

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

357



FROM: FIRE

SUBMITTAL DATE:
June 22, 2005

SUBJECT: Public Hearing and Adoption of Resolution 2005-139 Confirming
Special Assessments for the Cost of Abating Hazardous Orchards, Groves
And Vineyards

RECOMMENDED MOTION:

- (1) That the Board set a public hearing for August 9, 2005 (Clerk to advertise) the list of parcels upon which the cost of abatement will become a special assessment.
- (2) That following a public hearing the Board adopt Resolution 2005-139 confirming special assessments for the cost incurred in abating hazardous orchards, groves and vineyards.

BACKGROUND: Riverside County Ordinance 772 establishes an on-going program to abate abandoned or neglected orchards, groves and vineyards. The identification of the orchards, groves and vineyards that needed to be cleared for the current year began in April 2005. A mailed notice to abate was then sent to each owner of record identified during the process. Thirty days from the mail date reinspections were made to identify those parcels not in compliance. Those properties not cleared by the legal owner were turned over to the County contractor for abatement. (Continued on Page Two)

Departmental Concurrence

Craig E. Anthony

Craig E. Anthony, County Fire Chief

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	05/06

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

JUL 12 2005

County Executive Office Signature

Lee A. Vinocour

by Lee A. Vinocour

- Policy
- Policy
- Consent
- Consent
- Dept't Recomm.:
- Per Exec. Ofc.:

Prev. Agn. Ref.:

District:

Agenda Number:

**ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD**

3.30a

A list of properties that are subject to a fee assessment will be provided at the August 9, 2005 Board Meeting. This fee incorporates the contractor/discing cost, plus an administrative fee of \$126.00 and an interest rate factor of .0398.

The confirmation in a public hearing of the list of parcels upon which the cost of abatement will become a special assessment is the required, final step under Health and Safety Code Section 14910 and the Ordinance to establish assessments and liens on those parcels where abatement has been carried out at public expense and no payment has yet been received by the County.

2 RESOLUTION NO. 2005-139

3 ORDERING THE CONFIRMATION OF SPECIAL ASSESSMENTS
4 AND LIENS AGAINST PARCELS OF LAND LOCATED WITHIN
5 THE COUNTY OF RIVERSIDE FOR COSTS OF THE ABATEMENT
6 AND REMOVAL OF HAZARDOUS ABANDONED OR NEGLECTED
7 ORCHARD, GROVES AND VINEYARDS PURSUANT TO
8 HEALTH AND SAFETY CODE SECTION 14912 AND
9 COUNTY ORDINANCE NO. 772

10 WHEREAS, Riverside County in Ordinance No. 772 has established a methodology for the
11 removal of abandoned or neglected orchards, groves and vineyards in various areas of the unincorporated
12 portions of western Riverside County; and

13 WHEREAS, Section 5 of Ordinance No. 772 provides for the mailing of individual notices to the
14 owners of such parcels advising them of their obligation to remove the abandoned or neglected orchards,
15 groves and vineyards on such lands or be charged for the costs of such removal when the work is done by
16 the County or by a contractor hired by the County; and

17 WHEREAS, on those parcels, where the removal was not carried out by the owners, the County,
18 acting through various contractors, has now carried out the removal work required; and

19 WHEREAS, the charges placed upon the parcels is the cost of removal where the work is not
20 carried out by the owners and is not a charge based upon the value of the parcels; and

21 WHEREAS, pursuant to Section 7 of Ordinance No. 772 the Fire Department has since sent
22 individual billing notices to the various parcel owners for the cost of the abatement and removal; and

23 WHEREAS, such property owners have had the opportunity to object through the appeals
24 procedure established in Section 6 of Ordinance No. 772; and

25 WHEREAS, the billing for those parcels listed on the attached Exhibit "A" remain unpaid; now,
26 therefore;

27 BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of Riverside,
28 State of California, in regular session assembled on _____, that the list of parcels and
costs of abatement for removal of abandoned or neglected orchards, groves and vineyards for each parcel
as shown on Exhibit "A" are hereby confirmed and that henceforth said costs shall constitute special

1 assessments against the respective parcels of land, and are liens on said lands in the amount of the
2 respective assessments.

3 BE IT FURTHER RESOLVED AND ORDERED that a copy of this Resolution shall be
4 transmitted to the Auditor-Controller of Riverside County who shall enter the amounts of the respective
5 assessments against the respective parcels of land as they appear on the current assessment roll. Said
6 assessments shall be collected at the same time in the same manner as ordinary municipal ad valorem
7 taxes as provided by Section 8 of Ordinance No. 772.

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