

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

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

**SUBMITTAL DATE:**  
August 27, 2014

**SUBJECT:** Order to Abate [Excessive Outside Storage & Accumulated Rubbish]  
Case No. CV08-04352 [GRAY]  
Subject Property: 1 Parcel South of 23550 Beech Street, Hemet; APN; 432-170-006  
District: 3/3 [\$0.00]

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

1. Approve the Findings of Fact, Conclusions and Order to Abate in Case No. CV08-04352;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV08-04352; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV08-04352.

**BACKGROUND:**

Summary

On July 15, 2014, this Board received the declaration of the Code Enforcement Officer in the above referenced matter and declared the excessive 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 (Continued)

  
PATRICIA MUNROE  
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	\$	\$	\$	\$	

<b>SOURCE OF FUNDS:</b>	<b>Budget Adjustment:</b>
	<b>For Fiscal Year:</b>

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

APPROVE

BY:   
Tina Grande

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

FORM APPROVED COUNTY COUNSEL  
BY: GREGORY P. PFIAMOS  
DATE: 7/29/14  
Departmental Concurrence

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.: 07/15/14; 9.6 | District: 3/3 | Agenda Number:

**2-21**

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
FORM 11: Order to Abate [Excessive Outside Storage & Accumulated Rubbish]**

**Case No. CV08-04352 [GRAY]**

**Subject Property: 1 Parcel South of 23550 Beech Street, Hemet**

**APN: 432-170-006**

**District: 3/3 [\$0.00]**

**DATE:** August 27, 2014

**PAGE: 2 of 2**

**BACKGROUND:**

**Summary (continued)**

conditions on the property and directed County Counsel to prepare Findings of Fact, Conclusions and Order to Abate.

**Impact on Citizens and Businesses**

When property owners abate nuisances on their property, the surrounding neighborhood's safety, attractiveness and land values are potentially increased.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

N/A

**Contract History and Price Reasonableness**

N/A

**ATTACHMENTS**

Findings of Fact

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 Michelle Cervantes, Senior Code Enforcement Officer  
7 Regina Keyes, Senior Code Enforcement Officer  
8 CODE ENFORCEMENT DEPARTMENT  
4080 Lemon Street, Twelfth Floor (Stop #1012)  
Riverside, CA 92501

[EXEMPT GC §§ 6103 and 27383]

9  
10 **BOARD OF SUPERVISORS**  
**COUNTY OF RIVERSIDE**

11 IN RE ABATEMENT OF PUBLIC NUISANCE: ) CASE NO. CV 08-04352  
12 [EXCESSIVE OUTSIDE STORAGE AND )  
13 ACCUMULATION OF RUBBISH]; ) FINDINGS OF FACT,  
14 APN 432-170-006, 1 PARCEL SOUTH OF 23550 ) CONCLUSIONS AND ORDER TO  
BEECH STREET, HEMET, RIVERSIDE ) ABATE NUISANCE  
15 COUNTY, CALIFORNIA; CHRISTOPHER A. )  
GRAY, OWNER. ) R.C.O. Nos. 348, 541 and 725

16  
17 The above-captioned matter came on regularly for hearing on July 15, 2014, before the Board  
18 of Supervisors of the County of Riverside, State of California in the Board Room, First Floor Annex,  
19 County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real property  
20 described 1 Parcel South of 23550 Beech Street, Hemet, Riverside County, California, Assessor's  
21 Parcel Number 432-170-006 and referred to hereinafter as "THE PROPERTY."

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

24 Owner did not appear.

25 The Board of Supervisors received the Declaration of the Code Enforcement Officer together  
26 with attached Exhibits, evidencing the excessive outside storage of materials and accumulation of  
27 rubbish on THE PROPERTY as violations of Riverside County Ordinance Nos. 348 and 541 and as  
28 a public nuisance.

1 **SUMMARY OF EVIDENCE**

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

4 2. Documents of title indicate that another party may potentially hold a legal interest in  
5 THE PROPERTY, to wit: Madeline Redfern, Trustee of the Madeline Redfern Trust dated April 17,  
6 1996 (hereinafter referred to as “INTERESTED PARTY”).

7 3. THE PROPERTY was inspected by Code Enforcement Officers on December 4,  
8 2013, March 20, 2014, and May 21, 2014.

9 4. During each inspection an accumulation of rubbish and excess outside storage was  
10 observed throughout THE PROPERTY consisting of but not limited to: green waste, wood,  
11 irrigation supplies, furniture, tools, 40 tires, boat motors, pipes, buckets, barrels, metal, fencing, a  
12 wheel barrel, ice chest, hot tub, truck box, cans, boats, tractor, lawnmower, sheds, cardboard, cinder  
13 blocks, bricks and other miscellaneous items in excess of 2,200 square feet.

14 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance  
15 Nos. 348 and 541 by the Code Enforcement Officer.

16 6. On December 27, 2013, a Notice of Pendency of Administrative Proceedings was  
17 recorded at the Riverside County Recorder’s Office as instrument number 2013-0597322.

18 7. On December 4, 2013, a Notice of Violation was posted on THE PROPERTY. On  
19 December 5, 2013, a Notice of Violation was mailed to OWNER by certified mail with return receipt  
20 requested and on January 29, 2014, a Notice of Violation was mailed to OWNER and INTERESTED  
21 PARTY by first class mail.

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

25 **FINDINGS AND CONCLUSIONS**

26 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
27 regular session assembled on July 15, 2014, finds and concludes that:

28 1. WHEREAS, the excessive outside storage of materials and accumulation of rubbish

1 on the real property located at 1 Parcel South of 23550 Beech Street, Hemet, Riverside County,  
2 California, also identified as Assessor's Parcel Number 432-170-006 violates Riverside County  
3 Ordinance Nos. 348 and 541 and constitutes a public nuisance.

4 2. WHEREAS, the OWNER, occupants and any other person having possession or  
5 control of THE PROPERTY shall abate the accumulation of rubbish and excessive outside storage of  
6 materials by removing and disposing of all rubbish and excessive outside storage on THE  
7 PROPERTY in strict accordance with all Riverside County Ordinances, including but not limited to  
8 Riverside County Ordinance Nos. 348 and 541 within ninety (90) days.

9 3. WHEREAS, the OWNER AND INTERESTED PARTY ARE HEREBY FURTHER  
10 NOTICED that the time within which judicial review of the administrative determinations made  
11 herein must be sought is ninety (90) days from the posting and mailing of the Findings of Fact,  
12 Conclusions and Order To Abate Nuisance, and is governed by California Code of Civil Procedure  
13 Section 1094.6.

14 **ORDER TO ABATE NUISANCE**

15 IT IS ORDERED that the accumulation of rubbish and excessive outside storage of materials  
16 on THE PROPERTY be abated by OWNER or anyone having possession or control of THE  
17 PROPERTY by removing and disposing of all rubbish and excessive outside storage of materials on  
18 THE PROPERTY in strict accordance with all Riverside County Ordinances, including but not  
19 limited to Riverside County Ordinance Nos. 348 and 541, within ninety (90) days of the posting and  
20 mailing of this Order to Abate Nuisance.

21 IT IS FURTHER ORDERED that if the accumulation of rubbish and excessive outside  
22 storage of materials is not removed and disposed of in strict accordance with all Riverside County  
23 Ordinances, including but not limited to Riverside County Ordinance Nos. 348 and 541 within ninety  
24 (90) days of the date of this Order to Abate Nuisance, the accumulation of rubbish and excessive  
25 outside storage of materials may be abated and disposed of by representatives of the Riverside  
26 County Code Enforcement Department, a contractor or the Sheriff's Department upon receipt of an  
27 owner's consent or a Court Order when necessary under applicable law.

28 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity

1 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special  
2 assessment against THE PROPERTY pursuant to Government Code section 25845 and Riverside  
3 County Ordinance Nos. 348, 541, and 725. Under Riverside County Ordinance No. 725, “abatement  
4 costs” means “any costs or expenses reasonably related to the abatement of conditions which violate  
5 County Land Use Ordinances, and shall include, but not be limited to, enforcement, investigation,  
6 collection and administrative costs, attorneys fees, and the costs associated with the removal or  
7 correction of the violation.” Reasonable abatement costs accrued by the Code Enforcement

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1 Department will be recoverable from OWNER even if THE PROPERTY is brought into  
2 compliance within ninety (90) days of the date of this Order to Abate Nuisance.

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

COUNTY OF RIVERSIDE

By \_\_\_\_\_  
Jeff Stone  
Chairman, Board of Supervisors

ATTEST:

KECIA HARPER-IHEM

Clerk to the Board

By  
Deputy  
(SEAL)