

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

129B



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

**SUBMITTAL DATE:**  
June 11, 2007

**SUBJECT:** Order to Abate [Accumulation of Rubbish];  
Case No.: CV 06-3811  
Subject Property: One Parcel East of 14985 East of 14985 McGarger, Desert Hot Springs; APN 656-270-026  
District Five

**RECOMMENDED MOTION:** Move that

- (1) The Findings of Fact, Conclusions and Order to Abate in Case No. CV 06-3811 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 06-3811; 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 06-3811.

**BACKGROUND:**

On June 5, 2007 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 accumulation of 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, Conclusions and Order to Abate.

*War Cl*

WARREN Y. CHU, 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

BY *Tina Grande*  
Tina Grande

County Executive Office Signature

Dept's Recomm.:  Consent  Policy  
Per Exec. Ofc.:  Consent  Policy

Prev. Agn. Ref.:

District:5

Agenda Number:

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WHEN RECORDED PLEASE MAIL TO:  
Warren Y. Chu, 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 06-3811
[ACCUMULATION OF RUBBISH]; APN 656-	)	
270-026, ONE PARCEL EAST OF 14985	)	FINDINGS OF FACT,
McGARGER ROAD, DESERT HOT SPRINGS,	)	CONCLUSIONS AND ORDER TO
RIVERSIDE COUNTY, CALIFORNIA; KIRK	)	ABATE NUISANCE
YEE AND ANGELA YEE, 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 June 5, 2007, 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 One Parcel East of 14985 McGarger Road, Desert Hot Springs, Riverside County, and further described as Assessor's Parcel Number 656-270-026 (hereinafter referred to as "THE PROPERTY").

Warren Y. Chu, Deputy County Counsel, appeared along with Jim Monroe, Code Enforcement Division Manager, on behalf of the Director of the Code Enforcement Department.

No one appeared on behalf of the property owners.

The Board of Supervisors received the Declaration of the Code Enforcement Officer together with the attached exhibits, evidencing the accumulation of rubbish on THE PROPERTY as a public nuisance and in violation of Riverside County Ordinance No. 541, as codified in Riverside County Code ("RCC") Chapter 8.120.

1 **SUMMARY OF EVIDENCE**

2 1. Documents of record in the Riverside County Recorder's Office identify the owners  
3 of THE PROPERTY as Kirk Yee and Angela Yee (hereinafter referred to as "OWNERS").

4 2. Documents of title indicate that no other party potentially holds a legal interest in  
5 THE PROPERTY.

6 3. THE PROPERTY was inspected by Code Enforcement Officers on June 13, 2006,  
7 September 7, 2006, September 13, 2006, December 14, 2006, April 23, 2007 and May 29, 2007.

8 4. During each inspection, an accumulation of rubbish was observed on THE  
9 PROPERTY. The rubbish consisted of, but was not limited to: household trash, rotted wood, plastic,  
10 and other debris and waste. The accumulated rubbish on THE PROPERTY was estimated to be  
11 approximately three thousand one hundred fifty (3,150) square feet.

12 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance  
13 No. 541 (RCC Chapter 8.120) by the Code Enforcement Officer.

14 6. A Notice of Noncompliance was recorded in the Office of the County Recorder,  
15 County of Riverside, State of California on January 4, 2007 as instrument number 2007-0009236.

16 7. On June 13, 2006, a Notice of Violation was posted on THE PROPERTY. On June  
17 29, 2006, a Notice of Violation was mailed by certified mail, return receipt requested to OWNERS.

18 8. On April 18, 2007, a "Notice To Correct County Ordinance Violations and Abate  
19 Public Nuisance" providing notice of the public hearing before the Board of Supervisors on June 5,  
20 2007 was mailed by certified mail, return receipt requested, to the OWNERS and posted on THE  
21 PROPERTY on April 23, 2007.

22 **FINDINGS AND CONCLUSIONS**

23 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
24 regular session assembled on June 5, 2007 finds and concludes that:

25 1. WHEREAS, the accumulation of rubbish on the real property located at One Parcel  
26 East of 14985 McGarger Road, Desert Hot Springs, Riverside County, California, also identified as  
27 Assessor's Parcel Number 656-270-026 violates Riverside County Ordinance No. 541 and constitutes  
28 a public nuisance.



1 Department will be recoverable from the property owner(s) even if the property is brought into  
2 compliance within ninety (90) days of the date of this Order to Abate Nuisance.

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

COUNTY OF RIVERSIDE

By \_\_\_\_\_  
John Tavaglione  
Chairman, Board of Supervisors

ATTEST:  
NANCY ROMERO  
Clerk to the Board

By  
Deputy

(SEAL)

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