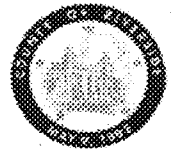


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



416B

FROM: County Counsel/TLMA
Code Enforcement Department

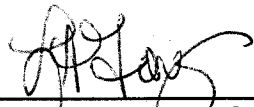
SUBMITTAL DATE:
OCT 6, 2010

SUBJECT: Order to Abate [Accumulated Rubbish]
Case No: CV 09-06749 (PITTERMAN)
Subject Property: One Parcel East of 21725 Orange Street, Perris
APN: 322-110-029; District: 5

RECOMMENDED MOTION: Move that:

1. The Findings of Fact, Conclusions and Order to Abate in Case No. CV 09-06749 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 09-06749; 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 09-06749.

(Continued)


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

County Executive Office Signature

Policy ☐

Consent ☒

Policy ☐

Consent ☒

Dep't Recomm.:

Per Exec. Ofc.:

Abatement of Public Nuisance
Case No. CV 09-06749; PITTERMAN
One Parcel East of 21725 Orange Street, Perris
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**
10 **COUNTY OF RIVERSIDE**

11 IN RE ABATEMENT OF PUBLIC NUISANCE:) CASE NO. CV 09-06749
[ACCUMULATION OF RUBBISH]; APN 322-)
12 110-029, ONE PARCEL EAST OF 21725) FINDINGS OF FACT,
ORANGE STREET, PERRIS, RIVERSIDE) CONCLUSIONS AND ORDER TO
13 COUNTY, CALIFORNIA; JOSHUA) ABATE NUISANCE
PITTERMAN, 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 East of 21725 Orange Street, Perris, Riverside County, and further
20 described as Assessor's Parcel Number 322-110-029 referred to hereinafter as "THE PROPERTY."

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

23 Owner did not appear.

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 OWNER
3 of THE PROPERTY as Joshua Pitterman ("OWNER").

4 2. Documents of title indicate that another party may potentially hold a legal interest in
5 THE PROPERTY, to-wit: Reliable Trust Services, Inc. ("INTERESTED PARTY").

6 3. THE PROPERTY was inspected by Code Enforcement Officers on September 9,
7 2009, November 20, 2009, December 7, 2009, January 19, 2010, April 14, 2010 and August 27,
8 2010.

9 4. During each inspection, an accumulation of rubbish was observed on THE
10 PROPERTY. The rubbish consisted of, but was not limited to: tires, general household debris,
11 damaged furniture, construction debris, damaged fencing and miscellaneous debris.

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

14 6. A Notice of Noncompliance was recorded in the Office of the County Recorder,
15 County of Riverside, State of California on September 18, 2009 as instrument number 2009-0486796.

16 7. On September 9, 2009, a Notice of Violation was posted on THE PROPERTY. On
17 September 11, 2009, a Notice of Violation was mailed by certified mail, return receipt requested to
18 Etta Bonner ("PREVIOUS OWNER"). On October 21, 2009, a Notice of Violation was mailed by
19 certified mail return receipt requested to PREVIOUS OWNER, NEW OWNER and INTERESTED
20 PARTY by certified mail, return receipt requested.

21 8. On April 12, 2010, a "Notice to Correct County Ordinance Violations and Abate
22 Public Nuisance" providing notice of the public hearing before the Board of Supervisors on May 25,
23 2010 was mailed by certified mail, return receipt requested, to the PREVIOUS OWNER, NEW
24 OWNER AND INTERESTED PARTY and was posted on THE PROPERTY on April 14, 2010.
25 The matter came on regularly for hearing on May 25, 2010 and was continued to August 31, 2010.

26 **FINDINGS AND CONCLUSIONS**

27 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in
28 regular session assembled on August 31, 2010, 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.

7
8 Dated: _____

COUNTY OF RIVERSIDE

9
10 By _____
Marion Ashley
Chairman, Board of Supervisors

11 ATTEST:

12 KECIA HARPER-IHEM

13 Clerk to the Board

14
15
16 By

17 Deputy

18
19 (SEAL)

FORM APPROVED COUNTY COUNSEL
BY: 1/24/10 DATE
L. ALEXANDRA FONG