

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

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**FROM:** County Counsel/TLMA  
Code Enforcement Department

**SUBJECT:** Order to Abate [Accumulation of rubbish];  
Case No.: CV 06-0671 Subject Property: 14793 Laurel Road, Riverside;  
APN 271-100-017  
District One

**SUBMITTAL DATE:**  
November 16, 2006

**RECOMMENDED MOTION:** Move that

- (1) The Findings of Fact, Conclusions and Order to Abate in Case No. CV 06-0671 be approved;
- (2) The Chairman of the Board of Supervisors be authorized to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV 06-0671; and
- (3) The Clerk of the Board of Supervisors be authorized to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV 06-0671.

**BACKGROUND:**

On November 14, 2006, this Board received the Declaration of the Code Enforcement Officer in the above-referenced matter. At the conclusion of the hearing, this Board declared the accumulated rubbish located on the subject property to be a public nuisance. The Board ordered the property owner to abate the violative conditions on the property and directed County Counsel to prepare the Findings of Fact, Conclusion and Order to Abate.

TIFFANY N. NORTH, Deputy County Counsel  
for JOE S. RANK, County Counsel

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	N/A

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

**C.E.O. RECOMMENDATION:**

**APPROVE**

County Executive Office Signature

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

NOV 16 2006 10:30 AM  
COUNTY OF RIVERSIDE  
COUNTY COUNSEL

Prev. Agn. Ref.: | District: 1 | Agenda Number:

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WHEN RECORDED PLEASE MAIL TO:  
Tiffany N. North, Deputy County Counsel  
County of Riverside  
OFFICE OF COUNTY COUNSEL  
3535 Tenth Street, Suite 300 (Stop #1350)  
Riverside, CA 92501

[EXEMPT'6103]

**BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE**

IN RE ABATEMENT OF PUBLIC NUISANCE:	)	CASE NO. CV 06-0671
[ACCUMULATION OF RUBBISH]; APN 271-	)	
100-017, 14793 LAUREL ROAD, RIVERSIDE,	)	FINDINGS OF FACT,
RIVERSIDE COUNTY, CALIFORNIA; KEITH A.	)	CONCLUSIONS AND ORDER TO
WOODWARD AND DEBRA A. WOODWARD,	)	ABATE NUISANCE
OWNERS.	)	
	)	[R.C.O. Nos. 541 (RCC Chapter 8.120)
	)	and 725 (RCC Title 1)]

The above-captioned matter came on regularly for hearing on November 14, 2006, before the Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real property described as 14793 Laurel Road, Riverside, Riverside County, and further described as APN 271-100-017 referred to hereinafter as "THE PROPERTY."

Tiffany N. North, Deputy County Counsel, appeared along with Jim Monroe, Code Enforcement Division Manager, on behalf of the Director of the Code Enforcement Department.

Owner Keith A. Woodward appeared on his behalf and spoke with Tiffany N. North and Jim Monroe prior to the hearing. Mr. Woodward did not address the Board of Supervisors.

The Board of Supervisors received the Declaration of Code Enforcement Officer together with the attached exhibits, evidencing the accumulation of rubbish on THE PROPERTY as a public nuisance and violation of Riverside County Ordinance No. 541, as codified in Riverside County Code Title 8.

1 **SUMMARY OF EVIDENCE**

2 1. Documents of record in the Riverside County Recorder's Office identify the owner  
3 of THE PROPERTY as Keith A. Woodward and Debra A. Woodward ("OWNERS").

4 2. Documents of title at the time of the inspection indicated that other parties potentially  
5 hold a legal interest in THE PROPERTY, to-wit: GMAC Mortgage Corporation dba Ditech.com and  
6 GMAC Mortgage Corporation ("INTERESTED PARTIES").

7 3. THE PROPERTY was inspected by Code Enforcement Officers on May 9, 2006, July  
8 13, 2006, October 16, 2006 and November 13, 2006.

9 4. During each inspection, an accumulation of rubbish was observed on THE  
10 PROPERTY. The rubbish consisted of, but was not limited to: cardboard, chicken wire, metal,  
11 wood, furniture, household waste, vegetation waste, and debris. The accumulation of rubbish was  
12 estimated to be approximately one thousand five hundred (1,500) square feet by suing the pacing  
13 method wherein one pace equals three feet.

14 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance  
15 No. 541 (RCC Title 8) by the Code Enforcement Officer.

16 6. A Notice of Noncompliance was recorded in the Office of the County Recorder,  
17 County of Riverside, State of California on July 28, 2006 as instrument number 2006-0552441.

18 7. On May 9, 2006, a Notice of Violation was posted on THE PROPERTY. On June 1,  
19 2006, a Notice of Violation was mailed by certified mail, return receipt requested to the OWNERS  
20 and INTERESTED PARTIES.

21 8. On October 13, 2006, a "Notice To Abate Nuisance" providing notice of the public  
22 hearing before the Board of Supervisors on November 14, 2006 was mailed by certified mail, return  
23 receipt requested, to the OWNERS and INTERESTED PARTIES and posted on THE PROPERTY  
24 on October 16, 2006.

25 **FINDINGS AND CONCLUSIONS**

26 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
27 regular session assembled on November 14, 2006 finds and concludes that:

28 1. WHEREAS, the accumulation of rubbish on the real property located generally at

1 14793 Laurel Road, Riverside, Riverside County, California, also identified as Assessor's Parcel  
2 Number 271-100-017 violates Riverside County Ordinance No. 541 and constitutes a public  
3 nuisance.

4 2. WHEREAS, THE OWNERS, or any person having possession or control of the  
5 premises should abate the condition by removing and disposing of the rubbish from the subject real  
6 property in strict accordance with all Riverside County Ordinances, including but not limited to  
7 Riverside County Ordinance No. 541 within ninety (90) days.

8 3. WHEREAS, THE OWNERS ARE HEREBY FURTHER NOTICED that the time  
9 within which judicial review of the administrative determinations made herein must be sought is  
10 ninety (90) days from the posting and mailing of the Findings of Fact, Conclusions and Order To  
11 Abate Nuisance, and is governed by California Code of Civil Procedure Section 1094.6.

12 **ORDER TO ABATE NUISANCE**

13 IT IS THEREFORE ORDERED that the accumulation of rubbish on THE PROPERTY be  
14 abated by THE OWNERS or anyone having possession or control of THE PROPERTY, by removing  
15 and disposing of the rubbish from the subject real property in strict accordance with all Riverside  
16 County Ordinances, including but not limited to Riverside County Ordinance No. 541, within ninety  
17 (90) days of the date of this order.

18 IT IS FURTHER ORDERED that if the rubbish is not removed and disposed of in strict  
19 accordance with all Riverside County Ordinances, including but not limited to Riverside County  
20 Ordinance No. 541, within ninety (90) days of the date of this Order, the rubbish shall be abated by  
21 representatives of the Riverside County Code Enforcement Department, a contractor or the Sheriff's  
22 Department upon receipt of an owner's consent or a Court Order authorizing entry onto THE  
23 PROPERTY when necessary under applicable law.

24 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity  
25 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special  
26 assessment against THE PROPERTY pursuant to Government Code section 25845 and Riverside  
27 County Ordinance Nos. 541 and 725. Under Riverside County Ordinance No. 725, "abatement  
28 costs" means "any costs or expenses reasonably related to the abatement of conditions which violate

1 County Land Use Ordinances, and shall include, but not be limited to, enforcement, investigation,  
2 collection and administrative costs, attorneys fees, and the costs associated with the removal or  
3 correction of  
4 the violation." Reasonable abatement costs accrued by the Department will be recoverable from the  
5 property owner(s) even if the property is brought into compliance within ninety (90) days of the date  
6 of this Order to Abate Nuisance.

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Dated: \_\_\_\_\_

COUNTY OF RIVERSIDE

By \_\_\_\_\_  
Bob Buster  
Chairman, Board of Supervisors

ATTEST:

NANCY ROMERO  
Clerk to the Board

By  
Deputy

(SEAL)

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