

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

423B



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

**SUBMITTAL DATE:**  
February 16, 2007

**SUBJECT:** Abatement of Public Nuisance [Appeal; Inoperative Vehicles];  
Case No.: CV 02-4680; DENNIS  
Subject Property: 22306 Serena Court, Perris, Riverside County;  
APN: 345-080-038  
District Five

**RECOMMENDED MOTION:** Move that:

- (1) The Findings of Fact, Conclusions and Order to Abate in Case No. CV 02-4680 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 02-4680 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 02-4680.

*[Handwritten Signature]*

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

(Continued)

|                       |                               |        |                         |     |
|-----------------------|-------------------------------|--------|-------------------------|-----|
| <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**

*[Handwritten Signature]*

Policy  
 Policy  
 Consent  
 Consent

Dep't Recomm.:  
 Per Exec. Ofc.:

5001 FEB 16 PM 1:41  
 RECEIVED RIVERSIDE COUNTY

**Prev. Agn. Ref.:** | **District:** 5 | **Agenda Number:**

2.18

Abatement of Public Nuisance [Appeal; Inoperative Vehicles]  
22306 Serena Court, Perris, Riverside County  
CV 02-4680  
Page Two

**BACKGROUND:**

On January 30, 2007, this Board received the Declaration of the Code Enforcement Officer together with other documentary evidence in the above-referenced matter. At the conclusion of the hearing, the Board affirmed the decision of the Hearing Officer and declared the abandoned, wrecked, dismantled, or inoperative vehicles and vehicle parts to be a public nuisance. The Board ordered the Appellant to abate the nuisance within forty-five (45) days and directed County Counsel to prepare the Findings of Fact, Conclusion and Order to Abate.

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1 SUMMARY OF EVIDENCE

2 1. Documents of record in the Riverside County Recorder's Office identify the OWNER  
3 of the Property as Judith A. Dennis.

4 2. Documents of title indicate that other parties potentially hold a legal interest in THE  
5 PROPERTY, to-wit: Community Trust Deed Services, First Regional Bank Custodian FBO Richard  
6 F. Bewley, and First Regional Bank Custodian FBO Dudley J. Bewley.

7 3. As the result of a complaint from a member of the public, the Code Enforcement  
8 Officer conducted an inspection of The Property on April 3, 2003. During this inspection Officer  
9 inventoried thirty-eight (38) abandoned, wrecked, dismantled or inoperable vehicles and vehicle  
10 parts on The Property.

11 4. The Property was determined to be in violation of Riverside County Ordinance No.  
12 520 (RCC Title 10) by the Code Enforcement Officer.

13 5. On May 10, 2006, a Notice of Intention to Abate and Remove the Vehicles or Parts  
14 was mailed via certified mail, return receipt requested, to the OWNER and identifiable registered  
15 owners of the vehicles at the addresses as listed with the Department of Motor Vehicles. This notice  
16 advised OWNER of her right to request a hearing.

17 6. At OWNER'S request, an administrative hearing was held on July 17, 2006.

18 7. On August 9, 2006, the Hearing Officer issued a Decision/Order that the vehicles and  
19 parts as set forth on the inventory constitute a violation of Ordinance No. 520 and a public nuisance  
20 subject to abatement and that the County shall be allowed to remove all thirty-eight (38) vehicles in  
21 accordance Riverside County Code Title 10 and related statues, regulations and ordinances.

22 8. On or about August 14, 2006, OWNER requested an appeal to the Board of  
23 Supervisors.

24 9. On December 11, 2006, a "Notice of Hearing re: Appeal of Administrative Hearing  
25 Decision on the Abatement of Vehicles and Vehicle Parts" providing notification of the Board of  
26 Supervisors hearing scheduled for January 30, 2007 was mailed to the OWNER and Interested  
27 Parties.

28 ///

1 **FINDINGS AND CONCLUSIONS**

2 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
3 regular session assembled on January 30, 2007 finds and concludes that:

4 1. WHEREAS, the thirty-eight (38) abandoned, wrecked, dismantled or inoperative  
5 vehicles and parts thereof on the real property described as 22306 Serena Court, Perris, Riverside  
6 County, Assessor's Parcel Numbers 345-080-038 as set forth in the vehicle inventory list attached  
7 hereto, violate Riverside County Ordinance No. 520 (RCC Title 10) and constitute a public nuisance  
8 subject to abatement by removal.

9 2. WHEREAS, all due process requirements were satisfied by the Department of Code  
10 Enforcement. The Administrative Hearing Order/Decision, exhibits and testimony have been  
11 considered.

12 3. WHEREAS, the Administrative Hearing Order/Decision is affirmed;

13 4. WHEREAS, the OWNER, or anyone having possession or control of the vehicles or  
14 vehicle parts be required to abate the public nuisance by removing all the vehicles and vehicle parts  
15 set forth in the attached vehicle inventory list, making them operable or completely enclosing them  
16 within a building in a lawful manner where they are not visible from the street or other public or  
17 private property within forty-five (45) days of the posting and mailing of this Board order in  
18 accordance with all Riverside County Ordinances and Codes, including but not limited to Riverside  
19 County Ordinance No. 520 (RCC Title 10).

20 5. WHEREAS, if the above described nuisance is not abated within forty-five (45) days  
21 of issuance of the Board order, a designated representative of the Department of Code Enforcement,  
22 a towing contractor and/or Sheriff's Department representative shall abate the nuisance by removal  
23 and destruction pursuant to Riverside County Ordinance No. 520 (RCC Title 10) and applicable  
24 laws.

25 6. WHEREAS, the OWNER, Appellants and Interested Parties are hereby further  
26 noticed that the time within which judicial review of the administrative determinations made herein  
27 must be sought is ninety (90) days from the posting and mailing of the Findings of Fact, Conclusions  
28 and Order To Abate Nuisance, and is governed by California Code of Civil Procedure Section

1 1094.6.

2 **ORDER TO ABATE NUISANCE**

3 IT IS THEREFORE ORDERED that the abandoned, wrecked, dismantled or inoperable  
4 vehicles and vehicle parts and motorcycles and parts, as identified in the attached vehicle inventory  
5 list, on the real property described as 22306 Serena Court, Perris, Riverside County, and further  
6 identified as Assessor's Parcel Number 345-080-038 violate Riverside County Ordinance No. 520  
7 and constitute a public nuisance subject to abatement by removal.

8 IT IS FURTHER ORDERED that the Administrative Hearing Order/Decision issued on  
9 August 9, 2006, is affirmed.

10 IT IS FURTHER ORDERED that Judith A. Dennis, or anyone having possession or control  
11 of the vehicles, vehicle parts, motorcycles or parts, is required to abate the public nuisance by  
12 removing the vehicles, motorcycle and parts as set forth in the vehicle inventory list attached hereto,  
13 making them operable or completely enclosing them within a building in a lawful manner where they  
14 are not visible from the street or other public or private property within forty-five (45) days of the  
15 posting and mailing of this Order to Abate Nuisance in accordance with all Riverside County  
16 Ordinances and Codes, including but not limited to Riverside County Ordinance No. 520 (RCC Title  
17 10).

18 IT IS FURTHER ORDERED that if Judith A. Dennis or anyone having possession or control  
19 of the vehicles, vehicle parts, motorcycles or parts, does not properly abate the public nuisance  
20 within forty-five (45) days of posting and mailing of this Order to Abate Nuisance, a designated  
21 representative of the Department of Code Enforcement, a towing contractor and/or Sheriff's  
22 Department representative shall abate the public nuisance by removal and destruction of the  
23 inoperable vehicles, vehicle parts, motorcycles and parts pursuant to Riverside County Ordinance  
24 No. 520 (RCC Title 10) and applicable laws.

25 IT IS FURTHER ORDERED that reasonable costs of abatement, after notice and opportunity  
26 for hearing, shall be imposed as a lien on the property which may be collected as a special  
27 assessment against the property pursuant to Government Code Section 25845 and Riverside County  
28 Ordinance Nos. 520 and 725 (RCC Titles 10 and 1). Under Riverside County Ordinance No. 725,

1 "abatement costs" means "any costs or expenses reasonably related to the abatement of conditions  
2 which violate County Land Use Ordinances, and shall include, but not be limited to, enforcement,  
3 investigation, collection and administrative costs, attorneys' fees, and the costs associated with the  
4 removal or correction of the violation." Reasonable abatement costs accrued by the Code  
5 Enforcement Department will be recoverable from OWNER even if THE PROPERTY is brought  
6 into compliance within forty-five (45) days of the date of this Order to Abate Nuisance.

7  
8 Dated: \_\_\_\_\_

COUNTY OF RIVERSIDE

9  
10 By \_\_\_\_\_  
11 John Tavaglione  
12 Chairman, Board of Supervisors

11 ATTEST:  
12 NANCY ROMERO  
13 Clerk to the Board

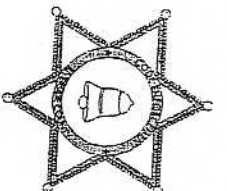
14  
15 By  
16 Deputy  
17 (SEAL)

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**COUNTY OF RIVERSIDE  
CODE ENFORCEMENT ADMINISTRATION  
VEHICLE INVESTIGATION INVENTORY AND ABATEMENT REPORT**



Officer's Name: S. CERVANTES  
 Date of Initial Investigation: 04/03/03  
 I-P-N: 345-080-038  
 Supervisor Dist: 5

I.D. #: \_\_\_\_\_  
 Case Number: CV02-4680  
 Location of Vehicle(s) & Parts: 22306 SERENA CT., PERRIS, CA  
 Property Owner's Name: JUDITH DENNIS  
 Property Owner's Address: 22306 SERENA CT., PERRIS, CA

Map Coordinates: 807-1B6

| VEHICLE NO. | VEHICLE CONDITION                                  | YR | MAKE<br>STYLE/COLOR         | VIN                | LICENSE NO.<br>STATE | REGISTERED OWNER AND ADDRESS  | LEGAL OWNER AND ADDRESS | ABATEMENT CODE |
|-------------|--|----|-----------------------------|--------------------|----------------------|---|-------------------------|----------------|
| 1           | GOOD, MISSING BATTERY                              | 88 | GMC, UTILITY-BOX P/U, WHITE | IGDHR34N6J150038 1 | 4R83442              | AJ DENNIS<br>22306 SERENA CT<br>PERRIS CA 92570                       |                         |                |
| 2           | MISSING ENGINE PARTS, 3 FLAT TIRES, 1 MISSING TIRE | 84 | CHEVROLET, 2DR, RUST        | ID37H2L579281      | 403VHM               | NO RECORD   |                         |                |
| 3           | GOOD, MISSING BATTERY                              | 84 | TOYOTA, 4DR, TAN            | JT2SV16E9E010105   | 2AWW949              | SHERRY KINNETT<br>735 PAUL CT<br>PERRIS CA 92570                      |                         |                |
| 4           | GOOD, 3 FLAT TIRES                                 | 80 | MERCEDES, 4 DR, TEAL        | 12313012200815     | 3CCB805              | RITCHEE BROS.<br>AUCTIONEERS INC<br>765 W RIDER ST<br>PERRIS CA 92570 |                         |                |
| 5           | GOOD, MISSING BATTERY                              |    | CHRYSLER, 4DR, BROWN        | 1C3BF66PXXH7694 82 | N/A                  | NO RECORD   |                         |                |
| 7           | DISMANTLED ENGINE, MISSING BATTERY                 | 85 | FORD, TOW TRUCK, WHITE-BLUE | 1FDKF37L4FPB527 10 | 4T67867              | JUDITH DENNIS<br>22306 SERENA CT<br>PERRIS CA 92570                   |                         |                |
| 7           | NO ENGINE, BROKEN WINDOW, 3 FLAT TIRES             | 69 | OLDSMOBILE, GREEN, 4 DR     | 386399M215916      | YNM478               | RICHARD D SHEPARD<br>15550 E WALLLEN RD<br>RED BLUFF, CA 96080        |                         |                |
| 8           | DISMANTLED INTERIOR, 4 FLAT TIRES, MISSING BATTERY | 80 | DODGE, VAN, YELLOW          | B36KTAX145790      | 3NYD768              | CELA DUCCO<br>4150 ALLA RD<br>LOS ANGELES CA 90066                    |                         |                |

EXHIBIT NO. A2

| ITEM NO | VEHICLE CONDITION                                    | YR | MAKE<br>STYLE/COLOR               | VIN                    | LICENSE NO<br>STATE | REGISTERED OWNER AND<br>ADDRESS   | LEGAL OWNER AND<br>ADDRESS   | ABATE<br>CODE |
|---------|--|----|-----------------------------------|------------------------|---------------------|---|--|---------------|
| 9       | MISSING BATTERY, 4<br>FLAT TIRES                     | 83 | VOLVO, S/W,<br>4DR                | YV1AX8852D14969<br>28  | 3GFXX218            | JUDITH A DENNIS<br>P.O. BOX 1477<br>PERRIS CA 92572                     |  |               |
| 10      | DISMANTLED<br>INTERIOR, 4 FLAT<br>TIRES              | 82 | DAISUN, 2DR,<br>BROWN             | JN1RS0651CU63965<br>8  | 3RFZ853             | COBY A WALKER<br>22415 CALLOWAY RD<br>PERRIS CA 92570                   |  |               |
| 11      | FRONT-END<br>DAMAGE, FLAT<br>TIRES, BROKEN<br>WINDOW | 88 | VOLKSWAGEN,<br>2DR, WHITE         | 9BWB A0307JP0681<br>03 | 2KOG931             | KWIN & RALPH WHITE<br>25 HEMLOCK<br>RANCHO SANTA<br>MARGUERITA CA 92688 | WESTERN FUNDING<br>INC<br>P.O. BOX 936<br>GARDEN GROVE CA<br>92642 |               |
| 2       | DISMANTLED<br>INTERIOR, 3 FLAT<br>TIRES              | 90 | FORD, 4DR,<br>WHITE               | 1FAFP9596LW1793<br>18  | 3VVN067             | JAY B WEATHERLY<br>21535 MOUNTAIN AVE<br>PERRIS CA 92570                |  |               |
| 13      | DISMANTLED<br>INTERIOR, BROKEN<br>SIDE WINDOW        |    | FORD, 2W,<br>BLUE                 | 1FAFP4039EG22514<br>1  | N/A                 | NO RECORD   |  |               |
| 14      | GOOD, TIRES BURIED                                   |    | YALE,<br>FORKLIFT,<br>ORANGE      | N/A                    | N/A                 | NO RECORD   |  |               |
| 15      | GOOD   |    | SUZUKI, DIRT<br>BIKE, YELLOW      | N/A                    | N/A                 | NO RECORD   |  |               |
| 16      | GOOD   |    | BAKER,<br>TRACTOR                 | N/A                    | N/A                 | NO RECORD   |  |               |
| 17      | NO SEAT  |    | HONDA, M/C,<br>RED                | N/A                    | N/A                 | NO RECORD   |  |               |
| 18      | BROKEN WINDOWS                                       |    | R/V, BLUE                         | N/A                    | 86588/MN            | NO RECORD   |  |               |
| 9       | DISMANTLED<br>ENGINE                                 | 73 | CHEVROLET,<br>P/U, BLUE-<br>WHITE | CCY143Z168969          | 6U93478             | ALEXANDER J DENNIS<br>22306 SERENA CT<br>PERRIS CA 92570                |  |               |
| 20      | MISSING BATTERY                                      |    | FORD, VAN,<br>TAN                 | FTDE14F7EHB5089<br>6   | N/A                 | NO RECORD   |  |               |
| 21      | MISSING BATTERY,<br>DISMANTLED<br>ENGINE             |    | DODGE, P/U,<br>YELLOW             | ID14AB8S326313         | IM68545             | NO RECORD   |  |               |
| 22      | 4 FLAT TIRES,<br>MISSING BATTERY                     | 73 | PLYMOUTH,<br>BLUE                 | PH41G3DD228158         | 571HXN              | JUDITH A DENNIS<br>P.O. BOX 1477<br>PERRIS CA 92570                     |  |               |

| ITEM NO. | VEHICLE CONDITION                                     | YR | MAKE STYLE/COLOR                 | VIN                 | LICENSE NO STATE | REGISTERED OWNER AND ADDRESS   | LEGAL OWNER AND ADDRESS | ABATE CODE |
|----------|---|----|----------------------------------|---------------------|------------------|--|-------------------------|------------|
| 23       | DISMANTLED ENGINE, 2 MISSING FRONT WHEELS             |    | VOLKSWAGEN, 2DR, RED             | WVWCA0533BK015 712  | 1CTG537          | NO RECORD  |                         |            |
| 24       | MISSING ENGINE  |    | CHEVROLET, P/U, YELLOW           | CLN14A8222229       | 1Y79880          | NO RECORD  |                         |            |
| 25       | 3 MISSING WHEELS, NO FRONT GRILL                      |    | CHEVROLET, 4DR, WHITE            | 1G1AX68R7E7W1017 20 | N/A              | NO RECORD  |                         |            |
| 26       | NO BATTERY  |    | HARLEY DAVIDSON GOLF-CART, WHITE | SER-3B11340H3       | N/A              | NO RECORD  |                         |            |
| 27       | DISMANTLED ENGINE, MISSING BATTERY, FLAT TIRES        | 86 | VOLKSWAGEN, 4DR, RED             | WVWGB0165GW20 7714  | 2EUY908          | ALEXANDER J DENNIS<br>1310 S WILTON PL, #310<br>LOS ANGELES CA 90019     |                         |            |
| 28       | DISMANTLED ENGINE                                     | 86 | FORD, S/W, BLUE                  | 1FABP34900GW3432 87 | 2DBK485          | ALICIA L CAESAR<br>830A WINDSTREAM<br>CORONA CA 91720                    |                         |            |
| 29       | MISSING BATTERY, 2 FLAT TIRES                         | 83 | BUICK, 4DR, BROWN                | 1G4AB69X7DW442 113  | 1GFU407          | AJ DENNIS<br>4150 ALLA RD<br>LOS ANGELES CA 90019                        |                         |            |
| 30       | DISMANTLED ENGINE, 4 FLAT TIRES                       |    | PLYMOUTH, 2DR, BLACK-RUST        | N/A                 | 194122-CO        | NO RECORD  |                         |            |
| 31       | MISSING REAR AXLE                                     |    | GMC, P/U, GREEN                  | N/A                 | 6R05087          | NO RECORD  |                         |            |
| 32       | MISSING BATTERY                                       |    | DODGE, R/V, WHITE-BROWN          | N/A                 | 0449QH           | NO RECORD  |                         |            |
| 33       | DISMANTLED ENGINE, MISSING BATTERY, 2 FLAT REAR TIRES | 77 | FORD, P/U, GREY                  | SGTATP20468         | 1G90541          | JUDITH DENNIS<br>22306 DELENA CT<br>PERRIS CA 92570                      |                         |            |
| 34       | BROKEN TAIL LIGHT, 1 FLAT TIRE                        | 80 | BOAT TRAILER, BLUE               | 01406D              | 1AT6797          | ROGELIO & ROSALIE<br>QUINTANILLA<br>6133 RHONDA RD<br>RIVERSIDE CA 92501 |                         |            |
| 35       | MISSING TIRE  |    | CAR DOLLY, BLACK                 | N/A                 | N/A              | NO RECORD  |                         |            |

| ITEM NO. | VEHICLE CONDITION             | YR | MAKE STYLE/COLOR         | VIN         | LICENSE NO STATE | REGISTERED OWNER AND ADDRESS | LEGAL OWNER AND ADDRESS | ABATE CODE |
|----------|-------------------------------|----|--------------------------|-------------|------------------|------------------------------|-------------------------|------------|
| 36       | FLAT TIRES, FAULTY ELECTRICAL |    | COX, TENT-TRAILER, WHITE | SER-1151706 | N/A              | NO RECORD                    |                         |            |
| 37       | 2 FLAT TIRES,                 |    | WOOD TRAILER, WHITE      | N/A         | N/A              | NO RECORD                    |                         |            |
| 38       | MISCELLANEOUS AUTO PARTS      |    | TIRES, ENGINES, AXLE     |             |                  | NO RECORD                    |                         |            |