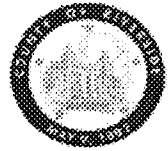


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



202B

FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
September 16, 2010

SUBJECT: Order to Abate [Accumulated Rubbish]
Case No: CV 06-6220 (COLE)
Subject Property: 1 Parcel South of 68711 Dillon Road, Desert Hot Springs
APN: 656-380-013; District: 5

RECOMMENDED MOTION: Move that:

1. The Findings of Fact, Conclusions and Order to Abate in Case No. CV 06-6220 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 06-6220; 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 06-6220.

(Continued)

L. Alexandra Fong

L. ALEXANDRA FONG, 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*

Tina Grande

County Executive Office Signature

- Consent
- Policy
- Consent
- Policy

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

Departmental Concurrence

Abatement of Public Nuisance
Case No. CV 06-6220; COLE
1 Parcel South of 68711 Dillon Road, Desert Hot Springs
Page 2

BACKGROUND:

On August 31, 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 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 of the
2 Board of Supervisors
(Stop #1010)
3
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
10

11 IN RE ABATEMENT OF PUBLIC NUISANCE:) CASE NO. CV 06-6220
[ACCUMULATION OF RUBBISH]; APN 656-)
12 380-013, ONE PARCEL SOUTH OF 68711) FINDINGS OF FACT,
DILLON ROAD, DESERT HOT SPRINGS,) CONCLUSIONS AND ORDER TO
13 RIVERSIDE COUNTY, CALIFORNIA; JIMMY) ABATE NUISANCE
COLE, 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 August 31, 2010, 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 68711 Dillon Road, Desert Hot Springs, Riverside
20 County, and further described as Assessor's Parcel Number 656-380-013 referred to hereinafter as
21 "THE PROPERTY."

22 L. Alexandra Fong, 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, Jimmy Cole 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 Code
28 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 Jimmy Cole ("OWNER").

4 2. THE PROPERTY was inspected by the Code Enforcement Officer on November 16,
5 2009, January 5, 2010, February 10, 2010, March 10, 2010, May 12, 2010, July 16, 2010, and
6 August 26, 2010.

7 3. During each inspection, an accumulation of rubbish was observed on THE
8 PROPERTY. The rubbish consisted of, but was not limited to: green waste, spent building materials,
9 paint cans, 55 gallon barrels and tires.

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

12 5. A Notice of Noncompliance was recorded in the Office of the County Recorder,
13 County of Riverside, State of California on December 24, 2009 as instrument number 2009-0660810.

14 6. On November 16, 2009 and January 5, 2010, Notices of Violation were posted on
15 THE PROPERTY. On December 28, 2009, a Notice of Violation was mailed by certified mail, return
16 receipt requested to OWNER.

17 7. On May 11, 2010, a "Notice to Correct County Ordinance Violations and Abate
18 Public Nuisance" providing notice of the public hearing before the Board of Supervisors on August
19 31, 2010 was mailed by certified mail, return receipt requested, to the OWNER and posted on THE
20 PROPERTY on May 12, 2010.

21 **FINDINGS AND CONCLUSIONS**

22 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in
23 regular session assembled on August 31, 2010 finds and concludes that:

24 1. WHEREAS, the accumulation of rubbish on the real property located at One Parcel
25 South of 68711 Dillon Road, Desert Hot Springs, Riverside County, California, also identified as
26 Assessor's Parcel Number 656-380-013 violates Riverside County Ordinance No. 541 and constitutes
27 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 _____
Marion Ashley
Chairman, Board of Supervisors

ATTEST:
KECIA HARPER-IHEM
Clerk to the Board

By _____
Deputy

(SEAL)

FORM APPROVED COUNTY COUNSEL
BY: Alexandra Fong DATE 9/9/10
ALEXANDRA FONG