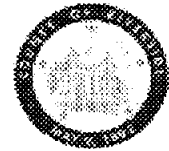


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

708B



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

**SUBMITTAL DATE:**  
March 2, 2011

**SUBJECT:** Order to Abate [Excess Outside Storage & Accumulated Rubbish]  
Case Nos: CV 08-00025 and CV08-00026 [DORN]  
Subject Property: 32235 Morris Ranch Rd., Hemet; APN: 568-110-029  
District: Three

**RECOMMENDED MOTION:** Move that:

1. The Findings of Fact, Conclusions and Order to Abate in Case Nos. CV 08-00025 and CV08-00026 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 Nos. CV 08-00025 and CV08-00026; and
3. The Clerk of the Board of Supervisors be authorized to record the Findings of Fact, Conclusions and Order to Abate in Case Nos. CV 08-00025 and CV08-00026.

Departmental Concurrence

(Continued)

*L. A. Fong*  
\_\_\_\_\_  
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*  
\_\_\_\_\_  
Tina Grande

County Executive Office Signature

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

Dep't Recomm.:  
 Per Exec. Ofc.:

Order to Abate  
Case Nos. CV08-00025 and CV08-00026 [DORN]  
32235 Morris Ranch Rd., Hemet  
District Three  
Page 2

**BACKGROUND:**

On February 8, 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 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:  
2 Kecia Harper-Ihem, Clerk to the  
3 Board of Supervisors (Stop #1010)  
4

5 WHEN RECORDED PLEASE MAIL TO:  
6 L. Alexandra Fong, Deputy County Counsel  
7 County of Riverside  
8 OFFICE OF COUNTY COUNSEL  
9 3960 Orange Street, Suite 500 (Stop #1350)  
10 Riverside, CA 92501

[EXEMPT'6103]

11 **BOARD OF SUPERVISORS**  
12 **COUNTY OF RIVERSIDE**

13 IN RE ABATEMENT OF PUBLIC NUISANCE: ) CASE NOS.: CV 08-00025 and  
14 [EXCESSIVE OUTSIDE STORAGE AND ) CV 08-00026  
15 ACCUMULATION OF RUBBISH]; )  
16 APN 568-110-029, 32235 MORRIS RANCH RD., )  
17 HEMET, COUNTY OF RIVERSIDE, STATE OF ) FINDINGS OF FACT,  
18 CALIFORNIA; CLIFFORD G. DORN, OWNER. ) CONCLUSIONS AND ORDER TO  
19 ABATE NUISANCE  
20 )  
21 ) [R.C.O. Nos. 348 (RCC Chapter 17),  
22 ) 541 (RCC Chapter 8.120)]  
23 )

24 The above-captioned matter came on regularly for hearing on February 8, 2011, before the  
25 Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor  
26 Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real  
27 property described as 32235 Morris Ranch Rd., Hemet, Riverside County, California and further  
28 described as Assessor's Parcel Number 568-110-029 and referred to hereinafter as "THE  
PROPERTY."

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

No one appeared on behalf of Owner.

The Board of Supervisors received the Declaration of the Code Enforcement Officer together  
with attached Exhibits, evidencing the excessive outside storage of materials and accumulation of

1 rubbish on THE PROPERTY as violations of Riverside County Ordinance Nos. 348 (Riverside  
2 County Code Chapter 17.152) and 541 (Riverside County Code Chapter 8.120) and as a public  
3 nuisance.

4 **SUMMARY OF EVIDENCE**

5 1. Documents of record in the Riverside County Recorder's Office identify the owner of  
6 THE PROPERTY as Clifford G. Dorn ("OWNER").

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

9 3. THE PROPERTY was inspected by Code Enforcement Officers on January 7, 2008,  
10 May 20, 2009, May 20, 2010, July 1, 2010, August 10, 2010, September 30, 2010, January 20, 2011  
11 and February 5, 2011.

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: broken tile, old wiring, scrap lumber, piping, car parts, tires, buckets, tools,  
15 equipment and other miscellaneous items.

16 The officer visually estimated the amount of accumulated rubbish and excess outside storage  
17 of materials was approximately four thousand two hundred ninety (4,290) square feet. Given the size  
18 of the unimproved parcel (20 acres) and the zoning classification (N-A-40, Natural Assets-40 acres),  
19 amount of outside storage or rubbish allowed to be two hundred (200) square feet on THE  
20 PROPERTY.

21 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance  
22 Nos. 348 (RCC Chapter 17.152) and 541 (RCC Chapter 8.120) by the Code Enforcement Officer.

23 6. Notices of Noncompliance were recorded on June 1, 2010, as Document Numbers  
24 2010-0251764 and 2010-0251765 in the Office of the County Recorder, County of Riverside.

25 7. On June 9, 2009, Notices of Violation for violation of Riverside County Ordinance  
26 Nos. 348 and 541 were mailed to OWNER via certified mail with return receipt requested.

27 8. On January 19, 2011, the "Notice to Correct County Ordinance Violations and Abate  
28 Public Nuisance" providing notice of the public hearing before the Board of Supervisors scheduled

1 for February 8, 2011, was mailed by certified mail, return receipt requested, to OWNER and was  
2 posted on THE PROPERTY on January 19, 2011.

3 **FINDINGS AND CONCLUSIONS**

4 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
5 regular session assembled on February 8, 2011, finds and concludes that:

6 1. WHEREAS, the excess outside storage of materials and accumulation of rubbish on  
7 the real property located at 32235 Morris Ranch Rd., Hemet, Riverside County, California, also  
8 identified as Assessor's Parcel Number 568-110-029 violates Riverside County Ordinance Nos. 348  
9 (RCC Chapter 17.152) and 541 (RCC Chapter 8.120) and constitutes a public nuisance. Under  
10 Riverside County Ordinance No. 348, this twenty acre (20) unimproved parcel, the zone classification  
11 allows two hundred (200) square feet to be stored on THE PROPERTY. Under Riverside County  
12 Ordinance No. 541, no amount of rubbish is allowed to be accumulated on THE PROPERTY.

13 2. WHEREAS, the OWNER, occupants or any person having possession or control of  
14 the premises shall abate the condition by removal of all outside storage of materials and removing and  
15 disposing of all accumulated rubbish from the subject real property in strict accordance with all  
16 Riverside County Ordinances, including but not limited to Riverside County Ordinance Nos. 348  
17 (RCC Chapter 17.152) and 541 (RCC Chapter 8.120) within ninety (90) days.

18 3. WHEREAS, the OWNER IS HEREBY FURTHER NOTICED that the time within  
19 which judicial review of the administrative determinations made herein must be sought is ninety (90)  
20 days from the posting and mailing of the Findings of Fact, Conclusions and Order To Abate Nuisance,  
21 and is governed by California Code of Civil Procedure Section 1094.6.

22 **ORDER TO ABATE NUISANCE**

23 IT IS THEREFORE ORDERED that the excess outside storage of materials and  
24 accumulation of rubbish on THE PROPERTY be abated by the OWNER, specifically Clifford G.  
25 Dorn, or anyone having possession or control of THE PROPERTY, by removing all of the outside  
26 storage of materials and removing and disposing of all accumulated rubbish from the subject real  
27 property in strict accordance with all Riverside County Ordinances, including but not limited to  
28 Riverside County Ordinance Nos. 348 (RCC Chapter 17.152) and 541 (RCC Chapter 8.120) within

1 ninety (90) days of the date of this Order to Abate Nuisance.

2 IT IS FURTHER ORDERED that if the materials and rubbish are not removed and disposed  
3 of in strict accordance with all Riverside County Ordinances, including but not limited to Riverside  
4 County Ordinance Nos. 348 (RCC Chapter 17.152) and 541 (RCC Chapter 8.120) within ninety (90)  
5 days of the date of this Order to Abate Nuisance, the excess outside storage of materials and  
6 accumulation of rubbish may be abated and disposed of by representatives of the Riverside County  
7 Code Enforcement Department, a contractor or the Sheriff's Department upon receipt of an owner's  
8 consent or a Court Order when necessary under applicable law.

9 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity  
10 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special  
11 assessment against THE PROPERTY pursuant to Government Code section 25845 and Riverside  
12 County Ordinance Nos. 348 (RCC Title 17), 541 (RCC Title 8), and 725 (RCC Chapter 1.16).  
13 Under Riverside County Ordinance No. 725, "abatement costs" means "any costs or expenses  
14 reasonably related to the abatement of conditions which violate County Land Use Ordinances, and  
15 shall include, but not be limited to, enforcement, investigation, collection and administrative costs,  
16 attorneys fees, and the costs associated with the removal or correction of the violation." Reasonable  
17 abatement costs accrued by the Code Enforcement Department will be recoverable from the property

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FORM APPROVED COUNTY COUNSEL  
BY: ALEXANDRA FONG 3/3/11  
DATE

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.

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

COUNTY OF RIVERSIDE

6 By \_\_\_\_\_  
7 Marion Ashley  
8 Chairman, Board of Supervisors

8 ATTEST:  
9 KECIA HARPER-IHEM  
10 Clerk to the Board

11 By \_\_\_\_\_  
12 Deputy  
13 (SEAL)

20 L:\Code Enforcement\Abatements\2010\2008\CV08-00025 and CV08-00026\348 541 FOF.DOC