

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



506 B

FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
January 20, 2016

SUBJECT: Order to Abate [Excessive Outside Storage & Accumulated Rubbish]
Case No. CV13-03799 [PERRYMAN]
Subject Property: Parcel East of 68190 St. Moritz Drive, Pinyon Pines
APN: 635-262-015
District: 3


RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Findings of Fact, Conclusions and Order to Abate in Case No. CV13-03799;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV13-03799; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV13-03799.

BACKGROUND:

Summary

On December 15, 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 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

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

Prev. Agn. Ref.: 12/15/15; 9.22

District: 3

Agenda Number:

2-7

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

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

Case No. CV13-03799 [PERRYMAN]

Subject Property: Parcel East of 68190 St. Moritz Drive, Pinyon Pines

APN: 635-262-015

District: 3

DATE: January 19, 2016

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

CV13-03799

Parcel East of 68190 St. Moritz Drive, Pinyon Pines APN: 635-262-015



Legend

- TBM Page
- TBM Grid
- City Boundaries
- Cities
- roads
- highways
- HWY
- INTERCHANGE
- INTERSTATE
- OFFRAMP
- ONRAMP
- USHWY
- counties
- cities
- hydrographylines
- waterbodies
- Lakes
- Rivers

IMPORTANT Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

Notes
Thomas Bros., Page 907
Grid E4



0 624 1,249 Feet



REPORT PRINTED ON... 8/5/2015 1:10:48 PM

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1 RECORDING REQUESTED BY:
2 Kecia Harper-Ihem, Clerk of the
3 Board of Supervisors
4 (Stop #1010)
5

6 WHEN RECORDED PLEASE MAIL TO:
7 Michelle Cervantes, Senior Code Enforcement Officer
8 Regina Keyes, Senior Code Enforcement Officer
9 CODE ENFORCEMENT DEPARTMENT
10 4080 Lemon Street, Twelfth Floor (Stop #1012)
11 Riverside, CA 92501

[EXEMPT GC §§ 6103 and 27383]

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**BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE**

IN RE ABATEMENT OF PUBLIC NUISANCE:) CASE NO. CV 13-03799
[EXCESSIVE OUTSIDE STORAGE AND)
ACCUMULATION OF RUBBISH];) FINDINGS OF FACT,
APN 635-262-015, PARCEL EAST OF 68190 ST.) CONCLUSIONS AND ORDER TO
MORITZ DRIVE, PINYON PINES, RIVERSIDE) ABATE NUISANCE
COUNTY, CALIFORNIA; LARRY RICHARD)
PERRYMAN, OWNER.) R.C.O. Nos. 348, 541 and 725
)
)
)

The above-captioned matter came on regularly for hearing on December 15, 2015, before the Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real property described Parcel East of 68190 St. Mortiz Drive, Pinyon Pines, Riverside County, Assessor's Parcel Number 635-262-015 and referred to hereinafter as "THE PROPERTY."

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 appeared but did not address the Board of Supervisors.

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 ("RCO") Nos. 348 and 541 and as 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 Larry Richard Perryman ("OWNER").

4 2. Documents of title indicate that other parties may potentially hold a legal interest in
5 THE PROPERTY, to wit: Rita A. Deam and Larry Richard Perryman, LLC, a Nevada Limited
6 Liability Company ("INTERESTED PARTIES").

7 3. THE PROPERTY was inspected by Code Enforcement Officers on January 29, 2014
8 and on six (6) subsequent follow up inspections, with the last being December 8, 2015.

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: wood, barrels, scrap metal,
11 appliances, furniture, boxes and miscellaneous items, of about 2,000 square feet.

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

14 6. On September 24, 2014, a Notice of Pendency of Administrative Proceedings was
15 recorded at the Riverside County Recorder's Office as instrument number 2014-0361693 and on July
16 30, 2015, as Instrument No. 2015-0340331.

17 7. On May 11, 2015, a Notice of Violation was posted on THE PROPERTY. On May 7,
18 2015, a Notice of Violation was mailed to OWNER and INTERESTED PARTIES by certified mail,
19 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 was mailed to OWNER and
22 INTERESTED PARTIES 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 December 15, 2015, finds and concludes that:

26 1. WHEREAS, the excessive outside storage of materials and accumulation of rubbish
27 on the real property located at Parcel East of 68190 St. Moritz Drive, Pinyon Pines, Riverside
28 County, California, also identified as Assessor's Parcel Number 635-262-015 violates RCO 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 materials by removing and disposing of all rubbish and excessive outside storage on THE PROPERTY in strict accordance with all Riverside County Ordinances, including but not limited to RCO Nos. 348 and 541 within ninety (90) days.

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

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

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

IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special assessment against THE PROPERTY pursuant to Government Code section 25845 and RCO Nos.

1 348, 541, and 725. Under RCO No. 725, "abatement costs" means "any costs or expenses
2 reasonably related to the abatement of conditions which violate County Land Use Ordinances, and
3 shall include, but not be limited to, enforcement, investigation, collection and administrative costs,
4 attorneys fees, and the costs associated with the removal or correction of the violation." Reasonable
5 abatement costs accrued by the Code Enforcement Department will be recoverable from OWNER
6 even if THE PROPERTY is brought into compliance within ninety (90) days of the date of this
7 Order to Abate Nuisance.

8
9 Dated: _____

COUNTY OF RIVERSIDE

10
11 By _____
12 Marion Ashley
Chairman, Board of Supervisors

13 ATTEST:

14 KECIA HARPER-IHEM

15 Clerk to the Board

16
17 By

18 Deputy

19 (SEAL)