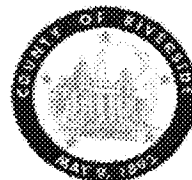


SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

502B



SUBMITTAL DATE:
December 11, 2009

FROM: County Counsel/TLMA
Code Enforcement Department

SUBJECT: Order to Abate [Excess Outside Storage and Accumulation of Rubbish]
Case Nos.: CV 07-8198 & CV 08-07240 (TEETS)
Subject Property: 20081 Telford Avenue, Perris
APN: 349-020-074
District Five

RECOMMENDED MOTION: Move that

- (1) The Findings of Fact, Conclusions and Order to Abate in Case Nos. CV 07-8198 & CV 08-07240 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 Nos. CV 07-8198 & CV 08-07240; and
- (3) The Clerk of the Board of Supervisors be authorized to record the Findings of Fact, Conclusions and Order to Abate in Case Nos. CV 07-8198 & CV 08-07240.


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 ☐

Requires 4/5 Vote ☐

C.E.O. RECOMMENDATION:

APPROVE

BY 
Tina Grande

County Executive Office Signature

Dep't Recomm.: ☒ Consent ☐ Policy
Per Exec. Ofc.: ☒ Consent ☐ Policy

Prev. Agn. Ref.: 12/01/09; 9.7

District: 5

Agenda Number:

2.9

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

Case Nos.: CV 07-8198 & CV 08-07240

Subject Property: 20081 Telford Avenue, Perris

APN: 349-020-074

District Five

BACKGROUND:

On December 1, 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
Board of Supervisors (Stop #1010)

3
4
5 WHEN RECORDED PLEASE MAIL TO:
6 Julie Jarvi, Deputy County Counsel
County of Riverside
7 OFFICE OF COUNTY COUNSEL
3960 Orange Street, Fifth Floor (Stop #1350)
8 Riverside, CA 92501

[EXEMPT'6103]

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

11 IN RE ABATEMENT OF PUBLIC NUISANCE:)	CASE NOS. CV 07-8198 &
12 [EXCESSIVE OUTSIDE STORAGE AND)	CV 08-07240
13 ACCUMULATION OF RUBBISH];)	
14 APN 349-020-074, 20081 TELFORD AVENUE,)	FINDINGS OF FACT,
15 PERRIS, RIVERSIDE COUNTY, CALIFORNIA;)	CONCLUSIONS AND ORDER TO
16 JAYNE L. TEETS, EDMUND Q. TEETS AND)	ABATE NUISANCE
DOROTHY L. TEETS, TRUSTEES OF THE)	
TEETS FAMILY TRUST, OWNERS.)	[R.C.O. Nos. 348 (RCC Chapter
)	17.156), 541 (RCC Chapter 8.120) and
)	725 (RCC Title 1)]

17
18 The above-captioned matter came on regularly for hearing on December 1, 2009, before the
19 Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor
20 Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real
21 property described as 20081 Telford Avenue, Perris, Riverside County, California and further
22 described as Assessor's Parcel Number 349-020-074 and referred to hereinafter as "THE
23 PROPERTY."

24 Julie Jarvi, Deputy County Counsel, appeared along with Brian Black, Supervising Code
25 Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

26 Owners Jayne L. Teets and Dorothy L. Teets appeared but did not address the Board of
27 Supervisors.

28 The Board of Supervisors received the Declaration of the Code Enforcement Officer together

1 with attached Exhibits, evidencing the excessive outside storage of materials and accumulation of
2 rubbish on THE PROPERTY as violations of Riverside County Ordinance Nos. 348 (Riverside
3 County Code Chapter 17.156) and 541 (Riverside County Code Chapter 8.120) and as a public
4 nuisance.

5 SUMMARY OF EVIDENCE

6 1. Documents of record in the Riverside County Recorder's Office identify the owners of
7 THE PROPERTY as Jayne L. Teets, Edmund Q. Teets and Dorothy L. Teets, Trustees of the Teets
8 Family Trust.

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

11 3. THE PROPERTY was inspected by Code Enforcement Officers on August 25, 2008,
12 May 19, 2009, July 25, 2009, September 24, 2009 and November 21, 2009.

13 4. During each inspection, the outside storage of materials and accumulation of rubbish
14 were observed on THE PROPERTY. The materials and rubbish were intermingled and included but
15 were not limited to: scrap wood, green waste, tree branches and trunks, tires, tools, lumber, scrap
16 metal, metal water tank, plastics, used building materials, roofing material, 2 spas, fencing materials,
17 sheds, air condition, appliances, and miscellaneous trash and debris. The officer estimated the amount
18 of accumulated rubbish and excess outside storage of materials was approximately twenty six
19 thousand six hundred ninety nine (26,699) square feet. Given the size of the parcel and the zoning
20 classification, two hundred (200) square feet of storage is allowed and no rubbish is allowed on THE
21 PROPERTY.

22 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance
23 Nos. 348 (RCC Chapter 17.156) and 541 (RCC Chapter 8.120) by the Code Enforcement Officer.

24 6. A Notice of Noncompliance was recorded on June 11, 2009 as Document Number
25 2009-0299284 in the Office of the County Recorder, County of Riverside.

26 7. On August 25, 2008, Notices of Violation for violation of Riverside County Ordinance
27 Nos. 348 and 541 were posted on THE PROPERTY. On September 11, 2008, Notices of Violation
28 were mailed to OWNERS.

8. On September 22, 2009, the "Notice to Correct County Ordinance Violations and Abate Public Nuisance" providing notice of the public hearing before the Board of Supervisors scheduled for December 1, 2009, was mailed by certified mail, return receipt requested, to OWNERS and was posted on THE PROPERTY on September 24, 2009.

FINDINGS AND CONCLUSIONS

WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on December 1, 2009, finds and concludes that:

1. WHEREAS, the excess outside storage of materials and accumulation of rubbish on the real property located at 20081 Telford Avenue, Perris, Riverside County, California, also identified as Assessor's Parcel Number 349-020-074 violates Riverside County Ordinance Nos. 348 (RCC Chapter 17.156) and 541 (RCC Chapter 8.120) and constitutes a public nuisance. Under Riverside County Ordinance No. 348, two hundred (200) square feet of outside storage of materials is allowed to be stored on THE PROPERTY. Under Riverside County Ordinance No. 541, no amount of rubbish is allowed to be accumulated on THE PROPERTY.

2. WHEREAS, THE OWNERS, occupants or any person having possession or control of the premises should abate the condition by removal of all outside storage of materials in excess of two hundred (200) square feet 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 17.156) and 541 (RCC Chapter 8.120) within ninety (90) days.

3. WHEREAS, THE OWNERS ARE HEREBY FURTHER NOTICED that the time within which judicial review of the administrative determinations made herein must be sought is ninety (90) days from the posting and mailing of the Findings of Fact, Conclusions and Order To Abate Nuisance, and is governed by California Code of Civil Procedure Section 1094.6.

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 OWNERS, specifically Jayne L. Teets, Edmund O. Teets and Dorothy L. Teets, Trustees of the Teets Family Trust, or anyone having

1 possession or control of THE PROPERTY, by removing all of the outside storage of materials in
2 excess of two hundred (200) square feet and removing and disposing of all accumulated rubbish from
3 the subject real property in strict accordance with all Riverside County Ordinances, including but not
4 limited to Riverside County Ordinance Nos. 348 (RCC Chapter 17.156) and 541 (RCC Chapter
5 8.120) within ninety (90) days of the date of this Order to Abate Nuisance.

6 IT IS FURTHER ORDERED that if the materials and rubbish are not removed and disposed
7 of in strict accordance with all Riverside County Ordinances, including but not limited to Riverside
8 County Ordinance Nos. 348 (RCC Chapter 17.156) and 541 (RCC Chapter 8.120) within ninety (90)
9 days of the date of this Order to Abate Nuisance, the excess outside storage of materials and
10 accumulation of rubbish shall be abated and disposed of by representatives of the Riverside County
11 Code Enforcement Department, a contractor or the Sheriff's Department upon receipt of an owner's
12 consent or a Court Order when necessary under applicable law.

13 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity
14 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special
15 assessment against THE PROPERTY pursuant to Government Code section 25845 and Riverside
16 County Ordinance Nos. 348 (RCC Title 17), 541 (RCC Title 8), and 725 (RCC Chapter 1.16).
17 Under Riverside County Ordinance No. 725, "abatement costs" means "any costs or expenses
18 reasonably related to the abatement of conditions which violate County Land Use Ordinances, and
19 shall include, but not be limited to, enforcement, investigation, collection and administrative costs,
20 attorneys fees, and the costs associated with the removal or correction of the violation." Reasonable
21 abatement costs accrued by the Code Enforcement Department will be recoverable from the property

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

owner(s) even if THE PROPERTY is brought into compliance within ninety (90) days of the date of this Order to Abate Nuisance.

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. ROONS JARVI
12-14-09 DATE