

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

103 B



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

**SUBMITTAL DATE:**  
January 6, 2014

**SUBJECT:** Order to Abate [Accumulated Rubbish]; Case No. CV12-05981 [CAMPOS]  
Subject Property: 22344 Margrath St., Perris; APN: 345-090-019  
District: 1/1 [\$0.00]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-05981;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-05981; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-05981.

**BACKGROUND:**

**Summary**

On December 3, 2013, this Board received the declaration of the Code Enforcement Officer in the above referenced matter and 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.

*Sophia Choi*  
\_\_\_\_\_  
SOPHIA CHOI  
Deputy County Counsel

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$	\$	\$	\$	Consent <input checked="" type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$	\$	\$	\$	

**SOURCE OF FUNDS:** \_\_\_\_\_  
Budget Adjustment: \_\_\_\_\_  
For Fiscal Year: \_\_\_\_\_

**C.E.O. RECOMMENDATION:**

APPROVE  
BY: *Tina Grande*  
Tina Grande

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

Positions Added  
 Change Order

A-30  
 4/5 Vote

Prev. Agn. Ref.: 12/03/13; 9.2 | District: 1/1 | Agenda Number:

2-8

Departmental Concurrence

1 RECORDING REQUESTED BY:  
2 Kecia Harper-Ihem, Clerk of the  
3 Board of Supervisors  
4 (Stop #1010)

5 WHEN RECORDED PLEASE MAIL TO:  
6 Patricia Munroe, 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 GC §§ 6103 and 27383]

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

13 IN RE ABATEMENT OF PUBLIC NUISANCE: ) CASE NO. CV 12-05981  
14 [ACCUMULATION OF RUBBISH]; )  
15 APN 345-090-019, 22344 MARGARTH STREET, ) FINDINGS OF FACT,  
16 PERRIS, RIVERSIDE COUNTY, CALIFORNIA; ) CONCLUSIONS AND ORDER TO  
17 VINCENT CAMPOS, OWNER. ) ABATE NUISANCE  
18 )  
19 ) R.C.O. Nos. 541 and 725  
20 )  
21 )  
22 )  
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28 )

29 The above-captioned matter came on regularly for hearing on December 3, 2013, before the  
30 Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor  
31 Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real  
32 property described as 22344 Margarth Street, Perris, Riverside County, and further described as  
33 Assessor's Parcel Number 345-090-019 referred to hereinafter as "THE PROPERTY."

34 Patricia Munroe, Deputy County Counsel, appeared along with Michelle Cervantes, Code  
35 Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

36 Owner appeared, but did not address the Board of Supervisors.

37 The Board of Supervisors received the Declaration of Code Enforcement Officer together  
38 with the attached exhibits, evidencing the accumulation of rubbish on THE PROPERTY as a public  
39 nuisance and violation of Riverside County Ordinance No. 541.

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1 **SUMMARY OF EVIDENCE**

2 1. Documents of record in the Riverside County Recorder’s Office identify the OWNER  
3 of THE PROPERTY as Vincent Campos (“OWNER”).

4 2. Documents of title indicate that other parties potentially hold a legal interest in THE  
5 PROPERTY, to wit: Eastern Municipal Water District, Internal Revenue Service and tenant Sue  
6 Portillo.

7 3. THE PROPERTY was inspected by Code Enforcement Officers on November 19,  
8 2012, and on seven other prior occasions, the last being December 2, 2013.

9 4. During each inspection, an accumulation of rubbish was observed on THE  
10 PROPERTY. The rubbish consisted of, but was not limited to: wood pallets, a broken television,  
11 chicken wire, chain link fencing, corrugated concrete material, lumber, household items, appliances,  
12 tires, and other miscellaneous items in excess of five hundred (500) square feet.

13 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance  
14 No. 541 by the Code Enforcement Officer.

15 6. A Notice of Pendency of Administrative Proceedings was recorded in the Office of  
16 the County Recorder, County of Riverside, State of California on January 22, 2013, as instrument  
17 number 2013-0033951.

18 7. On November 19, 2012, a Notice of Violation was posted on THE PROPERTY. On  
19 December 4, 2012 and October 1, 2013, a Notice of Violation was mailed to OWNER and  
20 INTERESTED PARTIES by first class mail.

21 8. A “Notice to Correct County Ordinance Violations and Abate Public Nuisance”  
22 providing notice of the public hearing before the Board of Supervisors on December 3, 2013, was  
23 mailed to OWNER and INTERESTED PARTIES and was posted on THE PROPERTY.

24 **FINDINGS AND CONCLUSIONS**

25 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
26 regular session assembled on December 3, 2013, finds and concludes that:

27 1. WHEREAS, the accumulation of rubbish on the real property located at 22344  
28 Margarth Street, Perris, Riverside County, California, also identified as Assessor's Parcel Number

1 345-090-019 violates Riverside County Ordinance No. 541 and constitutes a public nuisance.

2 2. WHEREAS, the OWNER, or any person having possession or control of the premises  
3 shall abate the condition by removing and disposing all accumulated rubbish from the subject real  
4 property in strict accordance with all Riverside County Ordinances, including but not limited to  
5 Riverside County Ordinance No. 541 within ninety (90) days.

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

10 **ORDER TO ABATE NUISANCE**

11 IT IS THEREFORE ORDERED that the accumulation of rubbish on THE PROPERTY be  
12 abated by OWNER or anyone having possession or control of THE PROPERTY, by removing and  
13 disposing of all rubbish from the subject real property in strict accordance with all Riverside County  
14 Ordinances, including but not limited to Riverside County Ordinance No. 541 within ninety (90)  
15 days of the date of this Order to Abate Nuisance.

16 IT IS FURTHER ORDERED that if the rubbish is not removed and disposed of in strict  
17 accordance with all Riverside County Ordinances, including but not limited to Riverside County  
18 Ordinance No. 541, within ninety (90) days of the date of this Order to Abate Nuisance, the rubbish  
19 may be abated and disposed of by representatives of the Riverside County Code Enforcement, a  
20 contractor or the Sheriff's Department upon receipt of an owner's consent or a Court Order  
21 authorizing entry onto THE PROPERTY when necessary under applicable law.

22 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity  
23 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special  
24 assessment against THE PROPERTY pursuant to Government Code section 25845 and Riverside  
25 County Ordinance Nos. 541 and 725. Under Riverside County Ordinance No. 725, "abatement  
26 costs" means "any costs or expenses reasonably related to the abatement of conditions which violate  
27 County Land Use Ordinances, and shall include, but not be limited to, enforcement, investigation,  
28 collection and administrative costs, attorneys fees, and the costs associated with the removal or

1 correction of the violation." Reasonable abatement costs accrued by the Code Enforcement  
2 Department will be recoverable from the property owner(s) even if THE PROPERTY is brought into  
3 compliance within ninety (90) days of the date of this Order to Abate Nuisance.

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5 Dated: \_\_\_\_\_

COUNTY OF RIVERSIDE

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By \_\_\_\_\_  
John J. Benoit  
Chairman, Board of Supervisors

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ATTEST:

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KECIA HARPER-IHEM

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Clerk to the Board

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By

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Deputy

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(SEAL)

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