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



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

**SUBMITTAL DATE:**  
May 25, 2016

**SUBJECT:** Order to Abate [Excessive Outside Storage & Accumulated Rubbish]  
Case No. CV14-03378 [ESTATE OF EDWARDS]  
Subject Property: 1 Lot West of 63655 Paseo Yucca Vista, Desert Hot Springs  
APN: 664-250-020  
District: 5 [\$0]

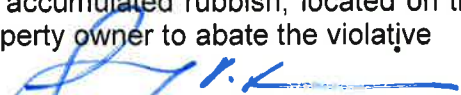
**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the Findings of Fact, Conclusions and Order to Abate in Case No. CV14-03378;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV14-03378; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV14-03378.

**BACKGROUND:**

**Summary**

On April 26, 2016, 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**

Positions Added

Change Order

A-30

4/5 Vote

Prev. Agn. Ref.: 04/26/16; 9.6

District: 5

Agenda Number:

2-10

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. CV14-03378 [ESTATE OF EDWARDS]

Subject Property: 1 Lot West of 63655 Paseo Yucca Vista, Desert Hot Springs

APN: 664-250-020

District: 5 [\$0]

**DATE:** May 25, 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

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 14-03378  
12 [EXCESSIVE OUTSIDE STORAGE AND )  
ACCUMULATION OF RUBBISH]; )  
13 APN 664-250-020, 1 LOT WEST OF 63655 ) FINDINGS OF FACT,  
PASEO YUCCA VISTA, RIVERSIDE COUNTY, ) CONCLUSIONS AND ORDER TO  
14 CALIFORNIA; ESTATE OF EDWARDS, ) ABATE NUISANCE  
OWNER. )  
15 ) R.C.O. Nos. 348, 541 and 725  
16 )

17 The above-captioned matter came on regularly for hearing on April 26, 2016, 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 West of 63655 Paseo Yucca Vista, Desert Hot Springs, Riverside  
21 County, Assessor's Parcel Number 664-250-020 and referred to hereinafter as "THE PROPERTY."

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

24 An interested party, Brian Edwards, appeared but did not address the Board of Supervisors.

25 The Board of Supervisors received the Declaration of the Code Enforcement Officer together  
26 with attached Exhibits, evidencing the excessive outside storage of materials and accumulation of  
27 rubbish on THE PROPERTY as violations of Riverside County Ordinance ("RCO") Nos. 348 and  
28 541 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 Estate of Jane A. Edwards (“OWNER”).

4 2. Documents of title indicate that other parties appear to potentially hold a legal interest  
5 in THE PROPERTY, to wit: Jane A. Edwards, Trustee of the Jane A. Edwards Trust dated May 29,  
6 1986 and Brian Edwards (hereinafter referred to as “INTERESTED PARTIES”).

7 3. THE PROPERTY was inspected by Code Enforcement Officers on November 14,  
8 2014, and on five (5) subsequent follow up inspections, with the last being April 21, 2016.

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: garage doors, spent building  
11 materials and building materials of about 13,068 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 March 24, 2015, a Notice of Pendency of Administrative Proceedings was  
15 recorded at the Riverside County Recorder’s Office as instrument number 2015-0117270.

16 7. On November 14, 2014, a Notice of Violation was posted on THE PROPERTY. On  
17 January 13, 2015, a Notice of Violation was mailed to OWNER and INTERESTED PARTY Brian  
18 Edwards by certified mail, return receipt requested, and was posted on THE PROPERTY on January  
19 21, 2015.

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 April 26, 2016, finds and concludes that:

26 1. WHEREAS, the excessive outside storage of materials and accumulation of rubbish  
27 on the real property located at 1 Lot West of 63655 Paseo Yucca Vista, Desert Hot Springs,  
28 Riverside County, California, also identified as Assessor's Parcel Number 664-250-020 violates RCO

1 Nos. 348 and 541 and constitutes a public nuisance.

2 2. WHEREAS, the OWNER, occupants and any other person having possession or  
3 control of THE PROPERTY shall abate the accumulation of rubbish and excessive outside storage of  
4 materials by removing and disposing of all rubbish and excessive outside storage on THE  
5 PROPERTY in strict accordance with all Riverside County Ordinances, including but not limited to  
6 RCO Nos. 348 and 541 within ninety (90) days.

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

12 **ORDER TO ABATE NUISANCE**

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

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

26 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity  
27 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special  
28 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 John J. Benoit  
Chairman, Board of Supervisors

13 ATTEST:  
14 KECIA HARPER-IHEM  
15 Clerk to the Board

16  
17 By  
18 Deputy  
19 (SEAL)  
20  
21  
22  
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28