

FORM APPROVED COUNTY COUNSEL 1/17/15  
 BY: GREGORY P. PRIAMOS DATE

Departmental Concurrence

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

810B



**FROM:** TLMA – Code Enforcement Department

**SUBMITTAL DATE:**  
 January 13, 2015

**SUBJECT:** Abatement of Public Nuisance [Accumulated Rubbish]  
 Case No: CV12-00127 [BALDRIDGE]  
 Subject Property: 12660 Rushmore Avenue, Whitewater; APN: 523-113-011  
 District: 5. [\$0]

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

1. The accumulation of rubbish on the real property located at 12660 Rushmore Avenue, Whitewater, Riverside County, California, APN: 523-113-011 be declared a public nuisance and a violation of Riverside County Ordinance No. 541 which does not permit the accumulation of rubbish on the property.
2. Terry R. Baldrige and Cheryl Baldrige, the owners of the subject real property, be directed to abate the accumulation of rubbish on the property by removing the same from the real property within ninety (90) days.

(Continued)

*[Signature]*  
 GREG FLANNERY  
 Code Enforcement Official

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

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

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

APPROVE  
 BY: *[Signature]*  
 Tina Gracie

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

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

Prev. Agn. Ref.: \_\_\_\_\_ District: 5 Agenda Number: \_\_\_\_\_

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

**FORM 11: Abatement of Public Nuisance [Accumulated Rubbish]**

**Case No: CV12-00127 [BALDRIDGE]**

**Subject Property: 12660 Rushmore Avenue, Whitewater; APN: 523-113-011**

**District: 5/5**

**DATE:** January 13, 2015

**PAGE:** 2 of 3

**RECOMMENDED MOTION (continued):**

3. If the owners or whoever has possession or control of the real property do not take the above described action within ninety (90) days of the date of the Board's Order to Abate, that representatives of the Code Enforcement Department, Sheriff's Department, and/or a contractor, upon consent of the owner or receipt of a Court Order authorizing entry onto the real property, when necessary under applicable law, may abate the accumulation of rubbish by removing and disposing of the same from the real property.

4. The reasonable costs of abatement, after notice and an opportunity for hearing, shall be imposed as a lien on the real property, which may be collected as a special assessment against the real property pursuant to Government Code Section 25845 and Riverside County Ordinance No. 725.

5. County Counsel be directed to prepare the necessary Findings of Fact and Conclusions that the accumulation of rubbish on the real property is declared to be in violation of Riverside County Ordinance No. 541, and a public nuisance, and further, to prepare an Order to Abate for approval by the Board.

**BACKGROUND:**

1. An initial inspection was made on the subject property by Code Enforcement Officer Adam Hermanson on January 9, 2012. The inspection revealed the accumulation of rubbish on the subject property in violation of Riverside County Ordinance No. 541. The rubbish consisted of, but was not limited to: debris, furniture, trash and miscellaneous items.

2. There have been approximately 9 subsequent follow up inspections, with the last inspection occurring on November 5, 2014, which revealed the property continues to be in violation of Riverside County Ordinance No. 541.

3. Staff and the Code Enforcement Department have complied with the notice requirements set forth in the appropriate laws of this jurisdiction pertaining to the administrative abatement proceedings for the removal of accumulated rubbish.

**Impact on Citizens and Businesses**

Failure to abate will have a negative impact on citizens or businesses due to health and safety hazards, nuisance, and potential impact on real estate values.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

N/A

**Contract History and Price Reasonableness**

N/A

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**ATTACHMENTS**

Exhibits A-G