

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

608B



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


**SUBMITTAL DATE:**  
February 16, 2011

**SUBJECT:** Order to Abate [Accumulated Rubbish]  
Case No: CV 10-01502 [MARTINEZ/BARRAZA]  
Subject Property: One(1) Parcel on Read St. aka One(1) Parcel northwest of  
21320 Elmer St., Perris; APN: 345-020-022  
District: Five

**RECOMMENDED MOTION:** Move that:


1. The Findings of Fact, Conclusions and Order to Abate in Case No. CV 10-01502 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 10-01502; 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 10-01502.

(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: \_\_\_\_\_  
County Executive Office Signature Jennifer L. Sargent

- Policy
- Policy
- Consent
- Consent

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

Abatement of Public Nuisance  
Case No.: CV10-01502 [MARTINEZ/BARRAZA]  
One(1) Parcel on Read St. aka One(1) Parcel northwest of  
21320 Elmer St., Perris  
District Five  
Page 2

**BACKGROUND:**

On January 25, 2011, 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, Suite 500 (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 10-01502  
[ACCUMULATION OF RUBBISH]; APN 345- )  
12 020-022, ONE (1) PARCEL ON READ STREET ) FINDINGS OF FACT,  
AKA ONE (1) PARCEL NORTHWEST OF 21320 ) CONCLUSIONS AND ORDER TO  
13 ELMER STREET, PERRIS, COUNTY OF ) ABATE NUISANCE  
RIVERSIDE, STATE OF CALIFORNIA; )  
14 NATIVIDAD BARRAZA MARTINEZ AND ) [R.C.O. Nos. 541 (RCC Chapter 8.120)  
MARIA ELVA BARRAZA, OWNERS. ) and 725 (RCC Title 1)]  
15 )  
16 )

17 The above-captioned matter came on regularly for hearing on January 25, 2011, 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 One (1) Parcel on Read Street aka One (1) Parcel Northwest of 21320 Elmer  
21 Street, Perris, Riverside County, and further described as Assessor's Parcel Number 345-020-022  
referred to hereinafter as "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, Natividad Barraza Martinez, appeared and did not address 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

1 Chapter 8.120.

2 **SUMMARY OF EVIDENCE**

3 1. Documents of record in the Riverside County Recorder's Office identify the  
4 OWNERS of THE PROPERTY as Natividad Barraza Martinez and Maria Elva Barraza  
5 ("OWNERS").

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

8 3. THE PROPERTY was inspected by Code Enforcement Officers on May 4, 2010, June  
9 28, 2010, August 4, 2010, August 25, 2010, September 30, 2010, December 28, 2010 and January  
10 24, 2011.

11 4. During each inspection, an accumulation of rubbish was observed on THE  
12 PROPERTY. The rubbish consisted of, but was not limited to: household rubbish items, spent  
13 building materials, tires, green waste, furniture, animal waste, carcasses and miscellaneous items.

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

16 6. A Notice of Noncompliance was recorded in the Office of the County Recorder,  
17 County of Riverside, State of California on August 18, 2010 as instrument number 2010-0390496.

18 7. On May 4, 2010, a Field Notice of Violation and Do Not Dump Refuse Here signage  
19 were posted on THE PROPERTY. On June 24, 2010, a Notice of Violation was mailed by certified  
20 mail, return receipt requested to OWNERS. On August 25, 2010, a Notice of Violation and Do Not  
21 Dump Refuse Here sign were posted on THE PROPERTY.

22 8. On December 23, 2010, a second notice, "Notice to Abate Public Nuisance" providing  
23 notice of the public hearing before the Board of Supervisors on January 25, 2011 was mailed by  
24 certified mail, return receipt requested, to the OWNERS and posted on THE PROPERTY on  
25 December 28, 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 January 25, 2011, finds and concludes that:



