

**THE LAW OFFICES OF JAMES L. ARRASMITH**

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March 3, 2025

Via U.S. Mail/Email

VIA CERTIFIED MAIL & EMAIL

Isabel Rodriguez

Code Enforcement Officer

City of Placerville

3101 Center Street

Placerville, CA 95667

**RE: Settlement Proposal - Ryan Nutting Property - Pole Sign at 50 Main Street, Placerville  
Resolution No. 9240**

Dear Ms. Rodriguez,

Please be advised that The Law Offices of James L. Arrasmith has been retained to represent Mr. Ryan Nutting regarding the enforcement actions concerning the pole sign at 50 Main Street, Placerville. Our client has filed an appeal regarding Resolution No. 9240, which declared the pole sign a public nuisance.

**I. PROPOSED SETTLEMENT**

Without waiving any rights or defenses available to our client, we would like to propose the following settlement options to resolve this matter efficiently and amicably:

1. **Modification Instead of Removal:** Rather than complete removal of the pole sign structure as mandated by Resolution No. 9240, we propose that our client be permitted to modify the existing sign to bring it into compliance with current code requirements. This modification would include:
  - Updating the sign face with current business information
  - Structural inspection and reinforcement if necessary
  - Aesthetic improvements to enhance community appearance
2. **Request for Variance:** Pursuant to Placerville City Code Chapter 10 (Zoning), we formally request a variance for the existing pole sign based on the following grounds:
  - The sign has existed for over 22 years as a landmark feature of the property
  - The sign's removal would create unnecessary economic hardship for our client
  - Special circumstances exist that distinguish this property from others in the vicinity
  - The requested variance is consistent with the general purpose and intent of the sign ordinance
3. **Fine Reduction or Elimination:** We request that the assessed fines, currently totaling approximately \$2,500, be reduced or eliminated based on:
  - Insufficient notice regarding the 180-day abandonment rule
  - Our client's good-faith efforts to remedy the situation through his tenant's attempt to properly permit a sign change
  - Inconsistent enforcement of similar ordinances for comparable signs in the area

## **II. LEGAL CONSIDERATIONS**

The Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution and Article I, Section 7 of the California Constitution require government entities to treat similarly situated persons alike. Our investigation has revealed other pole signs in the area, specifically the Century 21 sign mentioned by our client, that have not been subject to similar enforcement actions. This disparate treatment raises significant equal protection concerns.

Furthermore, the California Permit Streamlining Act (Government Code §§ 65920-65964) establishes that public agencies must coordinate the review and decision on required permits for development projects. The city's decision to create separate case numbers for the building and sign, while acknowledging their interconnected nature, appears inconsistent with the spirit and intent of this Act.

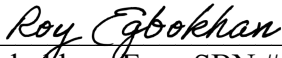
We also note that concerns exist regarding compliance with due process requirements under California law. The timing of enforcement actions—initiated only after our client's tenant attempted to properly permit a sign change—suggests potential procedural irregularities that merit further examination.

### **III. REQUEST FOR NEGOTIATION**

We believe that a cooperative approach may lead to a mutually beneficial resolution. Without the need for a formal appeal hearing. Please let us know if you are available for a discussion at your earliest convenience. We are happy to meet in person or via phone call to explore potential solutions. Thank you for your consideration of this proposal.

Sincerely,

**THE LAW OFFICES OF JAMES L. ARRASMITH**

  
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