

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

504 B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
August 31, 2016

SUBJECT: Order to Abate [Excessive Outside Storage & Accumulated Rubbish]
Case No. CV15-02386 [HISPANIC INTERNATIONAL GROUP, LLC]
Subject Property: 1 Lot East of 16450 Newport Blvd., Desert Hot Springs
APN: 654-260-001
District: 4 [\$0]

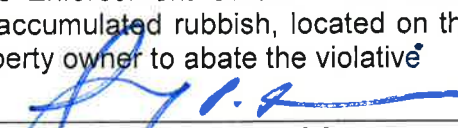
RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Findings of Fact, Conclusions and Order to Abate in Case No. CV15-02386;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV15-02386; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV15-02386.

BACKGROUND:

Summary

On July 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.: 07/26/16; 9.2 | District: 4 | 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. CV15-02386 [HISPANIC INTERNATIONAL GROUP, LLC]

Subject Property: 1 Lot East of 16450 Newport Blvd., Desert Hot Springs

APN: 654-260-001

District: 4 [\$0]

DATE: August 31, 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, Supervising 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 15-02386
12 [EXCESSIVE OUTSIDE STORAGE AND)
ACCUMULATION OF RUBBISH];)
13 APN 654-260-001, 1 LOT EAST OF 16450) FINDINGS OF FACT,
NEWPORT BLVD., DESERT HOT SPRINGS,) CONCLUSIONS AND ORDER TO
14 RIVERSIDE COUNTY, CALIFORNIA;) ABATE NUISANCE
HISPANIC INTERNATIONAL GROUP, LLC,) R.C.O. Nos. 348, 541 and 725
15 OWNER.)
16

17 The above-captioned matter came on regularly for hearing on July 26, 2016, before the Board
18 of Supervisors of the County of Riverside, State of California in the Board Room, First Floor Annex,
19 County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real property
20 described 1 Lot East of 16450 Newport Blvd., Desert Hot Springs, Riverside County, Assessor's
21 Parcel Number 654-260-001 and referred to hereinafter as "THE PROPERTY."

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

24 Owner did not appear.

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 Hispanic International Group, LLC (“OWNER”).

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

6 3. THE PROPERTY was inspected by Code Enforcement Officers on November 23,
7 2015, and on five (5) subsequent follow up inspections, with the last being July 18, 2016.

8 4. During each inspection an accumulation of rubbish and excess outside storage were
9 observed throughout THE PROPERTY consisting of but not limited to: personal items, construction
10 materials, tools, tool boxes, furniture, metal and plastic products, scrap construction materials,
11 clothing and approximately 25 scrap tires, of about 2,025 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 December 23, 2015, a Notice of Pendency of Administrative Proceedings was
15 recorded at the Riverside County Recorder’s Office as instrument number 2015-0554535.

16 7. On November 23, 2015, a Notice of Violation was posted on THE PROPERTY. On
17 December 3, 2015, a Notice of Violation was mailed to OWNER by first class mail and by certified
18 mail, return receipt requested. On June 23, 2015 and July 10, 2015, a Notice of Violation was
19 mailed to OWNER by first class mail.

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 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 July 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 East of 16450 Newport Blvd., Desert Hot Springs, Riverside
28 County, California, also identified as Assessor's Parcel Number 654-260-001 violate RCO Nos. 348

1 and 541 and constitute 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 IS HEREBY FURTHER NOTICED that the time within
8 which judicial review of the administrative determinations made herein must be sought is ninety (90)
9 days from the posting and mailing of the Findings of Fact, Conclusions and Order to Abate
10 Nuisance, and is governed by California Code of Civil Procedure Section 1094.6.

11 **ORDER TO ABATE NUISANCE**

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

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

25 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity
26 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special
27 assessment against THE PROPERTY pursuant to Government Code section 25845 and RCO Nos.
28 348, 541, and 725. Under RCO No. 725, "abatement costs" means "any costs or expenses

1 reasonably related to the abatement of conditions which violate County Land Use Ordinances, and
2 shall include, but not be limited to, enforcement, investigation, collection and administrative costs,
3 attorneys fees, and the costs associated with the removal or correction of the violation.” Reasonable
4 abatement costs accrued by the Code Enforcement Department will be recoverable from OWNER
5 even if THE PROPERTY is brought into compliance within ninety (90) days of the date of this
6 Order to Abate Nuisance.

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Dated: _____

COUNTY OF RIVERSIDE

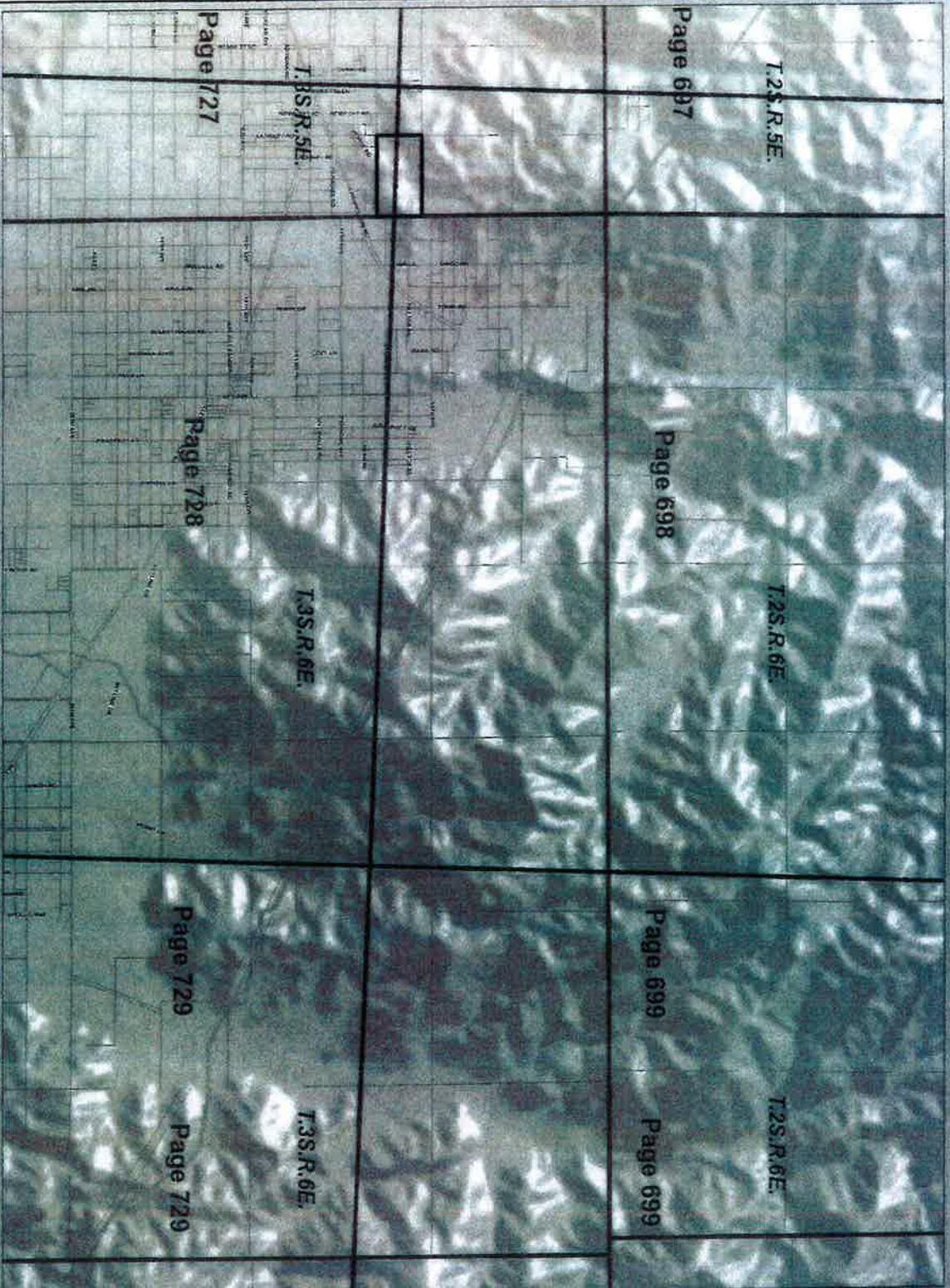
By _____
John J. Benoit
Chairman, Board of Supervisors

ATTEST:
KECIA HARPER-IHEM
Clerk to the Board

By
Deputy
(SEAL)

CV15-02386

1 Lot East of 16450 Newport, Desert Hot Springs APN: 654-260-001



Legend

- TBM Page
- Townships
- City Boundaries
- Cities
- highways_large
- HWY
- INTERCHANGE
- INTERSTATE
- USHWY
- majorroads
- counties
- cities
- hydrography/lines
- waterbodies
- Lakes
- Rivers

Notes

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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.



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