

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

712B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
August 5, 2015

SUBJECT: Order to Abate [Excessive Outside Storage & Accumulated Rubbish]
Case No. CV 12-00102 [VALOV]
Subject Property: 1 Parcel West of 23121 Lopez Street, Perris
APN: 326-150-003
District: 1 [\$0.00]


RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-00102;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-00102; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-00102.

BACKGROUND:

Summary

On June 30, 2015, 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 type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$	\$	\$	\$	

SOURCE OF FUNDS:

Budget Adjustment: _____
For Fiscal Year: _____

C.E.O. RECOMMENDATION:

APPROVE

BY: 
Alex Gann

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Prev. Agn. Ref.: 06/30/15; 9.3 | District: 1 | Agenda Number:

2-33

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. CV12-00102 [VALOV]
Subject Property: 1 Parcel West of 23121 Lopez Street, Perris;
APN: 326-150-003
District: 1 [\$0.00]

DATE: August 5, 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:
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
9 4080 Lemon Street, Twelfth Floor (Stop #1012)
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 12-00102
14 [EXCESSIVE OUTSIDE STORAGE AND)
15 ACCUMULATION OF RUBBISH];) FINDINGS OF FACT,
16 APN 326-150-003, 1 PARCEL WEST OF 23121) CONCLUSIONS AND ORDER TO
17 LOPEZ STREET, PERRIS, RIVERSIDE) ABATE NUISANCE
18 COUNTY, CALIFORNIA; WILLIAM F. VALOV,)
19 OWNER.) R.C.O. Nos. 348, 541 and 725
20)
21)
22)

23 The above-captioned matter came on regularly for hearing on June 30, 2015, before the Board
24 of Supervisors of the County of Riverside, State of California in the Board Room, First Floor Annex,
25 County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real property
26 described as 1 Parcel West of 23121 Lopez Street, Perris, Riverside County, Assessor's Parcel
27 Number 326-150-003 and referred to hereinafter as "THE PROPERTY."

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

Owner did not appear.

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

SUMMARY OF EVIDENCE

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1. Documents of record in the Riverside County Recorder's Office identify the owner of THE PROPERTY as William F. Valov ("OWNER").

2. Documents of title indicate that no other parties potentially hold a legal interest in THE PROPERTY.

3. THE PROPERTY was inspected by Code Enforcement Officers on January 9, 2013, and on twelve (12) subsequent follow up inspections, with the last inspection being June 23, 2015.

4. During each inspection an accumulation of rubbish and excess outside storage was observed throughout THE PROPERTY consisting of but not limited to: damaged household items and scrap metal, in excess of 900 square feet.

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

6. On August 6, 2013, a Notice of Pendency of Administrative Proceedings was recorded at the Riverside County Recorder's Office as instrument number 2013-0381490.

7. On January 9, 2013, a Notice of Violation was posted on THE PROPERTY. On January 11, 2013, a Notice of Violation was mailed to OWNER by first class mail.

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

FINDINGS AND CONCLUSIONS

WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on June 30, 2015, finds and concludes that:

1. WHEREAS, the excessive outside storage of materials and accumulation of rubbish on the real property located at 1 Parcel West of 23121 Lopez Street, Perris, Riverside County, California, also identified as Assessor's Parcel Number 326-150-003 violates Riverside County Ordinance Nos. 348 and 541 and constitutes a public nuisance.

2. WHEREAS, the OWNER, occupants and any other person having possession or control of THE PROPERTY shall abate the accumulation of rubbish and excessive outside storage of

1 materials by removing and disposing of all rubbish and excessive outside storage on THE
2 PROPERTY in strict accordance with all Riverside County Ordinances, including but not limited to
3 Riverside County Ordinance Nos. 348 and 541 within ninety (90) days.

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

8 **ORDER TO ABATE NUISANCE**

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

15 IT IS FURTHER ORDERED that if the accumulation of rubbish and excessive outside
16 storage of materials is not removed and disposed of in strict accordance with all Riverside County
17 Ordinances, including but not limited to Riverside County Ordinance Nos. 348 and 541 within ninety
18 (90) days of the date of this Order to Abate Nuisance, the accumulation of rubbish and excessive
19 outside storage of materials may be abated and disposed of by representatives of the Riverside
20 County Code Enforcement Department, a contractor or the Sheriff's Department upon receipt of an
21 owner's consent or a Court Order 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. 348, 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 OWNER even if THE PROPERTY is brought into compliance
3 within ninety (90) days of the date of this Order to Abate Nuisance.

4
5 Dated: _____

COUNTY OF RIVERSIDE

6
7 By _____
8 Marion Ashley
9 Chairman, Board of Supervisors

10 ATTEST:
11 KECIA HARPER-IHEM
12 Clerk to the Board

13 By
14 Deputy
15 (SEAL)
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