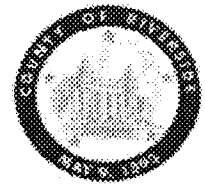


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

103 B



SUBMITTAL DATE:
November 20, 2009

FROM: County Counsel/TLMA
Code Enforcement Department
SUBJECT: Order to Abate [Accumulation of Rubbish];
Case No.: CV 07-2841 (GREEN)
Subject Property: 22615 De Prad Street, Perris
APN 325-210-030
District Five

RECOMMENDED MOTION: Move that

- (1) The Findings of Fact, Conclusions and Order to Abate in Case No. CV 07-2841 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 07-2841; 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 07-2841.

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

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: *[Signature]*
Tina Grande

County Executive Office Signature

Policy Policy
 Consent Consent
 X

Stamp: NOV 23 2009

Prev. Agn. Ref.: 11/03/09; 9.7 | District: 5 | Agenda Number:

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 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 07-2841
[ACCUMULATION OF RUBBISH]; APN 325-)
12 210-030, 22615 DE PRAD STREET, PERRIS,) FINDINGS OF FACT,
RIVERSIDE COUNTY, CALIFORNIA; GEORGE) CONCLUSIONS AND ORDER TO
13 W. GREEN, VIRNIECIA GREEN JORDAN,) ABATE NUISANCE
AND WALTER GREEN. OWNERS)
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 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 22615 De Prad Street, Perris, Riverside County, and further described as
20 Assessor's Parcel Number 325-210-030 referred to hereinafter as "THE PROPERTY."

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

23 No one appeared on behalf of the owners.

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

28 ///

1 **SUMMARY OF EVIDENCE**

2 1. Documents of record in the Riverside County Recorder's Office identify the
3 OWNERS of THE PROPERTY as George W. Green, Virniecia Green Jordan and Walter Green
4 ("OWNERS").

5 2. Documents of title indicate that another party potentially holds a legal interest in THE
6 PROPERTY, to-wit: Department of Environmental Health ("INTERESTED PARTY").

7 3. THE PROPERTY was inspected by Code Enforcement Officers on April 6, 2007,
8 April 16, 2007, May 30, 2007, July 17, 2007, November 20, 2007, March 6, 2008, September 18,
9 2008, February 3, 2009, April 16, 2009 and August 28, 2009.

10 4. During each inspection, an accumulation of rubbish was observed on THE
11 PROPERTY. The rubbish consisted of, but was not limited to: scrap metal, machine parts,
12 containers, household items, auto parts, spent clothing, scrap lumber, building materials, tires, dead
13 vegetation, broken furniture, a refrigerator and trash.

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

16 6. A Notice of Noncompliance was recorded in the Office of the County Recorder,
17 County of Riverside, State of California on November 4, 2008 as instrument number 2008-0586545.

18 7. On April 16, 2007, a Notice of Violation was posted on THE PROPERTY. On May
19 16, 2007 and June 5, 2007, Notices of Violation were mailed by certified mail, return receipt
20 requested to OWNERS. On November 25, 2008 and June 17, 2009, Notices of Violation was mailed
21 by certified mail return receipt requested to OWNERS and INTERESTED PARTY.

22 8. On August 24, 2009, a "Notice to Correct County Ordinance Violations and Abate
23 Public Nuisance" providing notice of the public hearing before the Board of Supervisors on
24 November 3, 2009 was mailed by certified mail, return receipt requested, to the OWNERS and
25 INTERESTED PARTY and posted on THE PROPERTY on August 28, 2009.

26 **FINDINGS AND CONCLUSIONS**

27 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in
28 regular session assembled on November 3, 2009 finds and concludes that:

1 costs" means "any costs or expenses reasonably related to the abatement of conditions which violate
2 County Land Use Ordinances, and shall include, but not be limited to, enforcement, investigation,
3 collection and administrative costs, attorneys fees, and the costs associated with the removal or
4 correction of the violation." Reasonable abatement costs accrued by the Code Enforcement
5 Department will be recoverable from the property owner(s) even if THE PROPERTY is brought into
6 compliance within ninety (90) days of the date of this Order to Abate Nuisance.

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FORM APPROVED COUNTY COUNSEL
BY: Julie A. Koons Jarvi 11/16/09
DATE

Dated: _____

COUNTY OF RIVERSIDE

By _____
Jeff Stone
Chairman, Board of Supervisors

ATTEST:
KECIA HARPER-IHEM
Clerk to the Board

By _____
Deputy

(SEAL)