

# Code enforcement is selective, builder says

A Santa Cruz Mountain resident has charged county officials with "selective enforcement" of building codes and is preparing to take his battle to court.

The resident, Ronald E. Marland, claims the county has "conspired" to have "an unlawful agreement and understanding with the illegal builders of Last Chance Road to exempt them from prosecution for building violations while Marland and others are prosecuted."

But Deputy County Counsel Mabel Costa sees it differently. "Last Chance has nothing to do with this. Basically, when we step in on these cases, we try to compromise."

Marland was slapped with a com-

plaint in June 1980, charging him with a public nuisance, said Costa. Along with his attorney, Marland and county officials tried to reach a compromise on the various allegations.

The allegations, according to Costa, included charges Marland had built some structures on his Highland Way property in the summit area of this county without permits. Neighbors had also complained of unhealthy conditions, she said.

"Some of the buildings were built without permits, some were too close to the property line, and then he had a lot of animals — mainly chickens — running around the property," Costa said.

Officials with the sanitation and

building inspections departments of the county visited the property and tried to work out a reasonable compromise, said Costa.

But Marland saw it as selective enforcement and decided to fight the abatement order in court.

Marland has asked top county officials, including all the members of the Board of Supervisors, and County Building inspectors Lou Bacigalupi and Dick Stubendorff, to testify in court on Oct. 18.

Costa said a settlement conference is scheduled for Oct. 22.

If no agreement is reached, Marland's case will go to a jury trial, possibly as soon as Nov. 1, he said.

Marland feels he can prove that the

county has been granting "special advantage, privilege and immunity" to Last Chance Road residents.

The county, he claims, has "deliberately broken the law to allow Last Chance Road people to avoid having to comply with the county General Plan, Measure J, and county codes."

Marland claims the county has allowed Last Chance residents to evade paying more than \$5 million in building fees.

Marland said he will present the testimony of county officials at his Oct. 21 Superior Court hearing. At that time, Marland will try to get his case dismissed.