst Realty:

1. Cease using extension cords as permanent sources of electrical installation throughout the first and second floor of Catalyst Realty. – CFC 605.5
2. Second story emergency exit is not accessible or installed to meet the minimum exiting requirements. Exit doors must swing in the direction of travel and there must be 2 exits per occupancy load. – CFC 1008.1.2 // CBC 1015.1 // CFC 1019.1
3. Repair or replace the exit sign which is not illuminated. – CFC 1013.3

Gusty Wings:

1. Cease using extension cords as permanent sources of electrical installation throughout the restaurant. Remove all illegal extension cords from the ceilings, counter areas, kitchen and dining areas. – CFC 605.5 // UCADB 302.13
2. Fat fryer on west side of cookers needs to be repositioned under extinguishing system nozzle. – CFC 904.1 // NFPA 17A

The Mile:

1. Ensure the front roll up door properly functions to include securing. When business door is unlocked, roll-up door must stay open on its own. Currently, the door is secured open by use of a screwdriver wedge. – UCADB 302.13
2. Cease using extension cords as permanent sources of electrical installation throughout The Mile. – CFC 605.5
3. Eliminate extension cord from upstairs office to outside exterior lighting. – CFC 605.5
4. Properly seal the opening to interior space behind the wall at the upper level of the stairway with approved fire-rated construction. – CFC 703.1 // UCADB 302.13

NOTICE & ORDER TO VACATE AND CEASE AND DESIST ALL OPERATIONS

CHRISTOPHER J BENNITT

JUNE 7, 2017

Page 16

5. Properly repair the wall breach west of the bar with fire-rated construction. – CFC 703.1 // UCADB 302.13
6. Properly cap all exposed wiring throughout the bar area, second floor stairway and second floor security room. – UCADB 302.13 // CFC 605.6

Rented Dwelling Unit:

1. Provide documentation that apartment unit is an approved use. Previous approved use was for Royal Theatre Office. If no documentation provided, return to original configuration/use. – UCADB 302.9 // 15.04.250, 260, 310
2. Repair or replace front exterior door and hardware which is damaged, deteriorated. Exterior doors must function properly during an emergency without the use of tools, i.e. keys. Remove the dual-keyed lock and install an approved locking mechanism. – SMC 15.24.030 (b) 12 // H&S 17920.3.l // UCADB 302.13 // CBC 1008.1.8.7
3. Properly install windows which are code compliant for emergency egress during an emergency. Remove the bars on the windows and ensure all windows open, close and properly operate. – SMC 15.24.030 (b) 12 // H&S 17920.3.l // UCADB 302.13 // CBC 1008.1.8.7
4. Properly repair or replace the interior hall lighting. – UHC 701.2 // SMC 15.24.030 (b) 4, 13 // H&S 17920.3.d, 17920.3.l
5. Cease occupying the room next to the kitchen/bathroom area as a bedroom. Habitable rooms shall have an area of not less than 70 square feet. – UHC 503.2 // UCADB 302.13
6. Properly repair the damaged and/or missing ceiling material throughout the living space. – SMC 15.24.030 (b) 3 // H&S 17920.3.c // CFC 703.1 // UCADB 302.13
7. Repair or replace the damaged wall material throughout the living space. – SMC 15.24.030 (b) 3 // H&S 17920.3.c // UCADB 302.13
8. Properly install bathroom lighting and bathroom ventilation system. – SMC 15.24.030 (b) 6 // H&S 17920.3.f

NOTICE & ORDER TO VACATE AND CEASE AND DESIST ALL OPERATIONS

CHRISTOPHER J BENNITT

JUNE 7, 2017

Page 17

9. Properly install receptacle covers and light switch plate covers throughout the living unit. – UHC 701.2
10. Properly install code compliant handrails on loft stairway. – SMC 15.24.030 (b) 9 // H&S 17920.3.i
11. Properly install required carbon monoxide and smoke alarms in an approved manner. – 15.24.030 (b) 16 // CFC 1103.8 // CFC 915.1 // UCADB 302.13

Serendipity Salon:

1. Properly construct the stairs to the second floor of the Salon which do not meet minimum code requirements for size, width, handrails and other requirements. – UCADB 302.1
2. Cease using extension cords as permanent sources of electrical installation. – CFC 605.5
3. Provide the required egress requirements including any required illuminated exit signage and egress lighting. – CFC 1013.3 // UCADB 302.13

Casa Flores Restaurant:

1. Install all missing panel covers on sub-panels. – CFC 605.6
2. Provide the required egress requirements including illuminated exit signage and egress lighting. – CFC 1013.3
3. Repair or replace the exit sign which is not illuminated. – CFC 1013.3
4. Repair or replace the damaged sheetrock in the stairway behind the register. – SMC 15.24.030 (b) 9 // CFC 703.1
5. Clean the grease from the flue cooking vent and maintain in a neat and sanitary manner. – CFC 904.12.6
6. Properly install K-type extinguisher in the kitchen area. – CFC 904.12.5.2

NOTICE & ORDER TO VACATE AND CEASE AND DESIST ALL OPERATIONS

CHRISTOPHER J BENNITT

JUNE 7, 2017

Page 18

7. Properly remove the accumulation of grease from the exhaust hood and cooking appliances in the kitchen area. – CFC 904.12.6
8. The plastic storage cover plate in the attic storage area on the second floor needs to be replaced with an approved fire rated cover. – CFC 703.1
9. Properly cap off all exposed wiring in the bathroom on the second level storage area, accessed by the stairway behind the register. – CFC 605.6
10. Cease using extension cords as permanent sources of electrical installation. – CFC 605.5
11. In an existing building where a change of use occurs and the new use is more restrictive than the previous use or the original intended use of the building changes, an automatic sprinkler system shall be installed. In existing buildings, other than residential, greater than 6,000 square feet in area, and the repair and/or alterations are performed in excess of 10% (ten percent), an automatic fire sprinkler system shall be installed within the building. – SMC 15.12.040

IV. CORRECTIVE ACTIONS REQUIRED FOR CONDITIONS CONSIDERED DANGEROUS BUT NOT HAZARDOUS:

Empire/Royal Theatre:

1. Properly identify and label electrical panels/disconnects. – NEC 408.4 A
2. Repair or replace damaged, deteriorated paths of travel in seating area (i.e. steps) and the covering material within the theatre. – UCADB 302.13
3. Ceiling scuttle door is missing inside the closet next to the east exit door. Repair or replace appropriately. – CFC 703.1
4. All electrical outlet cover plates must be intact throughout the theatre. – CFC 605.6

Empresso Coffee and Seating/Patio area:

1. Test switch is missing on emergency lighting to the north of the entrance/exit. Repair or replace to ensure correct operation. – CFC 604.6.1

NOTICE & ORDER TO VACATE AND CEASE AND DESIST ALL OPERATIONS

CHRISTOPHER J BENNITT

JUNE 7, 2017

Page 19

2. The exit sign to the north of the entrance/exit door does not function properly. Repair or replace to ensure correct operation. – CFC 604.6.1
3. Provide proper clearance around sub-panels throughout. Remove all materials 3 feet from in front of the equipment to a width of the panel and grade level to 6 feet, 6 inches. – NEC 110.26.A // UCADB 302.13
4. Properly install covers on all open electrical boxes, panels to include dead front, light fixtures, receptacle outlets and other electrical covers throughout. – CFC 605.6
5. Repair or replace all damaged and/or missing receptacle covers throughout Espresso Coffee and seating area. - CFC 605.6
6. Repair or replace the ceiling material in the kitchen area which is damaged, deteriorated and/or missing. – CFC 703.1 // UCADB 302.13

Balance Physical Therapy:

1. Properly secure and install code compliant stair railings on the interior stairway. – UCADB 302.2

Centrale:

1. Properly clean all grease and debris from kitchen hoods and cooking appliances. – CFC 904.12.6

Catalyst Realty:

1. Repair or replace the ceiling tile in the second floor electrical room which is damaged, deteriorated and/or missing. – CFC 703.1 // UCADB 302.13
2. Repair or replace the damaged ceiling and walls in the storage room. – CFC 703.1 // UCADB 302.13

Gusty Wings:

1. Properly install splash guards on fat fryers. – CFC 904.1 // NFPA 17A
2. Properly clean grease from hood areas and walls. – CFC 904.11.6.3

NOTICE & ORDER TO VACATE AND CEASE AND DESIST ALL OPERATIONS

CHRISTOPHER J BENNITT

JUNE 7, 2017

Page 20

3. Remove all items being stored around water heater and allow access to unit. – CFC 315.3.3

The Mile:

1. Provide proper clearance around sub-panels throughout, to include kitchen and bar area. Remove all materials 3 feet from in front of the equipment to a width of the panel and grade level to 6 feet, 6 inches. – NEC 110.26.A // UCADB 302.13
2. Fire extinguishers need to be within 75 feet of area to be protected. – CFC Table 906.3.1

Serendipity Salon:

1. Provide proper clearance around sub-panel. Remove all materials 3 feet from in front of the equipment to a width of the panel and grade level to 6 feet, 6 inches. – UCADB 302.13 // NEC 110.26.A
2. Replace the missing or damaged electrical covers throughout the Salon. – CFC 605.6
3. Fire extinguishers require annual service/recharge. – CFC 906.2

Casa Flores:

1. Provide proper clearance around sub-panel. Remove all materials 3 feet from in front of the equipment to a width of the panel and grade level to 6 feet, 6 inches. – NEC 110.26.A // UCADB 302.13
2. Properly install all electrical installations within the foot print of the kitchen exhaust hood at the cooking area. The current installation of the electrical panel below the exhaust hood is not an approved installation. – NEC 110.26.A // UCADB 302.13
3. Repair or replace the damaged ceiling, floors and walls throughout the restaurant, kitchen, storage area, bathrooms and stairway. – CFC 703.1

NOTICE & ORDER TO VACATE AND CEASE AND DESIST ALL OPERATIONS

CHRISTOPHER J BENNITT

JUNE 7, 2017

Page 21

4. Remove the accumulation of garbage, junk, debris, combustible materials, stored materials and other such items which have created a tripping hazard in the second floor storage area, electrical rooms, mechanical rooms, stairs, etc. Allow for proper egress to and from these areas throughout the restaurant. – CFC 315
5. Properly install code compliant hand rails on the stairway behind the register. – UCADB 302.2
6. Repair or replace the damaged stair covering (tile) on the stairway behind the register. – UCADB 302.2
7. Replace the missing or damaged electrical covers throughout the restaurant. – CFC 605.6

Recording Requested By:

CITY OF STOCKTON

Return To:

City of Stockton Neighborhood Services
22 E. Weber Avenue, 3rd Floor
Stockton, CA 95202

APN 137-020-42

Subject: 1825 Pacific Avenue, Stockton, California

**AGREEMENT
Between the
CITY OF STOCKTON and Christopher J. Bennitt**

THIS AGREEMENT is entered into this 19th day of August, 2016, by and between the CITY OF STOCKTON, a municipal corporation organized under the laws of the state of California (hereinafter referred to as "CITY"), and, Christopher J. Bennitt (hereinafter referred to as "OWNER").

RECITALS

WHEREAS, OWNER is the owner of the real property located at 1825 Pacific Avenue, Stockton, California, Parcel Number 137-020-42 (the "Property").

WHEREAS, the CITY is the agency responsible for providing plan checks, building permits, and inspections for the area of Stockton in which the Property is located;

WHEREAS, the CITY has given to OWNER a Notice and Order to Vacate, dated January 31, 2012; Administrative Citations FY#02173, dated January 31, 2012 and #100683, dated December 29, 2013 a Civil Penalty Notice and Order, dated February 06, 2014 and issued for work which the CITY claims require building permits and/or removal of structures on the property located at 1825 Pacific Avenue, Stockton, California;

WHEREAS, OWNER disputes CITY's claims, and

WHEREAS, OWNER and CITY now wish to enter into this Agreement to resolve any and all disagreements OWNER and CITY have regarding the Property.

IN CONSIDERATION OF the faithful performance of the terms, conditions, and promises set forth in this Agreement, the parties agree as follows:

1. OWNER agrees to have a set of plans prepared by architect and/or engineers which will identify the current as built condition of the Property and will identify the uses of each portion of the Property as now in use and will identify, as the scope of work, all construction, removal, modification, and/or completion of work on the Property being proposed by OWNER (the "Plans".)
2. CITY agrees that the Plans may be "plan checked" by (to be determined) as an agent of the CITY.
3. Following the "plan check" performed by (to be determined), and following any required revisions to the submitted plans being completed by owner, and following the submittal of the plans following plan check together with the required statement from the third party plan check firm (See Exhibit 1), CITY agrees to issue necessary Building Permit(s) ("Permit") to OWNER allowing the completion of all construction set forth in the Plans.
4. OWNER agrees to pay the fees and costs for preparation of the plans and specifications to be submitted for plan check and OWNER agrees to pay the fees and costs of the third party (to be determined) which will perform the "plan check". CITY agrees to only charge the reasonable and customary fees for the Permit and for any and all inspection during construction. CITY agrees to minimize trips for inspection by scheduling as many inspections as is reasonable during each trip to the Property.
5. OWNER understands that CITY has prepared a summary of items regarding the Property, prior Permits and construction claimed to be performed without permit. CITY has provided a copy of these materials to OWNER. OWNER agrees to provide a copy of the CITY's summaries to OWNER's architect and engineers who prepare the plans and to the third party plan check firm for their information and reference. The CITY may contact architect, engineers or the third party plan check firms and provide more documents or information, including, but not limited to the CITY's summaries and other documentation relating to the condition of the Property.
6. OWNER will arrange for the plan check firm to make site visits to the project location and conduct an inspection to confirm that the plans submitted to the firm for review are "as-built" plans and that all of the current conditions at the project site are accurately reflected in the plans. Plans approved by the plan check firm and submitted by OWNER to the CITY for permits will be accompanied by a letter from the plan check firm confirming that a site visit and inspection were completed, and that the approved plans submitted to the CITY reflect the "as-built" conditions. OWNER will provide a defined use of all areas in the project (North and South Buildings) to the plan check firm so that it is clear what the intended use of each space is, and what building codes and regulations are applicable to that intended use.

7. CITY and OWNER agree to the following time line for completion of the steps required by this Agreement:

Said OWNER shall, within ninety (90) business days from the signing of this agreement, submit (1) a scope of work and timeline for the renovation of Property and (2) a copy of plans prepared by architect and/or engineers, which will identify the current as built condition of the Property and the uses of each portion of the Property as now in use, to the Community Development and Fire Departments at the following addresses:

City of Stockton
Community Development Department
325 North El Dorado Street
Stockton, CA 95202

City of Stockton
Fire Department
425 North El Dorado Street
Stockton, CA 95202

Within ninety (90) business days from the signing of his Agreement, OWNER, or his agent, agrees to submit all Plans and submittals for the renovation of the Property to the agreed upon third party plan check company. All plan correction[s] by plan check company shall be responded to within fifteen (15) business days of notice. No extension shall be granted unless approved by Community Development and Fire Departments.

Upon approval of submitted plans, OWNER shall obtain the Permit from Community Development within ten (10) days of notice. All work shall be inspected and approved by Community Development, Building Inspection and Fire Department within 180 days of obtaining permit unless granted extension by Community Development and Fire Departments.

8. It is further understood that this Agreement is being made with OWNER, exclusively, and should not be interpreted in any way to be directed to any other party. Neither the CITY nor the OWNER waives its rights to pursue any and all legal remedies in the event the OWNER or CITY does not comply with any of the promises made herein.

9. This Agreement shall be recorded with the San Joaquin County Recorder.

10. Notwithstanding any other provision of this Agreement, OWNER, agrees to provide the CITY, and other inspectors as may be needed, access to the subject property (interior and exterior of structure) in order to conduct inspections throughout the course of construction.

11. City acknowledges receipt of payment from OWNER of code enforcement abatement costs along with fines and penalties that have accrued up to and including July 1, 2014, CITY agrees to release and discharge any lien that is in place as a result of code enforcement abatement costs along with those fines and penalties assessed and applicable to the Property up to and including July 1, 2014 in a manner consistent with the Stockton Municipal Code.

12. CITY agrees that fines or penalties accruing after July 1, 2014 shall be held in abeyance throughout the pendency of this Agreement. If OWNER violates any term of this Agreement, such fines and penalties accruing after July 1, 2014 shall become immediately due and owing to the CITY, at which time the CITY may use any and all legal means to secure said fines and penalties, including, but not limited to those means provided for in Title 1 of the Stockton Municipal Code. OWNER reserves his rights to challenge or oppose the continued imposition of fines or penalties and/or collection of fines and penalties if the City moves forward with action to secure post July 1, 2014 fines and penalties that are held in obedience during the pendency of this Agreement. CITY agrees that all fines and penalties held in obedience during the pendency of this Agreement will be released and waived upon the completion of the Agreement which will occur with the final inspection of the work performed under the permit issued as part of this Agreement.

13. OWNER agrees to maintain the Property free and clear of garbage, junk, and debris.

14. The Parties shall take such actions and shall execute, deliver and file or record (if necessary) any such documents as may be reasonable or necessary to effectuate the purposes and contents of this Agreement.

15. The failure of any Party to insist upon compliance with any of the provisions of this Agreement or the waiver thereof, in any instance, shall not be construed as a general waiver or relinquishment by such Party of any other provision of this Agreement.

16. This Agreement may not be amended except by an instrument in writing, executed by the Parties, and each of them.

17. For purposes of this Agreement, and except as provided above, all notices to be sent to OWNER or CITY, shall be addressed to:

If to OWNER:

Christopher J. Bennett
c/o Max Steinheimer
Downey Brand LLP
3425 Brookside Road, Suite A

Stockton, CA 95219

with a copy to:

Max Steinheimer
Downey Brand LLP
3425 Brookside Road, Suite A
Stockton, California 95216

If to CITY:

Neighborhood Services
22 E. Weber Avenue, 3rd Floor
Stockton, CA 95202

with a copy to:

Bryan Rome, Deputy City Attorney
Stockton City Attorney's Office
425 North El Dorado Street, 2nd Floor
Stockton, CA 95202

18. All notices must be sent by U.S. registered or certified mail, first class, postage prepaid, personal delivery, or overnight delivery service. The Parties and/or their respective attorneys, as set forth in this paragraph, may change their addresses set forth above at any time, provided that any Party, or attorney for a Party, making such a change shall give notice to all others as set forth in this paragraph.

19. This Agreement shall be effective when executed by all of the Parties hereto.

20. This Agreement, along with the exhibit hereto, contains the entire agreement of the Parties and supersedes any and all prior, written or oral, agreements among them concerning the subject matter of this Agreement. There are no representations, agreements, arrangements or understandings, oral or written, among the Parties, relating to the subject matter of this Agreement which are not fully expressed herein.

21. This Agreement shall not be deemed or construed to be an admission or evidence of any violation of any statute or law or of any liability or wrongdoing or of the truth of any claims of CITY or OWNER or as a waiver of any defenses thereto.

22. The terms, provisions and language of this Agreement have been jointly negotiated and drafted by OWNER and CITY and their respective legal counsel. Nothing in this Agreement shall be construed or interpreted against any party as the drafting Party, or for any other reason by operation of similar rules of construction.

23. This Agreement shall be governed by the laws of the State of California, without regard to its conflict of laws principles. Any suit or action to enforce the terms of this Agreement shall be brought in the federal or state courts located in California. In any action arising out of or related to this Agreement, the prevailing shall be entitled to recover its costs and expenses including reasonable attorney's fees.

OWNER:


Dated: August 19, 2016.



Christopher J. Bennitt

CITY:

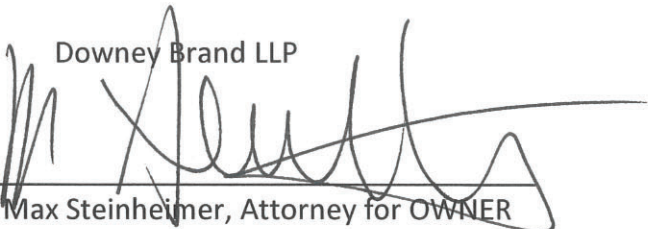
10/19/16
Dated: ~~August~~, 2016.

By: 

KURT WILSON
CITY MANAGER

APPROVED AS TO FORM

Dated: August 19, 2016.

Downey Brand LLP
By: 

Max Steinheimer, Attorney for OWNER

Stockton City Attorney's Office

Dated: August 23, 2016.

By: 

Bryan Rome, Attorney for CITY

Allison Aube

From: Kim Washington
Sent: Wednesday, June 7, 2017 9:13 AM
To: Peter Lemos
Subject: UNITS # RESPONDING TO EMPIRE THEATER

2B34 - Officer Aaron Goodenough is enroute to the Empire Theater. His cell # is [REDACTED]

KIM A. WASHINGTON

KIM A. WASHINGTON
POLICE TELECOMMUNICATIONS SUPERVISOR
4th Watch/PHASE 1 (1400-0000)
937-8881

Kim.washington@stocktonca.gov

Allison Aube

From: Connie Cochran
Sent: Thursday, June 15, 2017 2:52 PM
To: Phillips, Roger
Subject: RE: code enforcement activities inquiry

Yes. I will forward to all involved.

Connie Cochran
City of Stockton
Community Relations Officer
(209) 937-8827 (office)
(209) 629-1251 (cell)
e-mail: connie.cochran@stocktonca.gov
website: www.stocktonca.gov
[facebook.com/CityofStockton](https://www.facebook.com/CityofStockton)
twitter.com/StocktonUpdates
[YouTube.com/StocktonUpdates](https://www.youtube.com/StocktonUpdates)

From: Phillips, Roger [mailto:rphillips@recordnet.com]
Sent: Thursday, June 15, 2017 11:43 AM
To: Connie Cochran <Connie.Cochran@stocktonca.gov>
Subject: Re: code enforcement activities inquiry

Thanks, Connie, will this work?

This is a CPRA request for all documents, reports, citations and warnings sent from the city, Police Department or its code enforcement division involving buildings where the owner/landlord is Christopher "Kit" "Bennitt from Jan. 1, 2010 to June 15, 2017.

Roger Phillips
Reporter
Stockton Record
530 E. Market Street
Stockton, Calif. 95202
MOBILE & TEXT: (209) 910-3001
WORK: (209) 546-8299
Twitter: @rphillipsblog
Facebook: <https://www.facebook.com/roger.phillips.75>

On Thu, Jun 15, 2017 at 11:22 AM, Connie Cochran <Connie.Cochran@stocktonca.gov> wrote:

Roger,

For information about specific code enforcement activities, please send a request for public records. You can do so by replying to this e-mail, or, if you prefer, you can send a letter.

Thank you,

Connie Cochran

City of Stockton

Community Relations Officer

[\(209\) 937-8827](tel:(209)937-8827) (office)

[\(209\) 629-1251](tel:(209)629-1251) (cell)

e-mail: connie.cochran@stocktonca.gov

website: www.stocktonca.gov

facebook.com/CityofStockton

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This message may contain confidential and/or privileged information. If you are not the intended recipient or authorized to receive this for the intended recipient, you must not use, copy, disclose or take any action based on this message or any information herein. If you have received this message in error, please advise the sender immediately by sending a reply e-mail and delete this message. Thank you for your cooperation.

Allison Aube

From: Connie Cochran
Sent: Monday, September 11, 2017 10:16 AM
To: julie simon
Subject: RE: 1825 Pacific Ave #6

Mr. Bennitt's attorney is with the firm Downey Brand (209) 473-6450. Please call them directly, as your rental/lease agreement is/was with the property owner.

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twitter.com/StocktonUpdates
[YouTube.com/StocktonUpdates](https://www.youtube.com/StocktonUpdates)

From: julie simon [mailto:julia2muchtime@yahoo.com]
Sent: Monday, September 11, 2017 9:31 AM
To: Connie Cochran <Connie.Cochran@stocktonca.gov>; angel.solis@stockton.ca.gov
Subject: 1825 Pacific Ave #6

Hello,

Just checking in seen the new posting on the property dated September 5, 2017.

We wanted to go and take some pictures of the furniture that we couldn't move at the time of closure, come to find out the locks have been changed. I was told we needed to contact the city attorney to get the owner's attorneys information so we can reach out to him. As Mr. Bennitt is not responding to our texts, emails, or phone calls.

Please advise

Thank you

Julie


Allison Aube

From: Connie Cochran
Sent: Monday, October 2, 2017 1:56 PM
To: julie simon
Subject: RE: RE: 1825 Pacific Ave #6

Julie,
Please contact Mr. Bennitt for any updates regarding his property.

If other businesses who were Mr. Bennitt's tenants are receiving assistance, it is because they qualify for one of our existing programs. It is not special or specific to this set of circumstances. We have a micro loan program that they might qualify for. We also have an emergency grant program that can cover small amounts of repairs, such as electrical upgrades. Business owners can qualify for a façade improvement program. All of these programs are on the website: <http://www.stocktonca.gov/government/departments/econDev/eDevBusAss.html>

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twitter.com/StocktonUpdates
[YouTube.com/StocktonUpdates](https://www.youtube.com/StocktonUpdates)

From: julie simon [mailto:julia2muchtime@yahoo.com]
Sent: Monday, October 02, 2017 12:54 PM
To: Connie Cochran <Connie.Cochran@stocktonca.gov>
Subject: Re: RE: 1825 Pacific Ave #6

Hello,

Any updates on our unit #6? I called the Attorney's office and its been a couple weeks and no return call so I called again today and left another message.

Also, I was told a couple of the businesses were given some assistance for relocation. Do you know who I can contact in reference to that?

Thank you

Julie


On Monday, September 11, 2017, 10:15:39 AM PDT, Connie Cochran <Connie.Cochran@stocktonca.gov> wrote:

Mr. Bennitt's attorney is with the firm Downey Brand (209) 473-6450. Please call them directly, as your rental/lease agreement is/was with the property owner.

Connie Cochran

City of Stockton

Community Relations Officer

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e-mail: connie.cochran@stocktonca.gov

website: www.stocktonca.gov

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From: julie simon [<mailto:julia2muchtime@yahoo.com>]

Sent: Monday, September 11, 2017 9:31 AM

To: Connie Cochran <Connie.Cochran@stocktonca.gov>; angel.solis@stockton.ca.gov

Subject: 1825 Pacific Ave #6

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We wanted to go and take some pictures of the furniture that we couldn't move at the time of closure, come to find out the locks have been changed. I was told we needed to contact the city attorney to get the owner's attorneys information so we can reach out to him. As Mr. Bennitt is not responding to our texts, emails, or phone calls.

Please advise

Thank you

Julie



Allison Aube

From: Connie Cochran
Sent: Monday, October 2, 2017 2:16 PM
To: julie simon
Subject: RE: RE: RE: 1825 Pacific Ave #6

Our Economic Development Department. They can be reached at (209) 937-8539.

Connie Cochran
City of Stockton
Community Relations Officer
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From: julie simon [mailto:julia2muchtime@yahoo.com]
Sent: Monday, October 02, 2017 2:15 PM
To: Connie Cochran <Connie.Cochran@stocktonca.gov>
Subject: Re: RE: RE: 1825 Pacific Ave #6

Okay, I called and left his attorney another voice message. Mr. Bennitt doesn't answer phone, text or email.

Thank you for the information on the programs the City has.

Another question how or who can I contact to see what spaces are available downtown?

I truly appreciate all your help.

Thank you again.

Julie


On Monday, October 2, 2017, 1:56:05 PM PDT, Connie Cochran <Connie.Cochran@stocktonca.gov> wrote:

Julie,

Please contact Mr. Bennitt for any updates regarding his property.

If other businesses who were Mr. Bennett's tenants are receiving assistance, it is because they qualify for one of our existing programs. It is not special or specific to this set of circumstances. We have a micro loan program that they might qualify for. We also have an emergency grant program that can cover small amounts of repairs, such as electrical upgrades. Business owners can qualify for a façade improvement program. All of these programs are on the website:

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From: julie simon [<mailto:julia2muchtime@yahoo.com>]

Sent: Monday, September 11, 2017 9:31 AM

To: Connie Cochran <Connie.Cochran@stocktonca.gov>; angel.solis@stockton.ca.gov

Subject: 1825 Pacific Ave #6

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We wanted to go and take some pictures of the furniture that we couldn't move at the time of closure, come to find out the locks have been changed. I was told we needed to contact the city attorney to get the owner's attorneys information so we can reach out to him. As Mr. Bennitt is not responding to our texts, emails, or phone calls.

Please advise

Thank you

Julie

[REDACTED]

Allison Aube

From: Michael Tubbs
Sent: Monday, July 10, 2017 6:38 PM
To: Daniel Lopez
Subject: Fwd: Media Update

Sent from my iPhone

Begin forwarded message:

From: Connie Cochran <Connie.Cochran@stocktonca.gov>
Date: July 10, 2017 at 5:50:09 PM PDT
To: Michael Tubbs <Michael.Tubbs@stocktonca.gov>, Elbert Holman <Elbert.Holman@stocktonca.gov>, Dan Wright <Dan.Wright@stocktonca.gov>, Susan Lofthus <Susan.Lofthus@stocktonca.gov>, Susan Lenz <Susan.Lenz@stocktonca.gov>, Christina Fugazi <Christina.Fugazi@stocktonca.gov>, Jesus Andrade <Jesus.Andrade@stocktonca.gov>
Cc: Kurt Wilson <Kurt.Wilson@stocktonca.gov>, Laurie Montes <Laurie.Montes@stocktonca.gov>, Scott Carney <Scott.Carney@stocktonca.gov>, Florence Low <Florence.Low@stocktonca.gov>
Subject: Media Update

Mike Fitzgerald, The Record, inquired about dry grass at Victory Park. Pump for irrigation system has been down for 3 weeks. Odyssey has been watering every 3 days by truck. Pump contractor will be out this week to determine extent of repairs needed. Oak Park irrigation pump also old and malfunctioning. Other parks with diminished capacity include: Panella (by Arnold Rue); Fong Park (btwn 99/West Ln); and Cortez (btwn El Dorado/West Ln). Heat has been a problem, as pumps, both old and new, overheat and malfunction.

Fitzgerald also concerned about Heritage Oak in Victory Park that lost limbs; loss of trees/limbs common in extreme heat, reports throughout the Central Valley.

KCRA and Fox 40 called about Pacific Ave/Kit Bennitt property vacated last month due to hazardous/dangerous conditions and property owner failure to address. Provided the same information to both reporters that was provided to The Record last week; building is dangerous and cannot be re-occupied until licensed, registered professional evaluates building and repairs are made so the building is safe. No plans have been submitted to City. Administrative hearing was scheduled for July 5th, but Mr. Bennitt's attorney had a scheduling conflict.

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[YouTube.com/StocktonUpdates](https://www.youtube.com/StocktonUpdates)

Allison Aube

From: Michael Tubbs
Sent: Wednesday, August 16, 2017 5:55 PM
To: Daniel Lopez
Subject: Fwd: Media Update

Sent from my iPhone

Begin forwarded message:

From: Connie Cochran <Connie.Cochran@stocktonca.gov>
Date: August 16, 2017 at 8:54:29 PM EDT
To: Michael Tubbs <Michael.Tubbs@stocktonca.gov>, Elbert Holman <Elbert.Holman@stocktonca.gov>, Dan Wright <Dan.Wright@stocktonca.gov>, Susan Lofthus <Susan.Lofthus@stocktonca.gov>, Susan Lenz <Susan.Lenz@stocktonca.gov>, Christina Fugazi <Christina.Fugazi@stocktonca.gov>, Jesus Andrade <Jesus.Andrade@stocktonca.gov>
Cc: Kurt Wilson <Kurt.Wilson@stocktonca.gov>, Laurie Montes <Laurie.Montes@stocktonca.gov>, Scott Carney <Scott.Carney@stocktonca.gov>, Florence Low <Florence.Low@stocktonca.gov>
Subject: Media Update

KCRA, Channel 3 reporting on Victory Park irrigation. Viewer saw Odyssey Landscaping working on replacing sprinkler heads and adjusting zone coverage. Advised sprinklers work. The pump and well system failed. Replacing is a major project. With the well, we irrigated at night with non-potable water. We are currently watering with potable water in smaller areas, around-the-clock.

KCRA, Channel 3, Melinda Meza, called to check status of Kit Bennitt Miracle Mile building. Confirmed our building officials have met with architect representing Mr. Bennitt. No plans submitted, yet. Once plans submitted and approved by City, building will need to be fixed and inspected by City building and fire, before it can be occupied.

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Allison Aube

From: CM - Mayor
Sent: Tuesday, August 14, 2018 3:40 PM
To: Rhonda Luke-Olvera; CM - Mayor
Subject: RE: Empire Theater Fire August 14, 2018

Rhonda,

Thank you so much for reaching out.
I also support every effort to get the Empire back up and running.

I disagree, however, with the characterization that the city so callously took away jobs. Many of the businesses have found new locations and as the article you referenced STATED the building has very serious public safety hazards:

Among the violations listed on city documents dating to 2012 were inaccessible emergency exits and blocked exit pathways, multiple extension cords being used as permanent sources of electricity, exposed wiring in storage areas, unusable fire extinguishers, and even one space repurposed as a bedroom that did not “meet the minimum requirements as a bedroom.” Once these are addressed, we will be able to open the building back up. I am very hopeful that the owner understands how important this building is to the community and makes the necessary repairs in a timely manner.

From: Rhonda Luke-Olvera [mailto:rhondalukeolvera@gmail.com]
Sent: Tuesday, August 14, 2018 10:28 AM
To: CM - Mayor <Mayor@stocktonca.gov>
Subject: Empire Theater Fire August 14, 2018

Thank you for asking for input regarding the Empire Theater situation, I refer to the article in The Record on Friday August 10.
Today's Record has a front page article regarding the fire and the current impasse between the City and the owner. I feel compelled to say I support every effort to get the Empire back up and running and to have the jobs restored that were so callously taken away by the City.
I don't believe it was a consistence that the seven businesses were closed down a day before the opening of Dutch Brothers coffee. I think that timing was calculated by someone in the City permitting department. Now the City has created what it sought to prevent, a fire in the building. I'm stunned that the City withheld permits from the building owner with the indention to create a receivership situation. How is such manipulation allowed?
I respectfully ask you Mayor Tubbs to step in and help get the Empire up and running again.
Respectfully,
Rhonda Luke-Olvera, lifelong Stockton resident

Allison Aube

From: CM - Mayor
Sent: Monday, August 20, 2018 3:13 PM
To: holmescdm@aol.com; CM - Mayor
Subject: RE: Mircle Mile

Craig,

Thank you for your email and your concern.

As reported several times, the iconic building has very serious code violations and the city had been working with the owner since 2013 on bringing the property up to code. The owner was aware of the violations and impending action by the city, and didn't tell his tenants.

The issue with the Empire Theatre is not one of not having a strategy, but of the importance American jurisprudence puts on property rights. Since Mr. Bennett owns the building, we aren't able to make the changes for him nor can we do more than what we've done in terms of going to court to try to get a remedy to the situation.

Mr. Bennett is free to pick up the permits at any point and I would love nothing more than for him to do so! I live on Miracle Mile and miss the other shots.

To that end, the city Manager, Councilmember, myself and about 6 leaders from the area met on Friday. I am hopeful that it is just the beginning of many conversations regarding the Miracle Mile.

Thanks!

From: holmescdm@aol.com [mailto:holmescdm@aol.com]
Sent: Monday, August 20, 2018 2:41 PM
To: CM - Mayor <Mayor@stocktonca.gov>
Subject: Mircle Mile

Mayor Tubbs,

I am very concerned about the Stockton City government's handling of the Miracle Mile/ Empire Theater debacle. It's been over a year since, without notice, nine businesses were evicted from property owned by Mr. Bennitt. (What was the city thinking!!) Not only has that building not generated any tax revenue for the city for over a year, it is now siphoning off police and fire department resources - creating a haven for the homeless. I hope these empty store fronts are not a precursor of what happened to downtown Stockton in the 60's and 70's.

The comments from Judge Scott and recent disclosures of city departments attempting to seek a receivership, and putting building permits to fix the building on hold, frustrating attempts to remedy the code violations, makes one think, this is "the gang who couldn't shoot straight." Is anyone in charge!?!

While under your leadership, several innovative and exciting things seem to be in the works. It gives me pause, however, to wonder how these "dreams" can be realized, when the Miracle Mile fiasco seems to suggest the city is incapable of creating a viable strategy (after over a year) to solve the Miracle Mile/Empire problem. From the eviction of 9 businesses with little notice, to the

current receivership/permit problems, it appears there is very little co-operation or co-ordination among the players, let alone, just plain old common sense. Sadly, the impression the public is left with is that, a year from now we'll be in the same situation.

The Miracle Mile, is a unique, neighborhood oriented shopping & dining venue. Sacramento has several of these venues that attract neighbors and others who like to patronize local merchants and perhaps sit outside and enjoy dinner or a drink.

I would suggest, with your leadership, the creation of something like a "Miracle Mile Task Force" to oversee and expedite the resolution to this problem. The City Councilperson from that area, local business owners, Mr Bennitt, directors of the city departments involved, and neighborhood representation, could be part of the group. Their task would be to make sure there is a plan, everyone is on the same page, and hold the players' feet to the fire - accountability. It would send a positive message to the community, that city government is not satisfied with "business as usual."

Sincerely,
Craig Holmes

Allison Aube

From: CM - Mayor
Sent: Tuesday, August 21, 2018 10:09 AM
To: Christopher eley; CM - Mayor
Subject: RE:

Thank you for reaching out and I don't disagree about the need for Miracle Mile to be a thriving section of the city. In reading through the court proceedings from the receivership hearing with the judge- he mentioned that he felt the owner needed more time to make repairs.

I am hopeful that Mr. Bennett will make the needed repairs and that we are able to open the building back for business

From: Christopher eley [mailto:eleylaw@aol.com]
Sent: Monday, August 20, 2018 9:35 PM
To: CM - Mayor <Mayor@stocktonca.gov>
Subject:

Dear Mayor Tubbs;

I am sure that you are as upset as I am about the loss of those nine businesses located in the Empire Theater building. Even taking into consideration Mr. Bennett's intransigence, somebody at the City grossly bungled the situation. For years it has been a priority of the City to keep the Miracle Mile a vibrant business location. In one ill-considered stroke, Code Enforcement set back the Miracle Mile by years. I urge you to get the City to work cooperatively with the business owners and the landlord to salvage what was once a thriving area and to set a protocol to avoid such a misstep in the future.

Thank you

Chris and Tola Eley

Allison Aube

From: Michael Tubbs
Sent: Monday, June 12, 2017 10:22 AM
To: Sahil Dhillon
Subject: Re: News Coverage 6.8.17 - 6.11.17

Thank you
Let's aim to have clips by 9 am

Sent from my iPhone

> On Jun 12, 2017, at 9:49 AM, Sahil Dhillon <sahild138@berkeley.edu> wrote:

>

> Sierra Vista homes to undergo first remodel in 70 years<<http://www.recordnet.com/news/20170611/sierra-vista-homes-to-undergo-first-remodel-in-70-years>>

>

> Record Net Roger Phillips (June 11)

> STOCKTON — Maria Hernandez wasted no time responding last week when a visitor asked her for an example of something she wishes was different about the south Stockton residence she has shared with her husband for the past 26 years.

>

> “I wish it had nicer tiles,” 69-year-old Hernandez said in Spanish, looking down at the drab, institutional, off-white linoleum that covers the floors throughout her two-bedroom unit. “They’ve been here since I’ve lived here. I’m tired of looking at it. I mop it and mop it, and it’s still the same.”

>

> “In winter there’s a lot of mildew,” she said. “There’s no ventilation. It’s like it’s raining inside because of all the moisture coming in.”

>

> Hernandez and her husband, 71-year-old Jaime Hernandez, have waited for what seems forever for improvements to the unit at the Sierra Vista public-housing development in south Stockton that has been their home since 1991.

>

> But last week, the elderly couple learned improvements finally are on their way. In fact, it will be better than improvements. It will be a brand-new residence at Sierra Vista, which finally is on a path toward its first major revitalization nearly three-quarters of a century after its construction.

>

> The Housing Authority of San Joaquin County received \$24.3 million in low-income housing tax credits last week from the agency that oversees the federal program in California.

>

> The funds will help pay for the first phase in what will be a complete rebuild of the 70-year-old, 400-unit Sierra Vista project in the years to come.

>

> Demolition of one square block of 27 drab barracks-style single-story units could begin as soon as December, Housing Authority Executive Director Peter Ragsdale said.

>

> The demolition will be followed by construction of modern two-story buildings that presumably will not have decades-old linoleum flooring and rain seeping out of the walls.

>

> “It’s a great opportunity to have a better, nicer type of living,” said the Housing Authority’s Fabiola Davis, the site manager at Sierra Vista. “Things have started moving.”

- >
- > The Housing Authority received the tax credits last week on the same day it was the subject of a report by the San Joaquin County civil grand jury for the ninth time in the past 16 years.
- >
- > The civil grand jury noted in the report that the Housing Authority has shown significant signs of progress since late 2015, when Ragsdale joined the agency after spending two decades in a similar role in Albany, New York.
- >
- > With Ragsdale’s arrival, it appears the San Joaquin County agency is entering the 21st century. A definitive sign of this is the embrace of the federal tax-credit program, which has been around for decades. But as Ragsdale and the civil-grand jury noted, the 1,100-unit San Joaquin County Housing Authority had never previously even applied for the tax credits until this year.
- >
- > “The only way to do any meaningful public-housing redevelopment is low-income housing tax credits,” Ragsdale said. “It’s time it came to Stockton.”
- >
- > The coming improvements at Sierra Vista coincide nicely with ongoing efforts to upgrade the adjacent community.
- >
- > Nearby at Airport Way and Ninth Street, a developer appears to be on a path to open a Family Dollar discount store to replace the blighted, shuttered former New Grand Save Market. STAND Affordable Housing, meanwhile, is hoping to develop a mixed-use project from Eighth to Ninth streets along Airport Way.
- >
- > Ragsdale said the tax credits will enable his agency to bring private investors into the effort to help develop desperately needed affordable housing in Stockton and San Joaquin County.
- >
- > In fact, Ragsdale said, public-private partnerships already are at play in the county. He said the Housing Authority is partnering with DFA Development on an artist-loft project planned for downtown’s historic 13-story Medico-Dental Building, and also has an affiliation with an upcoming 48-unit senior-housing project planned for Manteca.
- >
- > “We have to adopt a private market mindset,” Ragsdale said. “The days of (the federal government) just sending us checks to say, ‘Hey, maintain your property,’ are over.”
- >
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- >
- > Days after forced closure, owner of Espresso Coffeehouse calls support ‘amazing’ <<http://www.recordnet.com/news/20170609/days-after-forced-closure-owner-of-espresso-coffeehouse-calls-support-amazing>>
- >
- > Record News by Nicholas Filipas (June 9th)
- >
- > STOCKTON — The past few days for Espresso Coffeehouse owner Rosann Burke were simply described as “horrific.”
- >
- > Days after Stockton city officials shut down nine Miracle Mile businesses as their Pacific Avenue landlord failed to make repairs to numerous fire and safety violations, the space that should be bustling with coffee drinkers now sits empty.
- >
- > Friday was the deadline to clear the space. Now, equipment and everything that made the 13-year-old business a unique part of the community, is packed away in a storage unit.
- >

- > It wasn't exactly the way Burke had in mind to celebrate her 36th birthday.
- >
- > "We love the Miracle Mile and we want to be back, but there's a lot that needs to be done to the building, and we want our customers to be safe," Burke said. "We had no idea that any of this was going on."
- >
- > Among the other businesses forced to lock up on Wednesday in the two-story building on the 1800 block of Pacific Avenue were the Casa Flores and Centrale restaurants, a Realtor's office and a beauty salon.
- >
- > City officials provided documentation that showed a long list of much needed repairs to building owner Christopher "Kit" Bennitt dating back to January 2012.
- >
- > Documents also show an agreement with Bennitt that he signed in August to bring the nearly 31,000-square-foot building up to code.
- >
- > At 9 a.m. Wednesday, city officials arrived to serve a "notice and order to vacate and cease and desist all operations" to owners of each of the nine businesses based in the Promenade Building, which dates to 1943. The business owners then met with officials at City Hall for a briefing.
- >
- > Among the dozens of pages of violations listed on city documents dating back to Jan. 31, 2012, were "inaccessible emergency exits and blocked exit pathways, multiple extension cords being used as permanent sources of electricity, exposed wiring in storage areas, unusable fire extinguishers," and one space repurposed as a bedroom that did not "meet the minimum requirements as a bedroom."
- >
- > City officials said they could wait no longer for Bennitt to comply with orders to make the needed repairs at a building he had owned since buying it for \$1.3 million in 2005. They referenced last year's deadly Ghost Ship fire in Oakland, where 36 people died in a building that had been cited at least 10 times for code violations.
- >
- > Burke would not comment if she has spoken to Bennitt since Wednesday.
- >
- > Outside Espresso's second location two miles north in the College Station shopping mall on West March Lane, employees are trying to make sense of the ordeal.
- >
- > Amanda McNamara and Katelynn Castandea, employees at the Miracle Mile location, said the sudden closure was devastating, considering the fact that no warning by the city or Bennitt was ever given.
- >
- > "It feels like somebody died," 26-year-old McNamara said, who said she has been an employee for more than a year.
- >
- > "It's been a big part of our community; for people that come in every day, all day, so they feel very displaced. Us as employees feel very displaced and worried what's going to happen."
- >
- > Castaneda, 25, has been working at Espresso since February.
- >
- > "I've never had a job that's so much fun," she said. "I love coming to work, and when that happened, it was like 'what am I going to do?' It feels like home."
- >
- > Peter Lemos, who manages code enforcement for the Stockton Police Department, told The Record that Bennitt owns other properties in the city and may face more trouble in the future.
- >
- > Some or all of the nine businesses in Bennitt's building ultimately could reopen if the structure is brought into compliance, officials said.
- >

> Burke said Friday that the outpouring of support from her employees and customers has been “amazing.” Now, it’s waiting and watching on what happens next.

>

> “We are the luckiest coffee shop in town,” Burke said. “All we’re asking for is continued support. That’s what’s going to help us get through this and for our employees, help us make our next move. It’s been heartbreaking.”

>

> Stockton CHP: Car Hits Sign, Woman and Telephone Booth then Drives Away<<http://fox40.com/2017/06/11/stockton-chp-car-hits-sign-woman-and-telephone-booth-then-drives-away/>>

>

> Fox 40 KATELYN STARK, June 11, 2017

>

> STOCKTON — Stockton CHP is searching for the occupants of a car who hit a street sign, a woman and a telephone booth Saturday in Stockton then drove away from the scene. The 28-year-old pedestrian struck in the incident around 11:40 p.m. sustained abrasions to her arms and legs and was hospitalized. A vehicle, which CHP has described as a burgundy Jaguar, drove off the westbound roadway on Main Street and onto the eastbound sidewalk the pedestrian was on. It struck the woman after hitting a street sign and came to a stop when it hit a telephone booth. The car’s four occupants jumped out of the Jaguar and pushed the car off the booth. The men drove away from the scene down Main Street going west. Officials report the men involved in the hit-and-run were all Hispanic. They have no further information regarding the car or its passengers and are searching for witnesses.

>

> Owner of Stockton ice cream shop beaten up at closing time<<http://www.abc10.com/news/local/owner-of-stockton-ice-cream-shop-beaten-up-at-closing-time/447560652>>

>

> ABC10 Ananda Rochita June 10th, 2017

>

> Roderick Tyler was closing up and taking out the trash at his business, House of Ice Cream.

>

> His wife, Aminda Sovuth, was there with him working at the shop when her husband was assaulted happened and called 911.

>

> "When he was walking out, we saw two cars one from that direction and the other from that direction speeding fast," Sovuth said. "His whole face wasn't even a face anymore. The jaw was moving to one direction and he was bleeding and he didn't even look like himself."

>

> He was in surgery Friday and the family closed the shop early to be with him.

>

> Stockton Police Department said it doesn't have a description of the group of people and are still investigating what led to the incident.

>

> A Go Fund Me page for the family has raised more than \$12,000 in a day.

>

> "It's popular," said Nathan Werth, Stockton resident. "It's successful and the fundraiser is a testament that the city loves this place."

>

> His wife said it's unclear how long he'll have to be in the hospital. Doctors say it could be at least a couple of months before he can go back to work.

>

>

> Casa Flores has been in business for 24 years being shut because property owner did not fix violations. #kcr<<https://twitter.com/hashtag/kcra?src=hash>>a

>

> [Inline image 1]

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>
> <image.png>

Allison Aube

From: Michael Tubbs
Sent: Saturday, August 19, 2017 3:09 PM
To: Daniel Lopez
Subject: Fwd: Media Update

Sent from my iPhone

Begin forwarded message:

From: Connie Cochran <Connie.Cochran@stocktonca.gov>
Date: August 19, 2017 at 3:07:22 PM PDT
To: Michael Tubbs <Michael.Tubbs@stocktonca.gov>, Elbert Holman <Elbert.Holman@stocktonca.gov>, Dan Wright <Dan.Wright@stocktonca.gov>, Susan Lofthus <Susan.Lofthus@stocktonca.gov>, Susan Lenz <Susan.Lenz@stocktonca.gov>, Christina Fugazi <Christina.Fugazi@stocktonca.gov>, Jesus Andrade <Jesus.Andrade@stocktonca.gov>
Cc: Kurt Wilson <Kurt.Wilson@stocktonca.gov>, Laurie Montes <Laurie.Montes@stocktonca.gov>, Scott Carney <Scott.Carney@stocktonca.gov>, Florence Low <Florence.Low@stocktonca.gov>
Subject: Media Update

Mike Fitzgerald, The Record, writing about Kit Bennett's Miracle Mile building. Confirmed City building officials have been contacted by and met with Bennett's architect. No plans have been submitted, yet. Once submitted, must be reviewed and approved, issues corrected, and building made safe and inspected to ensure violations fixed, before it can be re-occupied.

Connie Cochran

City of Stockton

City Manager's Office

(209) 937-8827 (office)

(209) 629-1251 (cell)

e-mail: connie.cochran@stocktonca.gov

website: www.stocktonca.gov

facebook.com/CityofStockton

twitter.com/StocktonUpdates

[YouTube.com/StocktonUpdates](https://www.youtube.com/StocktonUpdates)

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STOCKTON  HOME

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twitter.com/STOCKTONisHOME

[instagram.com/stocktonishome](https://www.instagram.com/stocktonishome)

Allison Aube

From: Peter Lemos
Sent: Tuesday, September 5, 2017 8:32 AM
To: Trevor Womack; Aaron Rose
Subject: EMPIRE Theater Miracles Mile.
Attachments: Stockton - Empire Theatre - N&O (signed).pdf

This is the notice that is being posted on all addresses this morning to begin the Receivership process.

Peter Lemos
Police Services Manager
Stockton Police Department, Neighborhood Services Section
City of Stockton
E-Mail: peter.lemos@stocktonca.gov
209-937-7093



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LEGAL NOTICE AND ORDER TO REPAIR OR ABATE

[Issued pursuant to Health and Safety Code section 17980 et sequentes.]

DELIVERED VIA POSTING ON NUISANCE PROPERTY AND FIRST-CLASS MAIL TO INTERESTED PARTIES

Dated: September 5, 2017

Nuisance Properties:

1825 Pacific Avenue
Stockton, California 95204
APN 137-020-42

1827 Pacific Avenue
Stockton, California 95204
APN 137-020-42

1829 Pacific Avenue
Stockton, California 95204
APN 137-020-42

1831 Pacific Avenue
Stockton, California 95204
APN 137-020-42

Compliance Completion Deadline: September 20, 2017 (15 days)

Interested Parties: See Attached Service List

To All Interested Parties:

This Legal Notice and Order to Repair or Abate (“N&O”) is issued pursuant to Health and Safety Code sections 17980 et sequentes. It has been determined by building and code enforcement officials for the City of Stockton (“City”) that the parcel of real property located at the address and Assessor’s Parcel Number (“APN”) identified above (“Nuisance Property”) contains unlawful conditions that constitute public nuisances and pose a substantial danger to the



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health, safety, and general welfare of the occupants, the surrounding community, and the public. These unlawful conditions are in violation of multiple provisions of law, including, but not limited to, the California Health and Safety Code (“H&S”), the California Building Standards Code (“CBSC”), the California Building Code (“CBC”), the California Fire Code (“CFC”), the Uniform Housing Code (“UHC”), the Uniform Code for the Abatement of Dangerous Buildings (“UCADB”), and the Stockton Municipal Code (“SMC”).

The following unlawful conditions were identified during inspections of the Nuisance Property (this may not be an exhaustive list of all violations and the City retains the right to identify further violations as they are discovered):

1825 Pacific Avenue – Empire/Royal Theatre

1. **Illegal Construction. Unpermitted Alterations.** The Nuisance Property contains unpermitted alterations and additions to the tenant-occupied spaces. Remove all alterations and additions or obtain all required permits. (UCADB, § 302(13); SMC, §§ 15.04.250, 15.04.260, 15.28.010.)
2. **Illegal Construction. Addition of Rooms Under Stage.** A “green room” was constructed underneath the stage without a permit. Stairs leading to “green room” are damaged and dilapidated. Electrical work was also installed without permits. Unpermitted construction often contains serious latent defects that can undermine structural integrity and create a severe life and safety risk due to risk of either partial or total collapse. Obtain permits to repair and replace stairs and elements in the “green room” according to building code standards. (H&S, § 17920.3(i); CBC, §§ 105.1, 110.1; UCADB, § 302(9), (13); SMC, §§ 15.04.190(A), 15.04.250, 15.08.010, 15.24.030(b)(9), 15.28.010.)
3. **Illegal Construction. Separator Walls.** Separation walls between the main theatre, dressing rooms, storage areas, and north storage area have been constructed without permits, inspections, or approvals. Unpermitted construction often contains serious latent defects that can undermine structural integrity and create a severe life and safety risk due to risk of either partial or total collapse. Obtain permits to remove and replace separation walls to meet minimum building code standards. (H&S, § 17920.3(i); CBC, §§ 105.1, 110.1; UCADB, § 302(9), (13); SMC, §§ 15.04.190(A), 15.04.250, 15.04.310, 15.08.010, 15.24.030(b)(9), 15.28.010.)



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4. **Means of Egress. Blocked Pathways.** Exit pathways within the main theatre are blocked, damaged, and deteriorated. Handrails must be in good working order and cleared of obstructions. All exits and egress routes must be cleared and remain unobstructed to allow for proper access in emergencies. Repair and replace the damaged pathways and steps. (H&S, § 17920.3(l); CBC, §§ 110.1, 1003.6, 1014.4; UCADB, § 302(2), (13); SMC, §§ 15.08.010, 15.24.030(b)(12), 15.28.010.)
5. **Means of Egress. Exit Doors.** The west and east side exit doors do not open properly. This blocks the means of egress in case of fire or other emergency, creating a fire hazard. All exit doors must be repaired or replaced. (H&S, § 17920.3(l); CBC, §§ 116.1, 1010.1; UCADB, § 302(2), (13); SMC, §§ 15.08.010, 15.24.030(b)(12), 15.28.010.)
6. **Means of Egress. Emergency Lights.** West side and east side emergency lights within the main theatre are not functioning. This will prevent occupants from locating exit doors in emergency and creates a substantial fire hazard. Repair and replace emergency lights. (H&S, § 17920.3(a)(10), (l); CBC, § 110.1; CFC, §§ 604.6, 1013.3; UCADB, § 302(2), (13); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(1)(x), 15.28.010.)
7. **Dilapidated and Deteriorated Ceiling Elements.** The ceiling throughout the theatre is damaged and deteriorated due to water intrusion and contains evidence of unpermitted repairs. Discover source of water intrusion and repair and replace damaged ceiling elements according to building code standards, which may require permits. (H&S, § 17920.3(i); CBC, § 110.1; CFC, § 703.1; UCADB, § 302(8), (9), (13); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(9), 15.28.010.)
8. **Dangerous Electrical Wiring. Hazardous Use of Extension Cords.** There are multiple extension cords being used as permanent sources of electrical wiring throughout the theatre. This creates a substantial fire hazard due to exposure and lack of permanent wiring. Such use creates a fire and electrical hazard because extension cords are vulnerable to environmental and physical damage when so used. Install permanent wiring. (H&S, § 17920.3(d); CBC, §§ 105.1, 110.1; CEC, §§ 300.4, 382.12; CFC, §§ 605.1, 605.5; UCADB, § 302(16); SMC, §§ 15.04.250, 15.08.010, 15.12.010, 15.24.030(b)(4), 15.28.010, 15.36.010.)



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9. **Flammable Decorative Materials. Fire Hazard.** The curtain on the north stage is not flame retardant. The curtain needs to be removed or be flame-retardant treated, and must be field tested by the Stockton Fire Department. (H&S, § 17920.3(h); CBC, § 110.1; CFC, § 807.3; UCADB, § 302(9), (13), (16); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(8), 15.28.010.)
10. **Inadequate Fire-Resistant Structure.** The ceiling scuttle door is missing inside the closet next to the east exit door. Repair or replace the missing door. Insufficient fire-resistant construction increases the likelihood of fire and places occupants and neighbors in peril. (H&S, § 17920.3(m); CBC, § 110.1; CFC, § 703.1; UCADB, § 302(13), (16); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(13), 15.28.010.)
11. **Lack of Identification of Electrical Panels.** The electrical panels lack identification and labels. The electrical panels/disconnects require labeling and identification according to building codes. (CBC, § 110.1; CEC 408.4; UCADB, § 302(13); SMC, §§ 15.08.010, 15.12.010, 15.28.010.)
12. **Dangerous Electrical Wiring. Missing Electrical Receptacle Covers.** There are missing exterior electrical receptacle cover plates throughout the theatre. Replace all missing or damaged electrical receptacle covers to meet building code standards. Missing or exposed electrical receptacles increases the risk of fire and electrical shock to occupants using the switches and outlets. (H&S, § 17920.3(d); CBC, § 110.1; CFC, §§ 605.1, 605.6; UCADB, § 302(13), (16); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(4), 15.28.010.)
13. **Failure to Comply with Administrative Citations.** Since 2012, Numerous administrative citations have been issued for violations of State building codes and the Stockton Municipal Code. (UCADB, § 404(2); SMC, §§ 1.32.010, 15.28.010.)

1825 Pacific Avenue – Espresso Coffee House

14. **Illegal Construction.** The Nuisance Property contains unpermitted alterations and additions to the tenant-occupied spaces. Remove all alterations and additions or obtain all required permits. (UCADB, § 302(13); SMC, §§ 15.04.250, 15.04.260, 15.28.010.)
15. **Means of Egress. Blocked Pathways.** The entrance and exit from the coffee shop are blocked. Egress routes are blocked or severely compromised by chairs and table



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in the seating area installed without a permit. This will prevent occupants from utilizing exits in case of emergency. All exits and egress routes must be cleared and remain unobstructed to allow for proper access in emergencies. (H&S, § 17920.3(l); CBC, § 110.1; CFC, § 1029.3; UCADB, § 302(1), (9), (13); SMC, §§ 15.04.250, 15.08.010, 15.12.010, 15.24.030(b)(12), 15.28.010.)

16. **Means of Egress. Emergency Lights.** There are inoperable or disconnected “Exit” signs within the coffeehouse portion of the building. The test switch is missing on the emergency lighting to the north of the entrance/exit. Malfunctioning emergency lights prevent occupants from locating exit doors in an emergency and creates a substantial fire hazard. Repair or replace emergency lights. (H&S, § 17920.3(a)(10), (l); CBC, § 110.1; CFC, §§ 604.5, 604.5.1; UCADB, § 302(2), (13); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(1)(x), 15.28.010.)
17. **Unsecured Compress Gas Storage. Fire Hazard.** There are unsecured compressed gas cylinders being stored within the coffeehouse as well as in the seating/patio area. Storage in hazardous conditions creates a substantial fire hazard. Properly secure the gas cylinders in an approved manner. (H&S, § 17920.3(h); CBC, § 110.1; CFC, § 5303.5.3; SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(8).)
18. **Dangerous Electrical Wiring. Hazardous Use of Extension Cords.** There are multiple extension cords being used as permanent sources of electrical wiring and interior lighting installation throughout the business and seating area, including the electric room, storage rooms, box office, and the office area. Additionally, extension cords have been installed through holes cut in the walls, ceilings, doorways, and other locations. Extension cords have been placed under mats which employees stand and walk on and have been used to connect to the box office ticket windows. Extension cords are also deteriorated and damaged, creating a substantial fire hazard due to exposure and lack of permanent wiring. Such use creates a fire and electrical hazard because extension cords are vulnerable to environmental and physical damage when so used. A permanent wiring method must be installed to replace the numerous extension cords and power strips being used in place of a permanent wiring method. (H&S, § 17920.3(d); CBC, §§ 105.1, 110.1; CEC, §§ 300.4, 382.12; CFC, §§ 605.1, 605.3, 605.5, 605.6; UCADB, § 302(9), (13), (16); SMC, §§ 15.04.250, 15.08.010, 15.12.010, 15.24.030(b)(4), 15.28.010, 15.36.010.)



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19. **Dangerous Electrical Wiring. Exposed Electrical Wiring.** Exposed wiring poses a significant risk of electrical shock or fire. Abate all exposed wiring in the storage area off the seating area, the electric room off the seating area, and the box office area. Replace all damaged and exposed extension cords in the storage area. Exposed wiring increases the risk of a fire starting and places the lives and property of any occupants and neighboring properties in danger. Properly cap all exposed wiring. (H&S, § 17920.3(d); CBC, § 110.1; CFC, §§ 605.1, 605.6; UCADB, § 302(13), (16); SMC, §§ 15.12.010, 15.24.030(b)(4), 15.28.030.)
20. **Deteriorated and Dilapidated Ceilings.** Ceiling elements throughout the kitchen area are damaged, deteriorated, and missing. Dilapidated and missing ceiling elements create a collapse hazard to occupants, and allows for water and insect intrusion that will create further extreme health and safety dangers. Repair or replace damaged ceiling elements. (H&S, § 17920.3(b)(6), (g)(2); CBC, § 110.1; CFC, § 703.1; UCADB, § 302(8), (9), (13); SMC, §§ 15.08.010, 15.12.010, 15.28.010.)
21. **Exposed Electrical Outlets and Receptacle Covers.** There are open electrical boxes, electrical panels, including dead front, light fixtures, receptacle outlets, and other electrical covers throughout the coffeehouse, seating area, and the patio area. Replace all missing or damaged electrical receptacle covers to meet building code standards. Missing or exposed electrical receptacles increases the risk of fire and electrical shock to occupants using the switches and outlets. (H&S, § 17920.3(d); CBC, § 110.1; CFC, § 605.6; UCADB, § 302(13), (16); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(4), 15.28.030.)
22. **Unpermitted Electrical Installations.** The electrical sub-panels were installed without permits. Unpermitted electrical installation often contains serious latent defects that can create a severe life and safety risk due to risk of fire and shock. Repair or replace the electrical sub-panels with according to permits and building code standards. (H&S, § 17920.3(d); CBC, §§ 105.1, 110.1; CFC, § 605.1; UCADB, § 302(13); SMC, §§ 15.04.190(A), 15.04.250, 15.08.010, 15.12.010, 15.24.030(b)(4), 15.28.010.)
23. **Insufficient Clearance Around Electrical Sub-Panels.** There must be appropriate clearance around electrical sub-panels throughout the coffeehouse, which are blocked by storage and other items. The proper working clearance of three feet in front of all electrical panels, disconnects, fuse panels, etc. must be provided. Lack of clearance



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creates a higher risk of fire. (CBC, § 110.1; CEC, § 110.26; CFC, § 605.1; UCADB, § 302(9), (13); SMC, §§ 15.08.010, 15.12.010, 15.28.010, 15.36.010.)

24. **Fire Extinguishers Require Service. Fire Hazard.** Fire extinguishers in the coffeehouse, including the seating and patio area, have not been properly serviced. Inoperable fire extinguishers are a fire hazard and pose a danger to the structure and occupants. Ensure that all fire-protection systems have been properly serviced. (HSC, § 17920.3(h); CBC, § 110.1; CFC, § 906.2; UCADB, § 302(9), (13), (16); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(8), 15.28.010.)

1825 Pacific Avenue, Suite 1 – Balance Physical Therapy

25. **Means of Egress. Disconnected Handrails.** The railing on the interior stairway is not connected to the stair and poses a safety hazard. All exits and egress routes must be cleared and remain unobstructed to allow for proper access in emergencies. Properly secure and install code compliant stair railings on the interior stairway. (H&S, § 17920.3(i), (l); CBC, §§ 110.1, 1014.4; CFC, § 703.1; UCADB, § 302(2), (13); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(9), 15.24.030(b)(12), 15.28.010.)

1825 Pacific Avenue, Suite 2 – Centrale Kitchen and Bar

26. **Unsecured Compress Gas Storage. Fire Hazard.** There are unsecured compressed gas cylinders being stored within the business. Storage in hazardous conditions creates a substantial fire hazard. Properly secure all gas cylinders in an approved manner. (H&S, § 17920.3(h); CBC, § 110.1; CFC, § 5303.5.3; SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(8).)
27. **Means of Egress. Emergency Lights.** The “Exit” sign at the rear of the kitchen is not illuminated. This will prevent occupants from locating exit doors in emergency and creates a substantial fire hazard. All exits and egress routes must be illuminated to allow for exits in emergencies. Repair or replace the “Exit” sign. (H&S, § 17920.3(a)(10), (l); CBC, § 110.1; CFC, §§ 604.6, 1013.3; UCADB, § 302(2), (13); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(1)(x), 15.24.030(b)(12), 15.28.010.)



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28. **Dangerous Electrical Wiring. Hazardous Use of Extension Cords.** There are multiple extension cords being used as permanent sources of electrical wiring throughout the business. Such use creates a fire and electrical hazard because extension cords are vulnerable to environmental and physical damage when so used. A permanent wiring method must be installed to replace the numerous extension cords and power strips being used in place of a permanent wiring method. (H&S, § 17920.3(d); CBC, § 105.1, 110.1; CEC, §§ 300.4, 382.12; CFC, § 605.3, 605.5; UCADB, § 302(9), (13), (16); SMC, §§ 15.04.250, 15.08.010, 15.12.010, 15.24.030(b)(4), 15.28.010, 15.36.010.)
29. **Dangerous Electrical Wiring. Exposed Electrical Wiring.** There is illegal exposed wiring in the exterior patio area of the business. Exposed wiring increases the risk of fire starting and places the lives and property of neighboring properties in danger. Repair or replace all exposed electrical wiring. (H&S, § 17920.3(d); CBC, § 110.1; CFC, § 605.6; UCADB, § 302(13), (16); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(4), 15.28.030.)
30. **Dangerous Electrical Wiring. Missing Electrical Receptacle Covers.** There are missing exterior electrical receptacle covers in the patio area. Replace all missing or damaged electrical receptacle covers to meet building code standards. Missing or exposed electrical receptacles increases the risk of fire and electrical shock to occupants using the switches and outlets. Replace all missing exterior receptacle covers. (H&S, § 17920.3(d); CBC, § 110.1; CFC, § 605.6; UCADB, § 302(13), (16); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(4), 15.28.030.)
31. **Accumulation of Grease. Fire Hazard.** There is a significant accumulation of grease and debris from kitchen hoods and cooking appliances in the restaurant. This creates a substantial fire hazard. Clean and remove grease and debris from kitchen hoods and cooking appliances and maintain in a neat and sanitary manner. (HSC, § 17920.3(h); CBC, § 110.1; CFC, § 904.12.6; UCADB, § 302(9), (13), (16); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(8), 15.28.010.)

1825 Pacific Avenue, Suites 3 and 4 – Catalyst Realty

32. **Illegal Construction. Unpermitted Additions.** Construction and additions on the second floor are not permitted, including electrical and ventilation rooms.



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Unpermitted construction often contains serious latent defects that can undermine structural integrity and create a severe life and safety risk due to risk of either partial or total collapse. Obtain permits to replace and repair elements according to building code standards. (H&S, § 17920.3(i); CBC, §§ 105.1, 110.1; UCADB, § 302(9), (13); SMC, §§ 15.04.190(A), 15.04.250, 15.04.310, 15.08.010, 15.24.030(b)(9), 15.28.010.)

33. **Dangerous Electrical Wiring. Hazardous Use of Extension Cords.** There are multiple extension cords being used as permanent sources of electrical wiring throughout the first and second floor of the offices. Such use creates a fire and electrical hazard because extension cords are vulnerable to environmental and physical damage when so used. A permanent wiring method must be installed that will replace the numerous extension cords being used in place of a permanent wiring method. (H&S, § 17920.3(d); CBC, § 110.1; CEC, §§ 300.4, 382.12; CFC, § 605.5; UCADB, § 302(9), (13), (16); SMC, §§ 15.04.250, 15.08.010, 15.12.010, 15.24.030(b)(4), 15.28.010, 15.36.010.)
34. **Means of Egress. Blocked Pathways.** The second story emergency exit is not accessible due to malfunctioning doors and lighting. This will prevent occupants from utilizing exits in case of emergency. Exit doors must swing in the direction of travel and there must be two exits per occupancy load. All exits and egress routes must be cleared and remain unobstructed to allow for proper access in emergencies. (H&S, § 17920.3(l); CBC, §§ 110.1, 1015.1; CFC, §§ 1010.1.2, 1019.1; UCADB, § 302(1), (9), (13); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(12), 15.28.010.)
35. **Means of Egress. Emergency Lights.** The “Exit” signs are not illuminated. This will prevent occupants from locating exit doors in emergency and creates a substantial fire hazard. Repair or replace emergency lights. (H&S, § 17920.3(a)(10), (l); CBC, § 110.1; CFC, § 1013.3; UCADB, § 302(9), (13); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(1)(x), (b)(12), 15.28.010.)
36. **Damaged and Deteriorated Ceilings.** Ceiling tiles in the second-floor electrical room are damaged, deteriorated, or missing. The ceiling in the storage room is also damaged. Repair or replace the missing ceiling elements. (H&S, § 17920.3(i); CBC, § 110.1; CFC, § 703.1; UCADB, § 302(13); SMC, §§ 15.12.010, 15.24.030(b)(9), 15.28.010.)



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37. **Dilapidated and Deteriorated Walls.** The wall in the storage room is damaged. All walls need to be repaired or replaced sufficient to building code standards, including, but not limited to, installation of drywall, wooden frames, and repainting. (H&S, § 17920.3(i); CBC, § 110.1; CFC, § 703.1; UCADB, § 302(13), SMC, §§ 15.12.010, 15.24.030(b)(9), 15.28.010.)

1825 Pacific Avenue, Suite 5 – Gustv Wings

38. **Dangerous Electrical Wiring. Hazardous Use of Extension Cords.** There are multiple extension cords being used as permanent sources of electrical wiring throughout the business. Such use creates a fire and electrical hazard because extension cords are vulnerable to environmental and physical damage when so used. A permanent wiring method must be installed that will replace the numerous extension cords being used in place of a permanent wiring method. (H&S, § 17920.3(d); CBC, §§ 105.1, 110.1; CEC, §§ 300.4, 382.12; CFC, § 605.5; UCADB, § 302(9), (13), (16); SMC, §§ 15.04.250, 15.08.010, 15.12.010, 15.24.030(b)(4), 15.28.010, 15.36.010.)
39. **Alternative Fire Extinguishing System. Fire Hazard.** The fat fryer on the west side of the cookers is not positioned under the hood and duct system nozzle. The lack of a functioning alternative fire extinguishing system is a fire hazard and poses a danger to the structure and occupants. (HSC, § 17920.3(h); CBC, §§ 116.1; CFC, §§ 904.1; UCADB, § 302(9), (13), (16); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(8), 15.28.010.)
40. **Missing Splash Guards. Fire Hazard.** The fryers in the kitchen are missing splash guards. Reposition fryer on the west side of the cookers under the extinguishing system. The lack of splash guards poses a substantial fire risk and injury risk to employees and occupants. (H&S, § 17920.3(c); CBC, § 110.1; CFC, §§ 904.1, 904.12.6; UCADB, § 302(13); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(3), 15.28.010.)
41. **Accumulation of Grease. Fire Hazard.** There is a significant buildup of grease in the kitchen cooking vents, kitchen exhaust hood, and walls. This creates a substantial fire hazard in the kitchen. Clean and remove grease and debris from kitchen vents, kitchen exhaust hoods, and walls and maintain in a neat and sanitary manner. (HSC,



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LEGAL NOTICE AND ORDER TO REPAIR OR ABATE

§ 17920.3(h); CBC, § 110.1; CFC, § 904.12.6.3; UCADB, § 302(9), (13), (16); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(8), 15.28.010.)

42. **Accumulation of Trash and Debris Around Water Heater. Fire Hazard.** There is a significant amount of garbage, debris, and other combustible items being stored near the water heater. The accumulation of combustible materials near the water heater poses a significant fire hazard. Remove all trash and debris. (H&S, § 17920.3(h); CBC, § 110.1; CFC, §§ 304.1, 315.3.3; UCADB, § 302(9), (13), (16); SMC, §§ 15.08.010, 15.12.010, 15.24.010, 15.24.030(b)(8), 15.28.010.)

1825 Pacific Avenue, Suite 6 – The Mile Pub

43. **Dangerous Electrical Wiring. Hazardous Use of Extension Cords.** There are multiple extension cords being used as permanent sources of electrical wiring throughout the business. An extension cord is running through a second story window to power the exterior lighting. Such use creates a fire and electrical hazard because extension cords are vulnerable to environmental and physical damage when so used. A permanent wiring method must be installed that will replace the numerous extension cords being used in place of a permanent wiring method. (H&S, § 17920.3(d); CBC, §§ 105.1, 116.1; CEC, §§ 300.4, 382.12; CFC, § 605.5; UCADB, § 302(9), (13), (16); SMC, §§ 15.04.250, 15.08.010, 15.12.010, 15.24.010, 15.24.030(b)(4), 15.28.010, 15.36.010.)
44. **Dangerous Electrical Wiring. Exposed Electrical Wiring.** There is illegal exposed wiring throughout the bar area, second floor stairway, and second floor security room. Exposed wiring increases the risk of fire starting and places the lives and property of neighboring properties in danger. All exposed wiring must be properly capped. (H&S, § 17920.3(d); CBC, § 110.1; CFC, §§ 605.6; UCADB, § 302(13), (16); SMC, §§ 15.12.010, 15.24.030(b)(4), 15.28.030.)
45. **Means of Egress. Dangerous Roll Up Door.** The main front roll-up door does not operate properly and does not open safely and securely. The roll-up door was installed without appropriate permits. The door is secured open by use of a screwdriver to wedge open the door. The roll-up door must be able to stand on its own. Repair or replace the roll-up door. (H&S, § 17920.3(m); CBC, §§ 105.1, 110.1; CFC, § 1010.1;



CITY OF STOCKTON

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LEGAL NOTICE AND ORDER TO REPAIR OR ABATE

UCADB, § 302(13); SMC, §§ 15.04.190(A), 15.04.250, 15.08.010, 15.12.010, 15.24.030(b)(13), 15.28.010.)

46. **Insufficient Fire-Resistance Construction. Fire Hazard.** The required fire-resistance rating of the construction materials throughout this unit have not been maintained. Construction was conducted without permits. The interior space behind the wall at the upper level of the stairway is open and the wall is breached on the west side of the bar. This opening must be properly sealed with approved fire-rated construction. Insufficient fire-resistant construction increases the likelihood of fire spreading rapidly throughout the entire building and places occupants and neighbors in peril. (HSC, §§ 17920.3(c), (m); CBC, §§ 105.1, 116.1; CFC, § 703.1; UCADB, § 302(9), (13), (16); SMC, §§ 15.04.250, 15.08.010, 15.12.010, 15.24.030(b)(3), 15.24.030(b)(4), (b)(13), 15.28.010.)
47. **Insufficient Clearance Around Electrical Sub-Panels.** There must be appropriate clearance around electrical sub-panels throughout the business, including the kitchen and bar area. The proper working clearance of three feet in front of all electrical panels, disconnects, fuse panels, etc. must be provided. Lack of clearance creates a higher risk of fire. Remove all materials 3 feet from front of the equipment to a width of the panel and grade level to 6 feet, 6 inches. (CBC, § 110.1; CEC, § 110.26; UCADB, § 302(9), (13); SMC, §§ 15.08.010, 15.28.010, 15.36.010.)
48. **Lack of Fire Extinguishers.** Fire extinguishers must be within 75 feet of the area to be protected. The fire extinguishers are missing and are outside of the protected area which poses a significant fire hazard to the structure and occupants. (H&S, § 17920.3(m); CBC, § 110.1; CFC, § 906.3.1; UCADB, § 302(13); SMC, § 15.08.010, 15.12.010, 15.24.030(b)(13), 15.28.010.)

1827 Pacific Avenue – Illegal Residential Living Unit

49. **Illegal Construction. Unpermitted Use.** The former office space was illegally converted into a rented dwelling unit. Unpermitted construction often contains serious latent defects that can undermine structural integrity and create a severe life and safety risk due to risk of either partial or total collapse. Obtain all required permits. (H&S, § 17920.3(i); CBC, §§ 105.1, 116.1; UCADB, § 302(9), (13); SMC, §§ 15.04.190(A), 15.04.250, 15.04.310, 15.08.010, 15.24.010, 15.24.030(b)(9), 15.28.010.)



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LEGAL NOTICE AND ORDER TO REPAIR OR ABATE

50. **Illegal Construction. Inadequate Dwelling Unit.** The room next to the kitchen/bathroom area which is being used as a bedroom does not meet the minimum requirements for bedrooms. Habitable areas have an area of not less than 70 square feet. Repair and replace dwelling unit according to the applicable building standards and acquire the required permits. (H&S, § 17920.3(a)(9); CBC, § 110.1; UHC, § 503.2; UCADB, § 302(9), (13); SMC, §§ 15.08.010, 15.24.010, 15.24.030(b)(ix), 15.28.010.)
51. **Illegal Construction. Bathroom Ventilation System.** The bathroom ventilation system and light was illegally installed in the shower and does not meet minimum safety requirements for wet locations. Repair or replace ventilation system according to building code standards. (H&S, § 17920.3(f), CBC, §§ 105.1, 116.1; CMC, 402.5; UCADB, § 302(13); SMC, § 15.08.010, 15.20.010, 15.24.010, 15.24.030(b)(6), 15.28.010.)
52. **Illegal Construction. Kitchen Installation.** The kitchen was illegally installed without appropriate permits and inspection. The stove was installed without a ventilation system. Repair or replace kitchen installations according to building code standards. (H&S, § 17920.3(a)(7); CBC, §§ 105.1, 116.1; UHC, § 701.3; UCADB, § 302(13); SMC, §§ 15.04.250, 15.08.010, 15.24.010, 15.24.030(b)(1)(vii), 15.28.010.)
53. **Means of Egress. Blocked Exit Pathways.** There is an accumulation of storage materials at the top of the staircase obstructing the exit pathway. All exits and egress routes must be cleared and remain unobstructed to allow for proper access in emergencies. Storage area must be cleared of all obstructions according to building code standards to create a safe exit pathway. (H&S, § 17920.3(i), (l); CBC, §§ 116.1, 1014.4; UHC, § 1001.12; UCADB, § 302(2), (13); SMC, §§ 15.08.010, 15.24.010, 15.24.030(b)(9), (b)(12), 15.28.010.)
54. **Means of Egress. Missing Handrails.** There are missing handrails on the loft stairway. Handrails must be repaired or replaced according to building code standards to make a safe exit pathway. (H&S, § 17920.3(i), (l); CBC, §§ 116.1, 1014.4; UHC, § 1001.12; UCADB, §§ 302(2), (13); SMC, §§ 15.08.010, 15.24.010, 15.24.030(b)(9), (b)(12), 15.28.010.)
55. **Means of Egress. Dual-Keyed Lock.** The exterior doors of the illegal dwelling unit have a dual-keyed lock. This impedes any occupants from exiting the unit during an



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LEGAL NOTICE AND ORDER TO REPAIR OR ABATE

- emergency without the use of a key. The lock must be replaced or repaired to allow for proper access in emergencies. (H&S, § 17920.3(l); CBC, §§ 116.1, 1010.1; UHC, § 1001.12; UCADB, § 302(1), (9), (13); SMC, §§ 15.08.010, 15.24.010, 15.24.030(b)(12), 15.28.010.)
56. **Means of Egress. Barred Windows.** The windows have permanent bars blocking emergency exiting and do not meet the minimum sizing to allow for emergency escape and rescue. All exits and egress routes must be cleared and remain unobstructed to allow for proper access in emergencies. Remove bars on the widows and ensure all windows open, close, and properly operate according to building code standards. (H&S, § 17920.3(l); CBC, §§ 116.1, 1010.1; UHC, § 1001.12; UCADB, § 302(1), (9), (13); SMC, §§ 15.08.010, 15.24.010, 15.24.030(b)(12), 15.28.010.)
57. **Means of Egress. Lack of Electrical Lighting.** The required interior hall lighting at the stair is not functioning. Electricity is a necessary component of all habitable buildings. Repair or replace the interior hall lighting. (H&S, § 17920.3(a)(10), (d), (l); CBC, § 110.1; UHC, § 701.2; UCADB, § 302(9), (13); SMC, §§ 15.08.010, 15.24.010, 15.24.030(b)(1)(x), (b)(4), (b)(12), 15.28.010.)
58. **Means of Egress. Accumulation of Trash, Debris, and Rubbish. Fire Hazard.** There is an accumulation of debris and combustible materials in the storage area at the top of stairs. This creates a substantial fire risk due to the presence of combustible materials. All materials should be removed. (H&S, § 17920.3(j); CBC, § 110.1; CFC, 304.1; UCADB, § 302(13); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(10), 15.28.010.)
59. **Dangerous Electrical Wiring. Missing Electrical Receptacle Covers.** There are missing or damaged electrical receptacle covers and light switch plate covers throughout the dwelling unit. Replace all missing or damaged electrical receptacle covers and light switch plate covers to meet building code standards. Missing or exposed electrical receptacles and outlets increases the risk of fire and electrical shock to occupants using the switches and outlets. (H&S, § 17920.3(d); CBC, § 110.1; UHC, §§ 701.2, 1001.5; UCADB, § 302(13), (16); SMC, §§ 15.08.010, 15.24.010, 15.24.030(b)(4), 15.28.030.)
60. **Dilapidated and Deteriorated Ceiling.** The ceiling materials throughout the dwelling unit are damaged and deteriorated. Dilapidated and missing ceiling elements



CITY OF STOCKTON

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LEGAL NOTICE AND ORDER TO REPAIR OR ABATE

create a collapse hazard to occupants, and allows for water and insect intrusion that will create further extreme health and safety dangers. Repair or replace the damaged or missing ceiling materials throughout the living space. (H&S, § 17920.3(c); CBC, § 110.1; CFC, § 703.1; UCADB, § 302(5), (8), (9), (13), SMC, §§ 15.08.010, 15.12.010, 15.24.010, 15.24.030(b)(3), 15.28.010.)

61. **Dilapidated and Deteriorated Walls.** The wall materials throughout the dwelling unit are damaged and deteriorated. All walls need to be repaired or replaced sufficient to building code standards, including, but not limited to repairing stucco and repainting. (H&S, § 17920.3(i); CBC, § 110.1; CFC, § 703.1; UHC, §§ 901, 1001.13; UCADB, § 302(8), (9), (13), SMC, §§ 15.08.010, 15.12.010, 15.24.010, 15.24.030(b)(9), 15.28.010.)
62. **Lack of Adequate Smoke Alarms. Fire Hazard.** The dwelling unit as constructed lacks the requisite smoke alarm systems. The lack of a smoke alarm system combined with the presence of combustible materials creates a substantial fire hazard. (HSC, § 17920.3(o); CBC, § 110.1; CFC, § 1103.8; UCADB, § 302(9), (13); SMC, §§ 15.08.010, 15.12.010, 15.24.010, 15.24.030(b)(16), 15.28.010.)
63. **Lack of Adequate Carbon Monoxide Alarms. Fire Hazard.** The dwelling unit lacks the required carbon monoxide alarms. The lack of a carbon monoxide alarm system combined with the presence of combustible materials creates a substantial fire hazard. (HSC, § 17920.3(o); CBC, § 110.1; CFC, § 915.1; UHC, §§ 901, 1001.13; UCADB, § 302(9), (13); 1001.13; SMC, §§ 15.08.010, 15.12.010, 15.24.010, 15.24.030(b)(16), 15.28.010.)

1829 Pacific Avenue – Serendipity Salon

64. **Means of Egress. Inadequate Staircase.** The stairs to the second floor of the business do not meet the minimum building code requirements for size, width, handrails, and other requirements creating a hazardous condition. The second-floor stairway was installed without permits. Repair and replace stairway according to permits and building code standards. (H&S, § 17920.3(l); CBC, §§ 105.1, 116.1; UCADB, § 302(1), (13); SMC, §§ 15.04.250, 15.08.010, 15.24.030(b)(12), 15.28.010.)



CITY OF STOCKTON

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LEGAL NOTICE AND ORDER TO REPAIR OR ABATE

65. **Means of Egress. Emergency Lights.** There are missing illuminated “Exit” signs and exit lighting. This will prevent occupants from locating exit doors in emergency and creates a substantial fire hazard. Repair and replace emergency lights. (H&S, § 17920.3(a)(10), (l); CBC, § 110.1; CFC, §§ 604.6, 1013.3; UCADB, § 302(2), (13); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(1)(x), (b)(12), 15.28.010.)
66. **Dangerous Electrical Wiring. Hazardous Use of Extension Cords.** Multiple extension cords are being used as permanent sources of electrical wiring throughout the business. This creates a substantial fire hazard due to exposure and lack of permanent wiring. Such use creates a fire and electrical hazard because extension cords are vulnerable to environmental and physical damage when so used. A permanent wiring method must be installed that will replace the numerous extension cords and power strips being used in place of a permanent wiring method. (H&S, § 17920.3(d); CBC, §§ 105.1, 116.1; CEC, §§ 300.4, 382.12; CFC, § 605.5; UCADB, § 302(16); SMC, §§ 15.04.250, 15.08.010, 15.12.010, 15.24.030(b)(4), 15.28.010, 15.36.010.)
67. **Insufficient Clearance Space Around Electrical Sub-Panels.** There must be appropriate clearance around electrical sub-panels throughout the business. The proper working clearance of 3 feet in front of all electrical panels, disconnects, fuse panels, etc. must be provided. Lack of clearance creates a higher risk of fire. Remove all materials 3 feet from front of the equipment to a width of the panel and grade level to 6 feet, 6 inches. (CBC, § 110.1; CEC, § 110.26; UCADB, § 302(9), (13); SMC, §§ 15.08.010, 15.28.010, 15.36.010.)
68. **Dangerous Electrical Wiring. Missing Electrical Covers.** There are missing or damaged electrical outlet covers throughout the business. Replace all missing or damaged electrical outlet covers to meet building code standards. Missing or exposed electrical outlet covers increase the risk of fire and electrical shock to occupants using the switches and outlets. (H&S, § 17920.3(d); CBC, § 110.1; CFC, § 605.6; UCADB, § 302(13), (16); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(4), 15.28.030.)
69. **Fire Extinguishers Require Service. Fire Hazard.** The fire extinguishers located in the business do not have proof of annual service or recharge. Inoperable fire extinguishers are a fire hazard and pose a danger to the structure and occupants. (HSC, § 17920.3(h); CBC, § 110.1; CFC, § 906.2; UCADB, § 302(9), (13), (16); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(8), 15.28.010.)



CITY OF STOCKTON

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LEGAL NOTICE AND ORDER TO REPAIR OR ABATE

1831 Pacific Avenue – Casa Flores Restaurant

70. **Dangerous Electrical Wiring. Hazardous Use of Extension Cords.** There are multiple extension cords being used as permanent sources of electrical wiring throughout the business. This creates a substantial fire hazard due to exposure and lack of permanent wiring. Such use creates a fire and electrical hazard because extension cords are vulnerable to environmental and physical damage when so used. A permanent wiring method must be installed that will replace the numerous extension cords and power strips being used in place of a permanent wiring method. (H&S, § 17920.3(d); CBC, §§ 105.1, 110.1; CEC, §§ 300.4, 382.12; CFC, § 605.5; UCADB, § 302(16); SMC, §§ 15.04.250, 15.08.010, 15.12.010, 15.24.030(b)(4), 15.28.010, 15.36.010.)
71. **Dangerous Electrical Wiring. Exposed Electrical Wiring.** Exposed wiring poses a significant risk of electrical shock or fire. Abate all exposed wiring in the bathroom on the second level storage area which is accessed by the stairway behind the register. Exposed wiring increases the risk of fire starting and places the lives and property of neighboring properties in danger. (H&S, § 17920.3(d); CBC, § 110.1; CFC, §§ 605.1, 605.6; UCADB, § 302(13), (16); SMC, §§ 15.12.010, 15.24.030(b)(4), 15.28.030.)
72. **Illegal Electrical Installation.** Electrical installations were completed without a permit, including can lighting and the electrical sub-panels. Unpermitted electrical installation often contains serious latent defects that can create a severe life and safety risk due to risk of fire and shock. Obtain appropriate permits to repair and replace the electrical according to building code standards. (H&S, § 17920.3(d); CBC, §§ 105.1, 110.1; CFC, § 605.1; UCADB, § 302(9), (13); SMC, §§ 15.04.250, 15.08.010, 15.12.010, 15.24.030(b)(4), 15.28.010.)
73. **Dangerous Electrical Wiring. Missing Electrical Panel Covers.** There are missing electrical sub-panel covers. Replace all missing or damaged electrical sub-panel covers to meet building code standards. Missing or exposed electrical sub-panels increases the risk of fire and electrical shock to occupants using the switches and outlets. Install all missing covers on the electric sub-panels. (H&S, § 17920.3(d); CBC, § 110.1; CFC, § 605.6; UCADB, § 302(13), (16); SMC, §§ 15.08.010, 15.24.030(b)(4), 15.28.030.)



CITY OF STOCKTON

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LEGAL NOTICE AND ORDER TO REPAIR OR ABATE

74. **Means of Egress. Emergency Lights.** There are missing illuminated “Exit” signs and exit lighting. This will prevent occupants from locating exit doors in emergency and creates a substantial fire hazard. Repair and replace emergency lights. (H&S, § 17920.3(a)(10), (l); CBC, § 110.1; CFC, §§ 604.6, 1013.3; UCADB, § 302(2), (13); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(1)(x), (b)(12), 15.28.010.)
75. **Accumulation of Grease. Fire Hazard.** There is a significant buildup of grease in the kitchen cooking vents, kitchen exhaust hood, and cooking appliances. This creates a substantial fire hazard. Clean the grease from the flue cooking vent and maintain in a neat and sanitary manner. (HSC, § 17920.3(h); CBC, § 110.1; CFC, § 904.12.6; UCADB, § 302(9), (13), (16); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(8), 15.28.010.)
76. **Lack of Fire Extinguishers. Fire Hazard.** The kitchen is missing the required fire extinguishers, or the existing extinguishers are not those required to be installed in a commercial kitchen operation in the event of grease or similar fire. Inoperable fire extinguishers are a fire hazard and pose a danger to the structure and occupants. (HSC, § 17920.3(h); CBC, § 110.1; CFC, § 904.12.5.2; UCADB, § 302(9), (13), (16); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(8), 15.28.010.)
77. **Insufficient Fire-Resistance Construction. Fire Hazard.** The business uses a plastic storage cover plate in the attic storage area rather than the approved fire-rated cover. This creates a substantial fire hazard and makes it easier for fire to spread in the kitchen and throughout the building. (HSC, § 17920.3(h); CBC, § 110.1; CFC, § 703.1; UCADB, § 302(9), (13), (16); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(8), 15.28.010.)
78. **Insufficient Fire-Resistance Construction. Damaged Sheetrock. Fire Hazard.** There is damaged sheetrock behind the register. This creates a substantial fire hazard and makes it easier for fire to spread in throughout the building. Repair or replace damaged sheetrock. (H&S, § 17920.3(i); CBC, § 110.1; CFC, § 703.1; SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(9).)
79. **Dangerous Electrical Wiring. Missing Electrical Receptacle Covers.** There are missing or damaged electrical receptacle cover plates throughout the business. Replace all missing or damaged electrical receptacle covers to meet building code standards. Missing or exposed electrical receptacles increases the risk of fire and



CITY OF STOCKTON

22 E. Weber Avenue, Suite 350 • Stockton, CA 95202 • 209 / 937-8813 • Fax 209 / 937-7264
www.stocktongov.com

LEGAL NOTICE AND ORDER TO REPAIR OR ABATE

electrical shock to occupants using the switches and outlets. (H&S, § 17920.3(d); CBC, § 110.1; CFC, § 605.6; UCADB, § 302(13), (16); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(4), 15.28.030.)

80. **Insufficient Clearance Space Around Electrical Sub-Panels.** There must be appropriate clearance around electrical sub-panels throughout the business. The electrical installation within the foot print of the kitchen exhaust hood at the cooking area is not correctly installed. The current installation of the electrical panel below the exhaust hood is not an approved installation. The proper working clearance of 3 feet in front of all electrical panels, disconnects, fuse panels, etc. must be provided. Lack of clearance creates a higher risk of fire. Remove all materials 3 feet from front of the equipment to a width of the panel and grade level to 6 feet, 6 inches. (CBC, § 110.1; CEC, § 110.26; UCADB, § 302(9), (13); SMC, §§ 15.08.010, 15.28.010, 15.36.010.)
81. **Dilapidated and Deteriorated Floors, Ceilings, and Walls.** There is damaged and deteriorated ceilings, floors, and walls throughout the business, including the kitchen, the storage area, the bathrooms, and the stairway. Replace and repair all dilapidated ceiling, wall, and floor elements. (H&S, § 17920.3(i); CBC, § 110.1; CFC, § 703.1; UCADB, § 302(8), (9), (13); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(9), 15.28.010.)
82. **Means of Egress. Damaged Handrails and Stairway.** There are improperly installed hand rails and damaged tiles on the stairway behind the register. Repair or replace hand rails and stairs according to building code standards. (H&S, § 17920.3(i), (l); CBC, §§ 116.1, 1014.4; UCADB, § 302(2), (13); SMC, §§ 15.08.010, 15.24.030(b)(9), (b)(12), 15.28.010.)
83. **Accumulation of Trash, Debris, and Rubbish. Fire Hazard.** There is an accumulation of garbage, junk, debris, combustible materials, stored materials, and similar items creating a tripping hazard in the second-floor storage area, the electrical rooms, the mechanical rooms, the stairs, and other locations throughout the business. Areas of the business are being used for unpermitted storage areas. The accumulation of junk and debris creates unsanitary conditions and substantially increases the risk of fire due to the presence of combustible materials. (HSC, § 17920.3(j); CBC, § 110.1; CFC, §§ 304.1, 315.3; UCADB, § 302(13); SMC, §§ 15.08.010, 15.12.010, 15.24.030(b)(10), 15.28.010.)



CITY OF STOCKTON

22 E. Weber Avenue, Suite 350 • Stockton, CA 95202 • 209 / 937-8813 • Fax 209 / 937-7264
www.stocktongov.com

LEGAL NOTICE AND ORDER TO REPAIR OR ABATE

84. **Lack of Automatic Sprinkler System. Change of Use. Fire Hazard.** In an existing building where a change of use occurs and the new use is more restrictive than the previous use or the intended use of the building changes, an automatic sprinkler system shall be installed. In existing buildings, other than residential, greater than 6,000 square feet in area, and repairs and/or alterations are performed in excess of 10%, an automatic sprinkler system shall be installed. (H&S, § 17920.3(m); CBC, § 110.1; CFC, § 903.2.1.2; UCADB, § 302(13); SMC, §§ 15.08.010, 15.12.040, 15.24.030(b)(13), 15.28.010.)

Pursuant to the H&S, the CBSC, the CBC, the CFC, the UCADB, the CPC, the UHC, and the SMC, the buildings and structures on the Nuisance Property are dangerously substandard and constitute public nuisances.

Therefore, pursuant to H&S section 17980.6, you are hereby ordered to repair or abate all code violations on the Nuisance Property, including, but not limited to, all unlawful conditions identified herein. Work to abate these unlawful conditions must begin immediately and must be completed within 15 days (“Compliance Completion Deadline”) or you will be subject to further legal action.

The legal consequences for failure to initiate rehabilitation and correct the unlawful conditions identified above by the Compliance Completion Deadline may include administrative fines, criminal prosecution, abatement warrants, and civil remedies such as injunctions, penalties, and the application for the appointment of a receiver over the Nuisance Property. Furthermore, you will be held liable for all costs, fees, and expenses, including all inspections costs, investigation costs, enforcement costs, abatement costs, repair costs, rehabilitation expenses, court costs, litigation expenses, prosecution expenses, attorneys’ fees, and administrative expenses, incurred by the City in inspecting, identifying, investigating, enforcing, prosecuting, repairing, and abating all unlawful conditions on the Nuisance Property.

Repair or abatement of some of the unlawful conditions identified above may require you to obtain air quality, building, and demolition permits. You are obligated to obtain these permits in time to complete the rehabilitation of the Nuisance Property by the Compliance Completion Deadline.



CITY OF STOCKTON

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Pursuant to H&S section 17980.6(c), you are hereby notified that you cannot retaliate against lessees of the Nuisance Property pursuant to Civil Code section 1942.5. Pursuant to H&S section 17980(d), you are hereby notified that, in accordance with Revenue and Taxation Code sections 17274 and 24436.5, a tax deduction may not be allowed for interest, taxes, depreciation, or amortization paid or incurred in this taxable year for the Nuisance Property.

If you have any questions regarding this N&O, you may contact the undersigned.

Lydia Clary
Building Official
City of Stockton
209-937-8842

Carrie Lane
Code Enforcement Officer II
City of Stockton
209-937-8369



CITY OF STOCKTON

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www.stocktongov.com

LEGAL NOTICE AND ORDER TO REPAIR OR ABATE

SERVICE LIST

Christopher J. Bennett
P.O. Box 8346
Stockton, California 95208

Christopher J. Bennett
1825 Pacific Avenue
Stockton, California 95204

Christopher J. Bennett
1829 Pacific Avenue
Stockton, California 95204

Christopher J. Bennett
1827 E. Alpine Avenue
Stockton, California 95205

Christopher J. Bennett
1624 E. Alpine Avenue
Stockton, California 95205

BAC Community Bank
*c/o William R. Trezza, Agent for Service of
Process*

2021 West March Lane, Suite 2D
Stockton, California 95207

Christopher J. Bennett
1827 Pacific Avenue
Stockton, California 95204

Christopher J. Bennett
1831 Pacific Avenue
Stockton, California 95204

Christopher J. Bennett
4643 Quail Lakes Drive, Suite 123
Stockton, California 95207

Christopher J. Bennett
121 W. Walnut Street
Stockton, California 95204

Allison Aube

From: Trevor Womack
Sent: Tuesday, September 5, 2017 10:08 AM
To: Peter Lemos
Subject: RE: Empire
Attachments: FW: 1825 Pacific Avenue (Empire Theatre)

CONFIDENTIAL

Attached is what I sent the chief. Let me know if there is anything I'm wrong about here or anything else I should know.

From: Peter Lemos
Sent: Tuesday, September 05, 2017 8:35 AM
To: Joseph Silva <Joseph.Silva@stocktonca.gov>
Cc: Trevor Womack <Trevor.Womack@stocktonca.gov>
Subject: Empire

As info this notice is being posted this morning on the Empire. Media should be directed to Connie to CA...

Thanks

Peter Lemos
Police Services Manager
Stockton Police Department, Neighborhood Services Section
City of Stockton
E-Mail: peter.lemos@stocktonca.gov
209-937-7093

Allison Aube

From: Scott Carney
Sent: Thursday, September 14, 2017 3:07 PM
To: Kurt Wilson
Subject: Re: Permit #17-05937 (Shell) - 1825 Pacific Ave

Not yet

On Sep 14, 2017, at 14:33, Kurt Wilson <Kurt.Wilson@stocktonca.gov> wrote:

Any gauge of level of edits?

Kurt O. Wilson | City Manager | City of Stockton
(209) 937-8212 kurt.wilson@stocktonca.gov



[facebook.com/StocktonisHome](https://www.facebook.com/StocktonisHome)
twitter.com/StocktonisHome
[instagram.com/StocktonisHome](https://www.instagram.com/StocktonisHome)
[YouTube.com/StocktonisHome](https://www.youtube.com/StocktonisHome)

On Sep 14, 2017, at 2:27 PM, Scott Carney <Scott.Carney@stocktonca.gov> wrote:

CDD responded with comments and corrections to architect. Architect response due 9/26.

Begin forwarded message:

From: David Kwong <David.Kwong@stocktonca.gov>
Date: September 14, 2017 at 13:43:07 PDT
To: Susana Wood <Susana.Wood@stocktonca.gov>
Cc: Connie Cochran <Connie.Cochran@stocktonca.gov>, Scott Carney <Scott.Carney@stocktonca.gov>
Subject: Fwd: Permit #17-05937 (Shell) - 1825 Pacific Ave

FYI our plan check review was completed and we submitted comments and corrections for the architect. The architect will respond by 9/26.

Sent from my iPhone

Begin forwarded message:

From: John Freitas <John.Freitas@stocktonca.gov>
Date: September 14, 2017 at 1:40:30 PM PDT
To: David Kwong <David.Kwong@stocktonca.gov>, Lydia Clary <Lydia.Clary@stocktonca.gov>

Subject: FW: Permit #17-05937 (Shell) - 1825 Pacific Ave

Good afternoon,

FYI- The plan check review comments for the Empire shell were sent out this morning and we received e-mail confirmation from Arch. Joe Garcia that they were received. Please see e-mail thread below.

The permit application and plans were submitted last Friday on September 8th. We prioritized this review as promised to the applicant and returned comments back to their design team in 4 working days.

Thank you.
Johnnie

John Freitas
Building Inspection Supervisor
Community Development Department
City of Stockton
Desk # (209) 937-8351
Cell # (209) 639-7758
e-mail john.freitas@stocktonca.gov

From: Joe Garcia [<mailto:JGarcia@RAvelar.com>]
Sent: Thursday, September 14, 2017 1:21 PM
To: John Schweigerdt
<John.Schweigerdt@stocktonca.gov>
Cc: Lydia Clary <Lydia.Clary@stocktonca.gov>; John Freitas <John.Freitas@stocktonca.gov>; Phil Simon <Phil.Simon@stocktonca.gov>; Elizabeth Harris <eharris@RAvelar.com>; Christine Brocchus <cbrocchus@RAvelar.com>
Subject: RE: Permit #17-05937 (Shell) - 1825 Pacific Ave

Thank you John,
We will review and call if any questions arise.
Regards,
Joe

From: John Schweigerdt
<<mailto:John.Schweigerdt@stocktonca.gov>>
Sent: Thursday, September 14, 2017 9:34 AM
To: Joe Garcia <JGarcia@RAvelar.com>
Cc: Lydia Clary <Lydia.Clary@stocktonca.gov>; John Freitas <John.Freitas@stocktonca.gov>; Phil Simon <Phil.Simon@stocktonca.gov>
Subject: Permit #17-05937 (Shell) - 1825 Pacific Ave

Good Morning Joe,

Please find attached the following documents for permit #17-05937 related to the shell improvements:

1. Plan check comment letter
2. Marked up plan set

Feel free to contact me should you have any questions.

Best Regards,

John Schweigerdt, CASp, CFM
Plan Checker II – Building Division

<image001.jpg>

Community Development Department
345 North El Dorado Street
Stockton, CA 95202
Direct: 209.937.8565 Office: 209.937.8561
John.schweigerdt@stocktonca.gov

Allison Aube

From: Christopher Bennett <Empire@stocktonempire.com>
Sent: Wednesday, October 4, 2017 7:31 PM
To: Karrie Mano
Subject: Re: 4643 Quail Lakes Dr #100

Thank you for your help and informing me. I will contact MUD regarding the billing and would appreciate your direction with respect to the business license we discussed.

Please note that I've not ever been aware 1630 would be considered part of my parcel and as well the rest of the world along with the owners of that parcel believe it to be 1630

Lastly in the future if needed I would appreciate as would others in such a situation that your messenger not disseminate personal account information specific to an owner with any potential bystander on site upon delivery

Sincerely

On Oct 4, 2017, at 5:08 PM, Karrie Mano <Karrie.Mano@stocktonca.gov> wrote:

Christopher,

As discussed in the office on October 4, 2017 we will not be terminating water at the above location on 10/12/17.

Allison Aube

From: Karrie Mano
Sent: Thursday, October 5, 2017 10:27 AM
To: Christopher Bennitt
Cc: Karrie Mano
Subject: RE: 4643 Quail Lakes Dr #100

Good morning,

Your very welcome.

Let me know what you find out from MUD as soon as you can but no later than by 10/12/17. I will need to explain what the hold is on the account to my Supervisor.

I will be doing research regarding the business licenses so I'll be sending that information as soon as I get it all together. I did want to clarify that I checked with Business License and found that you can have multiple parcel numbers on one residential business license but commercial licenses are one parcel number for each commercial license. I'm going to try to get everything to you by no later than Friday (late afternoon).

City offices are closed this upcoming Monday for Columbus Day.

From: Christopher Bennitt [mailto:Empire@stocktonempire.com]
Sent: Wednesday, October 4, 2017 7:31 PM
To: Karrie Mano <Karrie.Mano@stocktonca.gov>
Subject: Re: 4643 Quail Lakes Dr #100

Thank you for your help and informing me. I will contact MUD regarding the billing and would appreciate your direction with respect to the business license we discussed.

Please note that I've not ever been aware 1630 would be considered part of my parcel and as well the rest of the world along with the owners of that parcel believe it to be 1630

Lastly in the future if needed I would appreciate as would others in such a situation that your messenger not disseminate personal account information specific to an owner with any potential bystander on site upon delivery

Sincerely

On Oct 4, 2017, at 5:08 PM, Karrie Mano <Karrie.Mano@stocktonca.gov> wrote:

Christopher,

As discussed in the office on October 4, 2017 we will not be terminating water at the above location on 10/12/17.

Allison Aube

From: Karrie Mano
Sent: Tuesday, October 10, 2017 1:05 PM
To: Christopher Bennitt
Cc: Karrie Mano
Subject: RE: Accounts graph and business license information/applications

Unfortunately, each commercial license will need it's own license. Residential only can all be on one license. As for MUD I have no pull there and since this is only a 3 day work week for the City the chances are high that some of the employees are on vacation, I know there are in my office.

From: Christopher Bennitt [mailto:Empire@stocktonempire.com]
Sent: Tuesday, October 10, 2017 11:59 AM
To: Karrie Mano <Karrie.Mano@stocktonca.gov>
Subject: Re: Accounts graph and business license information/applications

Thank you I will print/complete and email back to you, regarding the Bus. Lic. we spoke of ONE for the commercial and ONE for each residential, please confirm. Also will you motivate the MUD department to provide yourself, and or me the waiver docs. such that I may process for Alpine.

COMMERCIAL REAL ESTATE DEVELOPMENT AND MANAGEMENT
209-933-1033 4643 QUAIL LAKES DR. STE. 123 STOCKTON CA.95207

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On Oct 6, 2017, at 4:30 PM, Karrie Mano <Karrie.Mano@stocktonca.gov> wrote:

Christopher,

I've attached a graph of all of the accounts that have a balance owed in utilities, Account Receivable and/or Business License. I've also included Prior Year(s) Gross Receipts forms and business applications forms. The break-down of information is as follows:

On the graph:

Everything listed under the orange color banner are accounts owed for utility services. The account number, service address, services provided and amount owed is all listed. The accounts marked with a C

are final billed closed account that are in collections and have been sent to our outside collection agency, CB Merchants. If the amounts are paid in our office CB Merchants will not try to collect on their interest. The accounts marked with an A are active accounts and the balances are subject to change. The account we talked about, 1630 E Alpine Av, has a star next to the amount owed since we are awaiting the MUD information regarding the waiver.

Everything listed under the yellow color banner are account in Accounts Receivable which would be Code Enforcement charges and false alarm fees. Two of the accounts (false alarm fees) have been sent to the outside collection agency.

Everything listed under the green color banner are the business license accounts that either need to be brought up to date or opened. I've attached the Prior Years Gross Receipts forms for all of the accounts and the applications needed for the commercial licenses'. Since there will be research that will need to be done to complete these forms I can give you two weeks from today's date to get them done.

If you have any questions regarding the business license part you can contact them directly at 209-937-8313 or come into the office. If you have any questions on any part you can contact me and I can either answer the question(s) or find someone who can.

[<DoNotReply@stocktonca.gov_20171006_154400.pdf>](mailto:DoNotReply@stocktonca.gov_20171006_154400.pdf)

Allison Aube

From: Karrie Mano
Sent: Monday, November 13, 2017 4:18 PM
To: Christopher Bennitt
Cc: Karrie Mano
Subject: RE: Accounts graph and business license information/applications

I would suggest that you bring everything in to the business license counter on any day but a Monday. Any business license staff member can help you with the applications.

As far as the storm water waiver you have to keep calling 209-937-5143 for the information. I don't have the waiver nor is it something in my department that I can get for you. They also may have questions for you to find out what waiver or information they will need and I would not have those answers. You can also go online to the City website and go to "Ask Stockton" to fill out a form and that will be forwarded to the department that can handle your request. They follow up on those requests so that may be the best way.

From: Christopher Bennitt [mailto:Empire@stocktonempire.com]
Sent: Monday, November 13, 2017 4:05 PM
To: Karrie Mano <Karrie.Mano@stocktonca.gov>
Subject: Re: Accounts graph and business license information/applications

I have most applications completed, will it be best I scan and email into you once all ready, I shall I make appointment with you to turn in at counter?

Please advise, and let me know what can be done to locate the storm waiver application document ?

COMMERCIAL REAL ESTATE DEVELOPMENT AND MANAGEMENT
209-933-1033 4643 QUAIL LAKES DR. STE. 123 STOCKTON CA.95207

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On Oct 6, 2017, at 4:30 PM, Karrie Mano <Karrie.Mano@stocktonca.gov> wrote:

<DoNotReply@stocktonca.gov 20171006 154400.pdf>

Allison Aube

From: Christopher Bennett <Empire@stocktonempire.com>
Sent: Thursday, October 5, 2017 10:28 AM
To: Karrie Mano
Subject: Re: 4643 Quail Lakes Dr #100
Attachments: PastedGraphic-1.tiff

Great, I appreciate it. I have left a message with MUD this morning.

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On Oct 5, 2017, at 10:26 AM, Karrie Mano <Karrie.Mano@stocktonca.gov> wrote:

Good morning,

Your very welcome.

Let me know what you find out from MUD as soon as you can but no later than by 10/12/17. I will need to explain what the hold is on the account to my Supervisor.

I will be doing research regarding the business licenses so I'll be sending that information as soon as I get it all together. I did want to clarify that I checked with Business License and found that you can have multiple parcel numbers on one residential business license but commercial licenses are one parcel number for each commercial license. I'm going to try to get everything to you by no later than Friday (late afternoon).

City offices are closed this upcoming Monday for Columbus Day.

From: Christopher Bennett [<mailto:Empire@stocktonempire.com>]
Sent: Wednesday, October 4, 2017 7:31 PM
To: Karrie Mano <Karrie.Mano@stocktonca.gov>
Subject: Re: 4643 Quail Lakes Dr #100

Thank you for your help and informing me. I will contact MUD regarding the billing and would appreciate your direction with respect to the business license we discussed.

Please note that I've not ever been aware 1630 would be considered part of my parcel and as well the rest of the world along with the owners of that parcel believe it to be 1630

Lastly in the future if needed I would appreciate as would others in such a situation that your messenger not disseminate personal account information specific to an owner with any potential bystander on site upon delivery

Sincerely

On Oct 4, 2017, at 5:08 PM, Karrie Mano <Karrie.Mano@stocktonca.gov> wrote:

Christopher,

As discussed in the office on October 4, 2017 we will not be terminating water at the above location on 10/12/17.

Allison Aube

From: Christopher Bennett <Empire@stocktonempire.com>
Sent: Thursday, October 5, 2017 4:48 PM
To: Karrie Mano
Subject: Re: 4643 Quail Lakes Dr #100
Attachments: PastedGraphic-1.tiff

I did speak with MUD this afternoon and he indicated to me yes there is a waiver process and has stated he will email me the requirements. I have not yet received but I will process once I do.

More info soon, Thanks

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From: Christopher Bennett [<mailto:Empire@stocktonempire.com>]
Sent: Wednesday, October 4, 2017 7:31 PM

To: Karrie Mano <Karrie.Mano@stocktonca.gov>

Subject: Re: 4643 Quail Lakes Dr #100

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Allison Aube

From: Christopher Bennett <Empire@stocktonempire.com>
Sent: Thursday, October 19, 2017 2:11 PM
To: Karrie Mano
Subject: Re: Accounts graph and business license information/applications
Attachments: PastedGraphic-1.tiff

Hope to have your docs back to you next week, I have not been provided any application for the storm waiver, can you assist in getting this document to me please.

COMMERCIAL REAL ESTATE DEVELOPMENT AND MANAGEMENT
209-933-1033 4643 QUAIL LAKES DR. STE. 123 STOCKTON CA.95207

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On the graph:

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and the applications needed for the commercial licenses'. Since there will be research that will need to be done to complete these forms I can give you two weeks from today's date to get them done.

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<DoNotReply@stocktonca.gov_20171006_154400.pdf>

Allison Aube

From: Christopher Bennitt <Empire@stocktonempire.com>
Sent: Monday, November 13, 2017 4:05 PM
To: Karrie Mano
Subject: Re: Accounts graph and business license information/applications
Attachments: PastedGraphic-1.tiff

I have most applications completed, will it be best I scan and email into you once all ready, I shall I make appointment with you to turn in at counter?

Please advise, and let me know what can be done to locate the storm waiver application document ?

COMMERCIAL REAL ESTATE DEVELOPMENT AND MANAGEMENT
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On Oct 6, 2017, at 4:30 PM, Karrie Mano <Karrie.Mano@stocktonca.gov> wrote:

<DoNotReply@stocktonca.gov_20171006_154400.pdf>

Allison Aube

From: Christopher Bennett <Empire@stocktonempire.com>
Sent: Monday, November 13, 2017 4:20 PM
To: Karrie Mano
Subject: Re: Accounts graph and business license information/applications
Attachments: PastedGraphic-1.tiff

Ok I will do that, so the fees will be calculated at the counter and I pay with credit card, is that correct ?

COMMERCIAL REAL ESTATE DEVELOPMENT AND MANAGEMENT
209-933-1033 4643 QUAIL LAKES DR. STE. 123 STOCKTON CA.95207

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On Nov 13, 2017, at 4:18 PM, Karrie Mano <Karrie.Mano@stocktonca.gov> wrote:

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From: Christopher Bennett [<mailto:Empire@stocktonempire.com>]
Sent: Monday, November 13, 2017 4:05 PM
To: Karrie Mano <Karrie.Mano@stocktonca.gov>
Subject: Re: Accounts graph and business license information/applications

I have most applications completed, will it be best I scan and email into you once all ready, I shall I make appointment with you to turn in at counter?

Please advise, and let me know what can be done to locate the storm waiver application document ?

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<DoNotReply@stocktonca.gov 20171006_154400.pdf>

Allison Aube

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Sent: Monday, November 13, 2017 4:23 PM
To: Karrie Mano
Subject: Re: Accounts graph and business license information/applications
Attachments: PastedGraphic-1.tiff

Thank you

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I talked with business license and she said to go ahead and email BL@stocktonca.gov all of the information. She (Monique) will get everything ready and will call you if there is anything needed. Once everything is ready they can let you know to come in and it will be a shorter time period for you in the lobby.

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To: Karrie Mano <Karrie.Mano@stocktonca.gov>
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On Oct 6, 2017, at 4:30 PM, Karrie Mano
<Karrie.Mano@stocktonca.gov> wrote:

<DoNotReply@stocktonca.gov 20171006 154400.pdf>

Allison Aube

From: Karrie Mano
Sent: Thursday, October 5, 2017 10:27 AM
To: Christopher Bennitt
Cc: Karrie Mano
Subject: RE: 4643 Quail Lakes Dr #100

Good morning,

Your very welcome.

Let me know what you find out from MUD as soon as you can but no later than by 10/12/17. I will need to explain what the hold is on the account to my Supervisor.

I will be doing research regarding the business licenses so I'll be sending that information as soon as I get it all together. I did want to clarify that I checked with Business License and found that you can have multiple parcel numbers on one residential business license but commercial licenses are one parcel number for each commercial license. I'm going to try to get everything to you by no later than Friday (late afternoon).

City offices are closed this upcoming Monday for Columbus Day.

From: Christopher Bennitt [mailto:Empire@stocktonempire.com]
Sent: Wednesday, October 4, 2017 7:31 PM
To: Karrie Mano <Karrie.Mano@stocktonca.gov>
Subject: Re: 4643 Quail Lakes Dr #100

Thank you for your help and informing me. I will contact MUD regarding the billing and would appreciate your direction with respect to the business license we discussed.

Please note that I've not ever been aware 1630 would be considered part of my parcel and as well the rest of the world along with the owners of that parcel believe it to be 1630

Lastly in the future if needed I would appreciate as would others in such a situation that your messenger not disseminate personal account information specific to an owner with any potential bystander on site upon delivery

Sincerely

On Oct 4, 2017, at 5:08 PM, Karrie Mano <Karrie.Mano@stocktonca.gov> wrote:

Christopher,

As discussed in the office on October 4, 2017 we will not be terminating water at the above location on 10/12/17.

Allison Aube

From: Karrie Mano
Sent: Tuesday, October 10, 2017 1:05 PM
To: Christopher Bennitt
Cc: Karrie Mano
Subject: RE: Accounts graph and business license information/applications

Unfortunately, each commercial license will need it's own license. Residential only can all be on one license. As for MUD I have no pull there and since this is only a 3 day work week for the City the chances are high that some of the employees are on vacation, I know there are in my office.

From: Christopher Bennitt [mailto:Empire@stocktonempire.com]
Sent: Tuesday, October 10, 2017 11:59 AM
To: Karrie Mano <Karrie.Mano@stocktonca.gov>
Subject: Re: Accounts graph and business license information/applications

Thank you I will print/complete and email back to you, regarding the Bus. Lic. we spoke of ONE for the commercial and ONE for each residential, please confirm. Also will you motivate the MUD department to provide yourself, and or me the waiver docs. such that I may process for Alpine.

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On Oct 6, 2017, at 4:30 PM, Karrie Mano <Karrie.Mano@stocktonca.gov> wrote:

Christopher,

I've attached a graph of all of the accounts that have a balance owed in utilities, Account Receivable and/or Business License. I've also included Prior Year(s) Gross Receipts forms and business applications forms. The break-down of information is as follows:

On the graph:

Everything listed under the orange color banner are accounts owed for utility services. The account number, service address, services provided and amount owed is all listed. The accounts marked with a C

are final billed closed account that are in collections and have been sent to our outside collection agency, CB Merchants. If the amounts are paid in our office CB Merchants will not try to collect on their interest. The accounts marked with an A are active accounts and the balances are subject to change. The account we talked about, 1630 E Alpine Av, has a star next to the amount owed since we are awaiting the MUD information regarding the waiver.

Everything listed under the yellow color banner are account in Accounts Receivable which would be Code Enforcement charges and false alarm fees. Two of the accounts (false alarm fees) have been sent to the outside collection agency.

Everything listed under the green color banner are the business license accounts that either need to be brought up to date or opened. I've attached the Prior Years Gross Receipts forms for all of the accounts and the applications needed for the commercial licenses'. Since there will be research that will need to be done to complete these forms I can give you two weeks from today's date to get them done.

If you have any questions regarding the business license part you can contact them directly at 209-937-8313 or come into the office. If you have any questions on any part you can contact me and I can either answer the question(s) or find someone who can.

[<DoNotReply@stocktonca.gov_20171006_154400.pdf>](mailto:DoNotReply@stocktonca.gov_20171006_154400.pdf)

Allison Aube

From: Karrie Mano
Sent: Thursday, October 19, 2017 2:47 PM
To: Christopher Bennitt
Cc: Karrie Mano
Subject: RE: Accounts graph and business license information/applications

Thanks for the update. I'll see what I can do regarding the stormwater waiver.

From: Christopher Bennitt [mailto:Empire@stocktonempire.com]
Sent: Thursday, October 19, 2017 2:11 PM
To: Karrie Mano <Karrie.Mano@stocktonca.gov>
Subject: Re: Accounts graph and business license information/applications

Hope to have your docs back to you next week, I have not been provided any application for the storm waiver, can you assist in getting this document to me please.

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To: Karrie Mano <Karrie.Mano@stocktonca.gov>
Subject: Fwd: Fees

please send to Monique, my email to her was returned

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209-933-1033 4643 QUAIL LAKES DR. STE. 123 STOCKTON CA.95207

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Begin forwarded message:

From: christopher bennitt <empire@stocktonempire.com>
Subject: Fees
Date: November 15, 2017 at 10:24:19 AM PST
To: BL@stockotnca.gov

Monique,

I have attached a portion of the license applications to begin, please advise such that we may make progress and complete accordingly

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