

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

8078



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

**SUBMITTAL DATE:**  
January 13, 2015

**SUBJECT:** Order to Abate [Excessive Outside Storage & Accumulated Rubbish]  
Case No. CV12-02557 [MARAGNO]  
Subject Property: 24246 Juniper Springs Road, Homeland  
APN: 455-210-049  
District: 5 [\$0.00]

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

1. Approve the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-02557;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-02557; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-02557.

**BACKGROUND:**

**Summary**

On December 9, 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)

GREGORY P. PRIAMOS  
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**

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

Prev. Agn. Ref.: 12/09/14; 9.4 | District: 5 | Agenda Number:

**2-19**

Departmental Concurrence

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

**FORM 11: Order to Abate [Excessive Outside Storage & Accumulated Rubbish]**

Case No. CV12-02557 [MARAGNO]

Subject Property: 24246 Juniper Springs Road, Homeland

APN: 455-210-049

District: 5 [\$0.00]

**DATE:** January 13, 2015

**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:  
Kecia Harper-Ihem, Clerk of the  
2 Board of Supervisors  
(Stop #1010)  
3  
4

5 WHEN RECORDED PLEASE MAIL TO:  
6 Michelle Cervantes, Senior Code Enforcement Officer  
Regina Keyes, Senior Code Enforcement Officer  
7 CODE ENFORCEMENT DEPARTMENT  
4080 Lemon Street, Twelfth Floor (Stop #1012)  
8 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 12-02557  
12 [EXCESSIVE OUTSIDE STORAGE AND )  
ACCUMULATION OF RUBBISH]; )  
13 APN 455-210-049, 24246 JUNIPER SPRINGS ) FINDINGS OF FACT,  
ROAD, HOMELAND, RIVERSIDE COUNTY, ) CONCLUSIONS AND ORDER TO  
14 CALIFORNIA; WILLIAM L. MARAGNO AND ) ABATE NUISANCE  
DAWN L. MARAGNO, OWNERS. )  
15 R.C.O. Nos. 348, 541 and 725  
16

17 The above-captioned matter came on regularly for hearing on December 9, 2014, 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 24246 Juniper Springs Road, Homeland, Riverside County, Assessor's Parcel  
21 Number 455-210-049 and referred to hereinafter as "THE PROPERTY."

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

24 Mr. Maragno appeared with his attorney Jeffrey Willis, but did not address the Board of  
25 Supervisors.

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

1 a public nuisance.

2 **SUMMARY OF EVIDENCE**

3 1. Documents of record in the Riverside County Recorder's Office identify the owners  
4 of THE PROPERTY as William L. Maragno and Dawn L. Maragno ("OWNERS").

5 2. Documents of title indicate that other parties appear to potentially hold a legal interest  
6 in THE PROPERTY, to wit: State of California Franchise Tax Board, State of California Board of  
7 Equalization, State of California Employment Development Department and the Internal Revenue  
8 Service (hereinafter referred to as "INTERESTED PARTIES").

9 3. THE PROPERTY was inspected by Code Enforcement Officers on March 11, 2014,  
10 June 10, 2014, July 15, 2014, August 19, 2014 and December 2, 2014.

11 4. During each inspection an accumulation of rubbish and excess outside storage was  
12 observed throughout THE PROPERTY consisting of but not limited to: broken concrete, wood,  
13 scrap metal, tires, green waste, tractor tires, building materials, roofing tiles, concrete blocks, and  
14 miscellaneous items in excess of 12,500 square feet.

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

17 6. On April 28, 2014, a Notice of Pendency of Administrative Proceedings was  
18 recorded at the Riverside County Recorder's Office as instrument number 2014-0153556.

19 7. On March 11, 2014, a Notice of Violation was posted on THE PROPERTY. On  
20 April 16, 2014, a Notice of Violation was mailed to OWNERS by certified mail with return receipt  
21 requested. On May 21, 2014, a Notice of Violation was mailed to INTERESTED PARTIES by  
22 certified mail with return receipt requested.

23 8. A "Notice to Correct County Ordinance Violations and Abate Public Nuisance"  
24 providing notice of the public hearing before the Board of Supervisors was mailed to OWNERS and  
25 INTERESTED PARTIES and was posted on THE PROPERTY.

26 **FINDINGS AND CONCLUSIONS**

27 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
28 regular session assembled on December 9, 2014, finds and concludes that:



1 owner's consent or a Court Order when necessary under applicable law.

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

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1 Department will be recoverable from OWNERS 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 \_\_\_\_\_  
Marion Ashley  
Chairman, Board of Supervisors

ATTEST:  
KECIA HARPER-IHEM  
Clerk to the Board

By  
Deputy  
(SEAL)