

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

1038



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

**SUBMITTAL DATE:**  
April 15, 2015

**SUBJECT:** Order to Abate [Accumulated Rubbish]  
Case No. CV12-01015 [RUSSELL]  
Subject Property: 1 Lot South of 12892 Balsam Circle, San Geronio; APN: 517-153-011  
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. CV12-01015;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-01015; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-01015.

**BACKGROUND:**

**Summary**

On March 24, 2015, 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 (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	\$	\$	\$	\$	

SOURCE OF FUNDS:	Budget Adjustment:
	For Fiscal Year:

**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.: 03/24/15; 9.3 | District: 5 | Agenda Number:

2-9

Departmental Concurrence

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**  
**FORM 11: Order to Abate [Accumulated Rubbish];**  
**Case No. CV12-01015 [RUSSELL]**  
**Subject Property: 1 Lot South of 12892 Balsam Circle, San Geronio**  
**APN: 517-153-011**  
**District: 5 [\$0.00]**

**DATE:** April 15, 2015

**PAGE:** 2 of 2

**BACKGROUND:**

**Summary (continued)**

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.

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

[EXEMPT GC §§ 6103 and 27383]

8  
9 **BOARD OF SUPERVISORS**  
**COUNTY OF RIVERSIDE**  
10

11 IN RE ABATEMENT OF PUBLIC NUISANCE: ) CASE NO. CV 12-01015  
[ACCUMULATION OF RUBBISH]; )  
12 APN 517-153-011, 1 LOT SOUTH OF 12892 ) FINDINGS OF FACT,  
BALSAM CIRCLE, SAN GORGONIO, ) CONCLUSIONS AND ORDER TO  
13 RIVERSIDE COUNTY, CALIFORNIA; ) ABATE NUISANCE  
14 RAYMOND L. RUSSELL and R.L. RUSSELL, ) R.C.O. Nos. 541 and 725  
OWNERS. )  
15  
16

17 The above-captioned matter came on regularly for hearing on March 24, 2015, 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 as 1 Lot South of 12892 Balsam Circle, San Gorgonio, Riverside County,  
21 California and further described as Assessor's Parcel Number 517-153-011 referred to hereinafter as  
22 "THE PROPERTY."

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

25 Owners did not appear.

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

1 **SUMMARY OF EVIDENCE**

2 1. Documents of record in the Riverside County Recorder's Office identify the  
3 OWNERS of THE PROPERTY as Raymond L. Russell and R.L. Russell ("OWNERS").

4 2. Documents of title indicate that another party may potentially hold a legal interest in  
5 THE PROPERTY, to wit: Lake Hemet Municipal Water District ("INTERESTED PARTY").

6 3. THE PROPERTY was inspected by Code Enforcement Officers on February 22, 2012  
7 and on eleven (11) additional occasions, the last being March 12, 2015.

8 4. During each inspection, an accumulation of rubbish was observed on THE  
9 PROPERTY. The rubbish consisted of, but was not limited to: scrap wood, siding, a tire and  
10 miscellaneous items.

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

13 6. A Notice of Pendency of Administrative Proceedings was recorded in the Office of  
14 the County Recorder, County of Riverside, State of California on September 26, 2013, as instrument  
15 number 2013-0466414.

16 7. On February 22, 2012, August 28, 2014, and November 19, 2014, a Notice of  
17 Violation was posted on THE PROPERTY. On August 27, 2014, a Notice of Violation was mailed  
18 to OWNERS by certified mail, return receipt requested. On November 19, 2014, a Notice of  
19 Violation was mailed to INTERESTED PARTY by certified mail, return receipt requested.

20 8. A "Notice to Correct County Ordinance Violations and Abate Public Nuisance"  
21 providing notice of the public hearing before the Board of Supervisors on March 24, 2015, was  
22 mailed to OWNERS and was posted on THE PROPERTY.

23 **FINDINGS AND CONCLUSIONS**

24 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
25 regular session assembled on March 24, 2015, finds and concludes that:

26 1. WHEREAS, the accumulation of rubbish on the real property located at 1 Lot South  
27 of 12892 Balsam Circle, San Geronio, Riverside County, California, also identified as Assessor's  
28 Parcel Number 517-153-011 violates Riverside County Ordinance No. 541 and constitutes a public



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.  
4

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

COUNTY OF RIVERSIDE

6

7

By \_\_\_\_\_  
Marion Ashley  
Chairman, Board of Supervisors

8

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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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