

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



**FROM:** Supervisor Marion Ashley

**SUBMITTAL DATE:** October 14, 2010

**SUBJECT:** Ordinance No. 449.241, An Ordinance of the County of Riverside Amending Ordinance No. 449.240 Prohibiting Parolee-Probationer Homes

**RECOMMENDED MOTION:** That the Board of Supervisors adopt Ordinance No. 449.241 following the public hearing (4/5ths vote required).

**BACKGROUND:** On July 27, 2010, the Board adopted Urgency Interim Ordinance No. 449.239 prohibiting parolee-probationer homes. On August 10, 2010, the Board adopted Ordinance No. 449.240 extending Urgency Interim Ordinance No. 449.239 for ten (10) months and fifteen (15) days.

In the process of determining how to enforce the parolee-probationer home prohibition, stakeholder agencies and departments have suggested that Ordinance No. 449.240 be revised to delete misdemeanants from the definition of "probationer." Without such a revision, a large number of individuals who do not typically pose the same risks as felons would be displaced in the enforcement process. It has also been suggested that Ordinance No. 449.240 be revised to exempt both of the following: (1) parolee-probationer homes operating in accordance with entitlements issued before the effective date of Ordinance No. 449.239; and (2) entitlement applications for parolee-probationer homes filed before the effective date of Ordinance No. 449.239.

The suggested revisions are set forth in Ordinance No. 449.241, which if adopted, would secure public safety while providing adequate parolee-probationer housing.

Ordinance No. 449.241 would take effect immediately upon its adoption.

  
Marion Ashley, Chairman of the Board

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AN ORDINANCE OF THE COUNTY OF RIVERSIDE  
AMENDING ORDINANCE NO. 449.240 EXTENDING  
URGENCY INTERIM ORDINANCE NO. 449.239  
PROHIBITING PAROLEE-PROBATIONER HOMES

The Board of Supervisors of the County of Riverside ordains as follows:

**Section 1.** Section 1.c. of Ordinance No. 449.240 is amended to read as follows:

“c. Probationer. A person convicted of a felony who has received a suspension of the imposition or execution of a sentence and an order of conditional and revocable release in the community under the supervision of a probation officer.”

Section 2. A new Section 2. is added to Ordinance No. 449.240 to read as follows:

“This ordinance shall not apply to any application for a land use approval, building permit or any other entitlement for a parolee-probationer home filed before the effective date of Ordinance No. 449.239 or to any parolee-probationer home operating in accordance with any of the above-referenced entitlements issued before the effective date of Ordinance No. 449.239.”

Section 3. Existing Sections 2. through 6. of Ordinance No. 449.240, and all references thereto, are renumbered Sections 3. through 7. respectively.

Section 4. Pursuant to section 65858 of the Government Code and section 20.4 of Ordinance No. 348, this ordinance is hereby declared to be an urgency measure and shall take effect upon its adoption. It shall be of no further force or effect ten (10) months and fifteen (15) days from the date of expiration of Ordinance No. 449.239, unless extended pursuant to law. In adopting this ordinance, the Board finds that parolee-probationer homes pose a current and immediate threat to the public health, safety and welfare for the following reasons:

Parolee-probationer homes are proliferating in Riverside County as a result of new laws mandating the early release of certain state prisoners;

1 Riverside County can expect over 5,000 inmates to be paroled in the next twelve (12)  
2 months with ties to the area;

3 The California Department of Corrections and Rehabilitation is increasingly placing  
4 parolees and probationers in the County even when they committed crimes in other counties and have no  
5 ties to the area;

6 Based on reports generated by various public agencies throughout California, parolee-  
7 probationer homes often result in increased criminal activity and generate a disproportionate number of  
8 requests for law enforcement services; this adversely affects other segments of the community needing  
9 such services and unduly imposes a burden on law enforcement services in general;

10 Parolee-probationer homes often result in parking and noise problems and have other  
11 harmful secondary effects, such as encouraging the illegal conversion of garages and living spaces into  
12 sleeping spaces;

13 The harmful secondary effects associated with parolee-probationer homes may negatively  
14 affect surrounding home values and result in increased foreclosures and resident displacement;

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Existing zoning regulations do not adequately address parolee-probationer homes and  
absent this ordinance, parolee-probationer homes could be located near schools, day care centers, parks,  
playgrounds and other sensitive uses.

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

By: \_\_\_\_\_  
Chairman

ATTEST:

CLERK OF THE BOARD

By: \_\_\_\_\_  
Deputy

(SEAL)

APPROVED AS TO FORM

October \_\_\_\_, 2010

By: \_\_\_\_\_  
KATHERINE A. LIND  
Assistant County Counsel

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