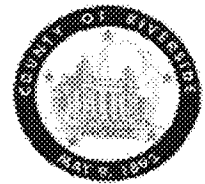


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

413B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
September 24, 2009

SUBJECT: Order to Abate [Accumulation of Rubbish];
Case No.: CV 08-08257 (SULKAZI)
Subject Property: 1 Parcel South of 16705 Avenida Mirola, Desert Hot Springs
APN 657-202-009
District Five

RECOMMENDED MOTION: Move that

- (1) The Findings of Fact, Conclusions and Order to Abate in Case No. CV 08-08257 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 08-08257 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 08-08257.

BACKGROUND:

On September 15, 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 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, Conclusion and Order to Abate.

JULIE A.K. JARVI, Deputy County Counsel
for PAMELA J. WALLS, County Counsel

FINANCIAL DATA	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

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
BY: 
Tina Grande
County Executive Office Signature

Departmental Concurrence

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

2.6

1 RECORDING REQUESTED BY:
Kecia Harper-Ihem, Clerk of the
2 Board of Supervisors
(Stop #1010)
3
4

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

[EXEMPT'6103]

8
9 **BOARD OF SUPERVISORS**
COUNTY OF RIVERSIDE
10

11 IN RE ABATEMENT OF PUBLIC NUISANCE:) CASE NO. CV 08-08257
[ACCUMULATION OF RUBBISH]; APN 657-)
12 202-009, ONE PARCEL SOUTH OF 16705) FINDINGS OF FACT,
AVENIDA MIROLA, DESERT HOT SPRINGS,) CONCLUSIONS AND ORDER TO
13 RIVERSIDE COUNTY, CALIFORNIA; DONALD) ABATE NUISANCE
STEPHEN SULKAZI, OWNER.)
14) [R.C.O. Nos. 541 (RCC Chapter 8.120)
and 725 (RCC Title 1)]
15

16 The above-captioned matter came on regularly for hearing on September 15, 2009, before the
17 Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor
18 Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real
19 property described as One Parcel South of 16705 Avenida Mirola, Desert Hot Springs, Riverside
20 County, and further described as Assessor's Parcel Number 657-202-009 referred to hereinafter as
21 "THE PROPERTY."

22 Julie A.K. Jarvi, Deputy County Counsel, appeared along with Brian Black, Supervising
23 Code Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

24 Owner, Donald Sulkazi appeared and addressed the Board of Supervisors.

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

1 **SUMMARY OF EVIDENCE**

2 1. Documents of record in the Riverside County Recorder's Office identify the OWNER
3 of THE PROPERTY as Donald Stephen Sulkazi ("OWNER").

4 2. THE PROPERTY was inspected by the Code Enforcement Technician on December
5 8, 2008, January 14, 2009 and September 11, 2009.

6 3. During each inspection, an accumulation of rubbish was observed on THE
7 PROPERTY. The rubbish consisted of, but was not limited to: household rubbish, spent building
8 materials, clothing and green waste.

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

11 5. A Notice of Noncompliance was recorded in the Office of the County Recorder,
12 County of Riverside, State of California on January 8, 2009 as instrument number 2009-0007548.

13 7. On December 8, 2008 and January 14, 2009, Notices of Violation were posted on
14 THE PROPERTY. On January 6, 2009 a Notice of Violation was mailed by certified mail, return
15 receipt requested to OWNER.

16 8. On July 21, 2009, a "Notice to Correct County Ordinance Violations and Abate
17 Public Nuisance" providing notice of the public hearing before the Board of Supervisors on
18 September 15, 2009 was mailed by certified mail, return receipt requested, to the OWNER and
19 posted on THE PROPERTY on July 23, 2009.

20 **FINDINGS AND CONCLUSIONS**

21 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in
22 regular session assembled on September 15, 2009 finds and concludes that:

23 1. WHEREAS, the accumulation of rubbish on the real property located at One Parcel
24 South of 16705 Avenida Mirola, Desert Hot Springs, Riverside County, California, also identified as
25 Assessor's Parcel Number 657-202-009 violates Riverside County Ordinance No. 541 and constitutes
26 a public nuisance.

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1 Department will be recoverable from the property owner(s) even if THE PROPERTY is brought into
2 compliance within ten (10) days of the date of this Order to Abate Nuisance.

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Dated: _____

COUNTY OF RIVERSIDE

By _____
Jeff Stone
Chairman, Board of Supervisors

ATTEST:
KECIA HARPER-IHEM
Clerk to the Board

By _____
Deputy

(SEAL)

FORM APPROVED COUNTY COUNSEL
BY: 
DATE: 9/21/05