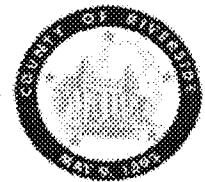


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

102B



**SUBMITTAL DATE:**  
November 20, 2009

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

**SUBJECT:** Order to Abate [Accumulation of Rubbish];  
Case No.: CV 09-00416 (MENENDEZ)  
Subject Property: 1 Parcel East of 17477 Louise Street, Palm Springs  
APN 666-230-002  
District Five

**RECOMMENDED MOTION:** Move that

- (1) The Findings of Fact, Conclusions and Order to Abate in Case No. CV 09-00416 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 09-00416; 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 09-00416.

Departmental Concurrence

**BACKGROUND:**

On November 3, 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.

*[Signature]*  
\_\_\_\_\_  
JULIE 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: *[Signature]*  
Tina Grande

**County Executive Office Signature**

Dep't Recomm.:  Consent  Policy

Per Exec. Ofc.:  Consent  Policy

Prev. Agn. Ref.: 11/03/09; 9.8 | District: 5 | Agenda Number:

2.5

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 Jarvi, Deputy County Counsel  
6 County of Riverside  
OFFICE OF COUNTY COUNSEL  
7 3960 Orange Street, Fifth Floor (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 09-00416  
[ACCUMULATION OF RUBBISH]; APN 666- )  
12 230-002, ONE PARCEL EAST OF 17477 LOISE ) FINDINGS OF FACT,  
STREET, PALM SPRINGS, RIVERSIDE ) CONCLUSIONS AND ORDER TO  
13 COUNTY, CALIFORNIA; MIGUEL A. ) ABATE NUISANCE  
MEMENDEZ AND ANA MENENDEZ, )  
14 OWNERS. ) [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 November 3, 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 East of 17477 Louise Street, Palm Springs, Riverside County, and  
20 further described as Assessor's Parcel Number 666-230-002 referred to hereinafter as "THE  
21 PROPERTY."

22 Jonathan Holub, Deputy County Counsel, appeared along with Brian Black, Supervising Code  
23 Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

24 No one appeared on behalf of owners.

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 Code  
28 Chapter 8.120.

1 **SUMMARY OF EVIDENCE**

2 1. Documents of record in the Riverside County Recorder's Office identify the  
3 OWNERS of THE PROPERTY as Miguel A. Menendez and Ana Menendez ("OWNERS").

4 2. THE PROPERTY was inspected by the Code Enforcement Technician on March 27,  
5 2009, April 13, 2009, May 21, 2009 and October 21, 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, tires 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 April 13, 2009 as instrument number 2009-0181054.

13 7. On March 27, 2009 and April 13, 2009, Notices of Violation were posted on THE  
14 PROPERTY. On April 8, 2009, Notice of Violation was mailed by certified mail, return receipt  
15 requested to OWNERS.

16 8. On August 26, 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 November 3, 2009 was mailed by certified mail, return receipt requested, to the OWNERS and was  
19 posted on THE PROPERTY on October 21, 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 November 3, 2009 finds and concludes that:

23 1. WHEREAS, the accumulation of rubbish on the real property located at One Parcel  
24 East of 17477 Louise Street, Palm Springs, Riverside County, California, also identified as Assessor's  
25 Parcel Number 666-230-002 violates Riverside County Ordinance No. 541 and constitutes a public  
26 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: Julie A. Koons Jarvi 11/16/09  
DATE