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FEATURED

## Ontario mayor receives civil penalty for weed overgrowth

Citizens complaints stack up, Hill likely to appeal fine

Griffin Hewitt and Leslie Thompson The Argus Observer

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Riley Hill

### ONTARIO

“Most property owners don’t know it’s their responsibility to clean up noxious weeds,” according to Ontario City Councilor Norm Crume, who has been working alongside Councilor Dan Capron on cleaning up the city.

But even when they do know, not all property owners take care of the issue at hand. As such, the city of Ontario in recent years established a civil penalty program, as citations were proving ineffective.

The Argus recently accompanied Capron as he drove through the city and took note of the properties which have fallen out of compliance with city ordinances.

The councilor pointed out that Ontario Mayor Riley Hill, who owns several pieces of property in Ontario, is among one of the city's "worst offenders" when it comes to having overgrown weeds on bare lots for development. Capron and Crume both had received complaints from citizens about a property on Southeast 11th Avenue, as well as Hill's home property, and recently took those complaints to City Manager Adam Brown.

"I told them I would tell the mayor about the complaints," Brown wrote in an email to the Argus on Aug. 27.

Despite the city manager telling the mayor about the complaints on Aug. 20, Hill received a civil penalty on one of his lots on Southeast 11th Avenue, where there had been an ongoing issue with weed overgrowth.

The councilors weren't the only one who brought the complaints to the attention of the city manager. The chief did, too.

"Chief Romero told me, in conversation several weeks ago that these properties had received complaints and I told him to treat the Mayor like he would treat anyone else," Brown said.

Getting citizens to come into compliance is always a first goal, according to Brown.

"We never fine people without first reaching out to them," he said.

The city works toward voluntary compliance rather than just going out and fining people, explained Ontario Police Code Enforcement Officer Dallas Brockett in an email on Aug. 27.

In Hill's case, Brockett said, there had been several attempts to get him to take corrective action on many of his properties

"Multiple emails, letters, and other types of correspondence have been sent to Mayor Hill, and his business Eldorado Investments Inc. regarding his properties," Brockett wrote. "As of last week, I was actually just making a list of the properties he owns to brief with the Chief of Police & Adam. I also wanted to make a list to them regarding City owned properties that are also not in compliance."

## **Mayor got a one-time versus daily fine**

Brockett talked with Romero about the issue on Southeast 11th, and said that the chief instructed him to do a “do a one-time penalty vs daily penalty, since there was significant progress on the property, however the property was still not in compliance, and this was the first fine sent for this property.”

In a phone interview on Friday afternoon, Romero said the one-time penalty fee for Hill’s property is \$600.

“His stuff has been going on and off for some time,” the chief said.

He went on to explain that currently Hill is at the “one-time penalty” stage of ordinance compliance. Following the initial phase of being cited, the property owner has 10 days to comply before more penalties are assessed. If Hill does not correct the problems at his property, it is possible he can be hit with another civil penalty every day until the problem is remedied.

“That penalty can increase pretty substantially. It can go up into the thousands of dollars,” said Romero.

He noted that at regular meetings of the Ontario City Council, Hill has mentioned more than once his displeasure with the city’s civil penalty fines.

Romero said that the department is trying to find “a happy medium” on the fines.

Brown wasn’t aware of any other fees or civil penalties issued to Hill since he was elected by voters in 2018.

“I think the mayor is going to appeal the fine,” City Manager Adam Brown said in a phone interview late Friday afternoon.

## **High fees ‘prove to be effective’ in spurring compliance**

The mayor is not the only one who has complained about the price associated with the civil penalties being “too high,” according to Brockett.

However, he explained that the goal is not about making money.

“Our job is to get compliance and not to just make money. The ordinances we have in place are mirrored from the City of Salem, who has had the same fine amounts and ordinances in place for 10 years,” he said. “The ordinances prove to be effective.”

Brockett explained that before civil penalties were in place for the City of Ontario, the city had to go through a lengthy process. First citations had to be served followed by notices of abatement. Those had to be served in person, making it difficult to serve owners not in the area. Having to do abatement on non-compliant properties had “cost the city an astronomical amount of money every year, and we were holding violators hands and taking care of their property for them,” Brockett said, adding that unpaid balances were turned over to collections.

“The new system and procedure in place is effective and working,” he said. “I believe it is waking up irresponsible property owners and having them realize the importance of compliance of city codes.”

Abatement is now a last resort.

“We want to give people a chance to correct the problem,” Romero explained.

He also said, however, that if a problematic property’s issues are not addressed, that more drastic measures can be taken, but those would come way down the line.

“The city can abate it, too. If it’s determined the owners are not taking care of it,” the chief said. “After a second round of penalties. If they fail to pay, then we own the property.”

### **Citizen complaints about Hill’s property stretch back**

This isn’t the first time Brown has had to tell the mayor about citizen complaints about his properties: According to a text message obtained by The Argus Observer from Hill in November of 2019, city officials have known about the issue with Hill’s properties since at least October of 2019.

The message from Brown to Hill read, “Got this complaint about one of your properties. Can you take care of it?”

The complaint was a forwarded email from Romero to Brown. In the email, Brockett explained to the chief that a citizen was complaining about a property on Northwest Sixth Avenue and Hayden Drive. Upon that discovery, Brockett passed it along “to make sure we have some action,” saying the citizen who contacted him was “pretty upset our own mayor’s properties are not held to a high standard.”

When asked last week about whether he had followed up to see if that property had been taken care of, Brown said he didn’t recall talking to Hill about it after that. Brockett, in an email on Aug. 27, confirmed that property was “cleaned up in a timely manner before a case was pulled and no other issues came about.”

### **Is Hill getting special treatment?**

Brown and Brockett maintain Hill is not getting any special treatment as an elected official.

“Not to my knowledge,” Brown said. “When our [code enforcement officers] try to get a property taken care of, they try to get voluntary compliance by talking to the owner or resident. When that breaks down, they go to the civil penalties. I can imagine it might be intimidating to deal with the mayor about one of these issues, which is why I reached out on their behalf in October. This most recent case, I directed the chief to treat him like he would anyone else. We can’t give special treatment.”

Expanding on the statement about intimidation, Brown said he only meant that regarding Hill’s position as the leader of the council, adding that he did not mean the mayor was difficult to approach or deal with.

Hill “has demonstrated to me in conversation and action that he has tried to be very above board with all of his business dealings to avoid any perception of special treatment,” Brown said.

To this, Brockett added, “no special privileges are given to anybody. If the communication is there, we work with citizens to gain compliance. Be fair, firm and consistent.”

When it comes to elected officials, the expectations do not change, but the chief is always briefed, Brockett said, and even asked for guidance on the situation, “case by case and when needed.”

“We are working on a list of all the properties that are in violation to make sure elected officials and the City of Ontario are held to the same standard as other citizens and property owners,” Brockett said. “We want to make Ontario shine. Doing so takes a lot of work from us to get that

done, both out in the field and administratively.”

Multiple attempts were made to reach Hill for an opportunity to comment on the article, including leaving several phone messages. Those calls and messages were unreturned by press time.

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