

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

107B



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

**SUBMITTAL DATE:**  
SEPT. 1, 2010

**SUBJECT:** Order to Abate [Excess Outside Storage & Accumulated Rubbish]  
Case No: CV 07-3251 (OLSON)  
Subject Property: 26500 Truelson Avenue, Hemet; APN: 458-226-009  
District: 3

**RECOMMENDED MOTION:** Move that:

Departmental Concurrence

1. The Findings of Fact, Conclusions and Order to Abate in Case No. CV 07-3251 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 07-3251; 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 07-3251.

(Continued)

\_\_\_\_\_  
L. ALEXANDRA FONG, 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>	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

- |                                     |         |                                     |        |
|-------------------------------------|---------|-------------------------------------|--------|
| <input type="checkbox"/>            | Consent | <input type="checkbox"/>            | Policy |
| <input checked="" type="checkbox"/> | Consent | <input checked="" type="checkbox"/> | Policy |

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

Order to Abate  
Case No. CV 07-3251; OLSON  
26500 Truelson Avenue, Hemet  
Page 2

**BACKGROUND:**

On August 10, 2010, 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 accumulated 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 Findings of Fact, Conclusions and Order to Abate.

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

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4  
5 WHEN RECORDED PLEASE MAIL TO:  
L. Alexandra Fong, 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**

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11 IN RE ABATEMENT OF PUBLIC NUISANCE: ) CASE NO. CV 07-3251  
[EXCESSIVE OUTSIDE STORAGE AND )  
12 ACCUMULATION OF RUBBISH]; ) FINDINGS OF FACT,  
APN 458-226-009, 26500 TRUELSON AVENUE, ) CONCLUSIONS AND ORDER TO  
13 HEMET, RIVERSIDE COUNTY, CALIFORNIA; ) ABATE NUISANCE  
ESTATES OF ANDREW A. OLSON AND )  
14 ADELINE OLSON, OWNERS. ) [R.C.O. Nos. 348 (RCC Chapter 17.16),  
541 (RCC Chapter 8.120) and 725  
15 (RCC Title 1)]

16  
17 The above-captioned matter came on regularly for hearing on August 10, 2010, before the  
18 Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor  
19 Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real  
20 property described as 26500 Truelson Avenue, Hemet, Riverside County, California and further  
21 described as Assessor's Parcel Number 458-226-009 and referred to hereinafter as "THE  
22 PROPERTY."

23 L. Alexandra Fong, Deputy County Counsel, appeared along with Brian Black, Supervising  
24 Code Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

25 The Owners did not appear.

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

1 County Code Chapter 17.16) 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 owners of  
5 THE PROPERTY as Estates of Andrew A. Olson and Adeline Olson ("OWNERS").

6 2. Documents of title indicate that no other parties potentially hold a legal interest in  
7 THE PROPERTY.

8 3. THE PROPERTY was inspected by Code Enforcement Officers on August 1, 2007,  
9 April 25, 2008, November 4, 2008, January 7, 2009, June 28, 2009, August 10, 2009, September 16,  
10 2009, December 2, 2009, January 15, 2010, February 17, 2010, March 17, 2010, April 7, 2010, July  
11 1, 2010 and July 29, 2010.

12 4. During each inspection, the outside storage of materials and accumulation of rubbish  
13 were observed on THE PROPERTY. The materials and rubbish were intermingled and included but  
14 were not limited to: miscellaneous metal debris, automobile and bicycle tires, gasoline containers,  
15 laundry baskets, hoses, buckets, miscellaneous wood debris, tool chests, umbrellas, rags, clothes,  
16 miscellaneous wires, lights, broken fan covers, dollies, dried vegetation, drums and lawn chairs. The  
17 officer visually estimated the amount of rubbish and storage as approximately twenty thousand  
18 (20,000) square feet. Given the size of the parcel (0.58 acres) and the zoning classification (R-R,  
19 Rural Residential), one hundred (100) square feet of outside storage of materials and no amount of  
20 rubbish is allowed on THE PROPERTY.

21 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance  
22 Nos. 348 (RCC Chapter 17.16) and 541 (RCC Chapter 8.120) by the Code Enforcement Officer.

23 6. A Notice of Noncompliance was recorded on August 23, 2007 as Document Number  
24 2007-0542657 in the Office of the County Recorder, County of Riverside.

25 7. On August 1, 2007, Notices of Violation for violation of Riverside County Ordinance  
26 Nos. 348 and 541 were posted on THE PROPERTY. On August 9, 2007, November 4, 2008 and  
27 December 12, 2008, Notices of Violation were mailed to OWNERS and OCCUPANT by certified  
28 mail, return receipt requested.



1 by removing all of the outside storage of materials in excess of one hundred (100) square feet and  
2 removing and disposing of all accumulated rubbish from the subject real property in strict accordance  
3 with all Riverside County Ordinances, including but not limited to Riverside County Ordinance Nos.  
4 348 (RCC Chapter 17.16) and 541 (RCC Chapter 8.120) within ninety (90) days of the date of this  
5 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 17.16) 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

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FORM APPROVED COUNTY COUNSEL  
BY: MAKOLU 5/24/10 DATE  
L. ALEXANDRA FONG

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

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Dated: \_\_\_\_\_

COUNTY OF RIVERSIDE

By \_\_\_\_\_  
Marion Ashley  
Chairman, Board of Supervisors

ATTEST:

KECIA HARPER-IHEM

Clerk to the Board

By \_\_\_\_\_  
Deputy  
(SEAL)