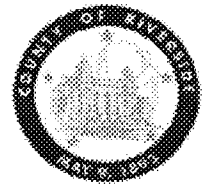


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

819B



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

**SUBMITTAL DATE:**  
July 30, 2009

**SUBJECT:** Order to Abate [Excess Outside Storage and Accumulation of Rubbish]  
Case No.: CV 08-00399  
Subject Property: 19220 Envoy Avenue, Corona, Riverside County, California  
APN: 277-051-010  
District Two

**RECOMMENDED MOTION:** Move that

- (1) The Findings of Fact, Conclusions and Order to Abate in Case No. CV 08-00399 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 08-00399; 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 08-00399.

Departmental Concurrence

*Julie A.K. Jarvi*  
\_\_\_\_\_  
JULIE A.K. JARVI Deputy County Counsel  
for PAMELA J. WALLS, 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>	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

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

APPROVE

BY: *Tina Grande*  
\_\_\_\_\_  
Tina Grande

County Executive Office Signature

- Policy
- Policy
- Consent
- Consent

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

Prev. Agn. Ref.: | District: 2 | Agenda Number:

**2.16**

Order to Abate [Excess Outside Storage and Accumulation of Rubbish]

Case No.: CV 08-00399

19220 Envoy Avenue, Corona

APN: 277-051-010

District Two

**BACKGROUND:**

On June 30, 2009, 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 excess outside storage and accumulation of rubbish 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.

1 RECORDING REQUESTED BY:  
2 Kecia Harper-Ihem, Clerk to the  
3 Board of Supervisors (Stop #1010)

4  
5 WHEN RECORDED PLEASE MAIL TO:  
6 Julie A.K. Jarvi, Deputy County Counsel  
7 County of Riverside  
8 OFFICE OF COUNTY COUNSEL  
9 3535 Tenth Street, Suite 300 (Stop #1350)  
10 Riverside, CA 92501

[EXEMPT'6103]

11 **BOARD OF SUPERVISORS**  
12 **COUNTY OF RIVERSIDE**

13 IN RE ABATEMENT OF PUBLIC NUISANCE: ) CASE NO. CV 08-00399  
14 [EXCESSIVE OUTSIDE STORAGE AND )  
15 ACCUMULATION OF RUBBISH]; ) FINDINGS OF FACT,  
16 APN 277-051-010, 19220 ENVOY AVENUE, ) CONCLUSIONS AND ORDER TO  
17 CORONA, RIVERSIDE COUNTY, ) ABATE NUISANCE  
18 CALIFORNIA; FRANCISCO GONZALEZ, )  
19 OWNER. ) [R.C.O. Nos. 348 (RCC Chapter 17.24),  
20 ) 541 (RCC Chapter 8.120) and 725  
21 ) (RCC Title 1)]

22 The above-captioned matter came on regularly for hearing on June 30, 2009, before the Board  
23 of Supervisors of the County of Riverside, State of California in the Board Room, First Floor Annex,  
24 County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real property  
25 described as 19220 Envoy Avenue, Corona, Riverside County, California and further described as  
26 Assessor's Parcel Number 277-051-010 and referred to hereinafter as "THE PROPERTY."

27 Jonathan D. Holub, Deputy County Counsel, appeared along with Kenneth King, Senior Code  
28 Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

No one appeared on behalf of Owner.

The Board of Supervisors received the Declaration of the Code Enforcement Officer together  
with attached Exhibits, evidencing the excessive outside storage of materials and accumulation of  
rubbish on THE PROPERTY as violations of Riverside County Ordinance Nos. 348 (Riverside

1 County Code Chapter 17.24) and 541 (Riverside County Code Chapter 8.120) and as a public  
2 nuisance.

3 **SUMMARY OF EVIDENCE**

4 1. Documents of record in the Riverside County Recorder's Office identify the owner of  
5 THE PROPERTY as Francisco Gonzalez (hereinafter referred to as "OWNER").

6 2. Documents of title indicate that other parties potentially hold a legal interest in THE  
7 PROPERTY, to wit: San Diego County DCSS, Ivan S. Lavinsky, Esq., Harlan Reese & Associates,  
8 World Savings Bank, Tony Rackauckas, Moffitt & Associates, Riverside County Superior Court, J.P.  
9 Morgan Chase, William O. Guffey, William N. Elder, Jr., Joann Traas, Riverside County Tax  
10 Collector, State of California Franchise Tax Board, Coachella Valley Collection Service, Aaron F.  
11 Garcia, and Legal Recovery Law Offices, Inc. (hereinafter referred to as "INTERESTED  
12 PARTIES").

13 3. THE PROPERTY was inspected by Code Enforcement Officers on February 6, 2008,  
14 June 4, 2008, August 12, 2008, October 21, 2008, December 5, 2008, January 7, 2009, May 29,  
15 2009, and June 26, 2009.

16 4. During each inspection, the outside storage of materials and accumulation of rubbish  
17 were observed on THE PROPERTY. The materials and rubbish were intermingled and included but  
18 were not limited to: boxes, wood, hoses, bicycles, chairs, tires, cement mixers, tarps, household and  
19 other miscellaneous items, and debris. The officer visually estimated that the amount of accumulated  
20 rubbish and excess outside storage of materials totaled approximately one thousand, five hundred  
21 (1,500) square feet. Given the size of the unimproved parcel (.19 acres) and the zoning classification  
22 (R-1, One-Family Dwelling), no amount of outside storage or rubbish is allowed on THE  
23 PROPERTY.

24 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance  
25 Nos. 348 (RCC Chapter 17.24) and 541 (RCC Chapter 8.120) by the Code Enforcement Officer.

26 6. A Notice of Noncompliance was recorded on September 11, 2008 as Document  
27 Number 2008-0500690 in the Office of the County Recorder, County of Riverside.



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**ORDER TO ABATE NUISANCE**

IT IS THEREFORE ORDERED that the excess outside storage of materials and accumulation of rubbish on THE PROPERTY be abated by the OWNER, specifically Francisco Gonzalez, or anyone having possession or control of THE PROPERTY, by removing all of the outside storage of materials and removing and disposing of all accumulated rubbish from the subject real property in strict accordance with all Riverside County Ordinances, including but not limited to Riverside County Ordinance Nos. 348 (RCC Chapter 17.24) and 541 (RCC Chapter 8.120) within ninety (90) days of the date of this Order to Abate Nuisance.

IT IS FURTHER ORDERED that if the materials and rubbish are not removed and disposed of in strict accordance with all Riverside County Ordinances, including but not limited to Riverside County Ordinance Nos. 348 (RCC Chapter 17.24) and 541 (RCC Chapter 8.120) within ninety (90) days of the date of this Order to Abate Nuisance, the excess outside storage of materials and accumulation of rubbish shall be abated and disposed of by representatives of the Riverside County Code Enforcement Department, a contractor or the Sheriff's Department upon receipt of an owner's consent or a Court Order when necessary under applicable law.

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1 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity  
2 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special  
3 assessment against THE PROPERTY pursuant to Government Code section 25845 and Riverside  
4 County Ordinance Nos. 348 (RCC Title 17), 541 (RCC Title 8), and 725 (RCC Chapter 1.16).  
5 Under Riverside County Ordinance No. 725, "abatement costs" means "any costs or expenses  
6 reasonably related to the abatement of conditions which violate County Land Use Ordinances, and  
7 shall include, but not be limited to, enforcement, investigation, collection and administrative costs,  
8 attorneys fees, and the costs associated with the removal or correction of the violation." Reasonable  
9 abatement costs accrued by the Code Enforcement Department will be recoverable from the property  
10 Owner(s) even if THE PROPERTY is brought into compliance within ninety (90) days of the date of  
11 this Order to Abate Nuisance.

12  
13 Dated: \_\_\_\_\_

COUNTY OF RIVERSIDE

14  
15 By \_\_\_\_\_  
16 Jeff Stone  
17 Chairman, Board of Supervisors

18 ATTEST:  
19  
20 KECIA HARPER-IHEM  
21 Clerk to the Board

FORM APPROVED COUNTY COUNSEL  
22 BY: Julie A. Koons Jarvi 7/28/09  
23 JULIE A. KOONS JARVI DATE

24 By  
25 Deputy  
26 (SEAL)