

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



1.1

On motion of Supervisor Tavaglione, seconded by Supervisor Buster and duly carried by unanimous vote, IT WAS ORDERED, FOUND AND DETERMINED that the following ordinances were duly published:

ORDINANCE

DATE

NEWSPAPER

No. 520.8

December 19, 2009

The Press-Enterprise

No. 348.4676

December 30, 2009

The Press-Enterprise

I hereby certify that the foregoing is a full, true and correct copy of an order made and entered on January 26, 2010 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors

Dated: January 26, 2010

Kecia Harper-Ihem, Clerk of the Board of Supervisors, in and for the County of Riverside, State of California.

(seal)

By: Kam Patton, Deputy

AGENDA NO.

1.1

ATTACHMENTS FILED WITH
THE CLERK OF THE BOARD

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

THE PRESS-ENTERPRISE

3450 Fourteenth Street
Riverside CA 92501-3878
951-684-1200
951-368-9018 FAX

PROOF OF PUBLICATION
(2010, 2015.5 C.C.P.)

Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Adoption of Ord. 520.8

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper of general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673 and under date of August 25, 1995, Case Number 267864; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

12-19-09

I Certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: Dec. 19, 2009

At: Riverside, California

BOARD OF SUPERVISORS

P.O. BOX 1147
COUNTY OF RIVERSIDE
RIVERSIDE CA 92502

Ad #: 10103819

PO #:

Agency #: _____

Ad Copy:

BOARD OF SUPERVISORS OF THE COUNTY OF
RIVERSIDE, STATE OF CALIFORNIA
ORDINANCE NO. 520.8
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE NO. 520 RELATING TO
ABANDONMENT AND REMOVAL OF
ABANDONED VEHICLES

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. Subsection a. of Section 1. of Ordinance No. 520 is amended to read as follows:

"a. The term "vehicle" means a device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved by human power or used exclusively upon stationary rails or tracks, and includes trailers designed for carrying persons or property on its own structure and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon any other vehicle."

Section 2. A new subsection d. is added to Section 1. of Ordinance 520 to read as follows:

"d. The term "abandoned vehicle" means any vehicle left in such inoperable or neglected condition that the owner's intent to relinquish all further rights or interests in it may be reasonably concluded."

Section 3. A new subsection e. is added to Section 1. of Ordinance 520 to read as follows:

"e. The term "wrecked vehicle" means any vehicle that is damaged to such an extent that it cannot be safely operated upon a highway."

Section 4. A new subsection f. is added to Section 1. of Ordinance 520 to read as follows:

"f. The term "dismantled vehicle" means any vehicle that is partially or wholly disassembled."

Section 5. A new subsection g. is added to Section 1. of Ordinance 520 to read as follows:

"g. The term "inoperable vehicle" means any vehicle that is in a condition that renders it unsafe for operation upon a highway, or in which such operation upon a highway would violate the Vehicle Code or any other law or regulation related to the operation of vehicles upon a highway in the County of Riverside or State of California."

Section 6. A new subsection h. is added to Section 1. of Ordinance 520 to read as follows:

"h. The term "part" includes, but is not limited to, any item, device, component, frame, bumper, wheel or glass associated with a vehicle as described herein."

Section 7. Section 6. of Ordinance No. 520 is amended to read as follows:

Section 6. Upon discovery of an abandoned, wrecked, dismantled or inoperable vehicle or part thereof, the Director of Code Enforcement or his designee may issue a ten (10) day notice of intention to abate and remove the vehicle or part thereof as a public nuisance. The notice shall be mailed, by registered or certified mail, to the owner of the land as shown on the last equalized assessment roll and to the last registered and legal owner of record, unless the vehicle is in such condition that identification numbers are not available to determine ownership. The notice shall contain a statement of hearing rights of the owner of the property on which the vehicle or part is located and of the owner of the vehicle. The statement shall include notice to the property owner that he may appear in person at a hearing or may submit a sworn written statement denying responsibility for the presence of the vehicle or part on the land, with his reasons for such denial, in lieu of appearing.

A notice of intention to abate shall not be required if: (1) the property owner and the owner of the vehicle have signed releases authorizing removal and waiving further interest in the vehicle or part thereof, or (2) all the following conditions are satisfied:

- (a) the vehicle or part thereof is inoperable due to the absence of a motor, transmission, or wheels and is incapable of being towed;
- (b) the vehicle or part thereof is valued at less than two hundred dollars (\$200.00) by the Director of Code Enforcement or his designee;
- (c) the Director of Code Enforcement or his designee has determined that the vehicle or part thereof is a public nuisance presenting an immediate threat to public health and safety;
- (d) the property owner has signed a release authorizing the removal and waiving further interest in the vehicle or part thereof; and
- (e) the vehicle is located upon a parcel that is either zoned for agricultural use or is not improved with a residential structure containing one or more dwelling units.

If a vehicle is removed pursuant to subdivision (2), prior to final disposition, the registered or legal owner shall be notified of the intent to dispose of the vehicle or part thereof. If the vehicle or part thereof is not claimed and removed from the scrapyard, automobile dismantler's yard or public disposal area within twelve (12) days after the notice to dispose of vehicle is mailed, final disposition may proceed."

Section 8. Section 7. of Ordinance No. 520 is amended to read as follows:

"Section 7. Upon a timely request by the owner of the property on which the vehicle is located or the owner of the vehicle, a public hearing shall be held on the question of abatement and removal of the vehicle or part thereof as an abandoned, wrecked, dismantled, or inoperative vehicle. This request shall be made in writing to the Code Enforcement Department within

ten (10) days after the mailing of the notice of intention to abate and remove the vehicle or part thereof. If the owner of the property on which the vehicle is located submits a sworn statement denying responsibility for the presence of the vehicle on his land within such time period, this statement shall be construed as a request for a hearing which does not require the presence of the property owner. If the request for a hearing is not received within such a period, the Code Enforcement Department, its employees or designees shall have the authority to remove or cause removal of the vehicle or part.

Section 9. Section 8. of Ordinance No. 520 is amended to read as follows:

"Section 8. All hearings under this Ordinance shall be held before the Board of Supervisors or any other board, commissioner, or County official as designated by the Board of Supervisors, who shall hear all relevant facts and testimony. The facts and testimony may include evidence on the condition of the vehicle or part thereof and the circumstances concerning its location on private or public property. The hearing body or officer shall not be limited by the technical rules of evidence. The owner of the vehicle or the owner of the land on which the vehicle is located may appear in person at the hearing or present a written statement in time for consideration of the hearing, and deny responsibility for the presence of the vehicle on the land, with his reasons for such denial.

The hearing body or officer shall determine whether the violation set forth in the notice of intention to abate and remove the vehicle or part thereof existed at the time of the issuance of the notice. If the hearing body or officer determines that the violation existed at the time of the issuance of the notice, and that the violation has not subsequently been remediated or abated, then the hearing body or officer may order any vehicle or part thereof subject to the notice removed pursuant to Section 10. The order requiring removal shall include a description of the vehicle or part thereof and the correct identification number and license number of the vehicle, if available.

If an interested party makes a written representation to the hearing body or officer but does not appear, he shall be notified in writing of the decision.

If it is determined at the hearing that the vehicle was placed on the land without the consent of the landowner and that he or she has not subsequently acquiesced to its presence, then the costs of administration or removal of the vehicle shall not be assessed against the property owner upon which the vehicle is located nor shall attempts otherwise be made to collect costs from the owner.

Notice of hearing before the hearing body or officer shall be given to the property owner and owner of the vehicle as set forth in Section 7 and such notice shall be given no less than fifteen (15) days prior to the date set for such hearing.

Section 10. Section 9. of Ordinance No. 520 is amended to read as follows:

"Section 9. If the Board of Supervisors has designated hearing authority to any other board, commissioner, or County official pursuant to Section 8, then any interested party may appeal the decision by filing a written notice of appeal with the designated board, commission, or County official within ten (10) days after a written decision. Such appeal shall be heard by the Board of Supervisors which may affirm, amend or reverse the decision or take any other action deemed appropriate. In conducting the hearing, the Board of Supervisors shall not be limited by the technical rules of evidence.

Notice of hearing before the Board of Supervisors shall be given to the property owner and owner of the vehicle as set forth in Section 7 and such notice shall be given no less than fifteen (15) days prior to the date set for such hearing."

Section 11. Section 10. of Ordinance No. 520 is amended to read as follows:

"Section 10. The Director of Code Enforcement or his designated subordinate may, after the time to appeal any order declaring the vehicle or part thereof to be a public nuisance and authorizing removal has expired, dispose of the vehicle or part thereof by removal to a scrapyard or automobile dismantler's yard. If such commercial channels are not available or are inadequate, the vehicle or part may be disposed of at any public disposal area which will accept the same. After a vehicle has been removed, it shall not thereafter be reconstructed or made operable, unless it is a vehicle which qualifies for either horseless carriage license plates or historical license plates, pursuant to Section 5004 of the Vehicle Code, in which case the vehicle may be reconstructed and made operable. Within 5 days after the date of removal of a vehicle or part thereof, notice shall be given to the Department of Motor Vehicles identifying the vehicle or part thereof and any evidence of registration available, including, but not limited to, the registration card, certificates of ownership, or license plates."

Section 12. Section 11. of Ordinance No. 520 is amended to read as follows:

"Section 11. If the administrative costs, including attorneys fees, and the costs of removal which are charged against the owner of a parcel of land pursuant to this Ordinance are not paid within thirty (30) days of the date of an order or statement to pay such costs and fees, or the final disposition of an appeal therefrom, such costs shall be assessed against the parcel of land pursuant to Section 25845 of the California Government Code and shall be transmitted to the tax collector for collection. Said assessment shall have the same priority as other county taxes."

Section 13. This amendment shall become effective thirty (30) days after adoption.

Jeff Stone, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on December

THE PRESS-ENTERPRISE

3450 Fourteenth Street
Riverside CA 92501-3878
951-684-1200
951-368-9018 FAX

**PROOF OF PUBLICATION
(2010, 2015.5 C.C.P.)**

Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: ord. no. 348.4676

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper of general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673 and under date of August 25, 1995, Case Number 267864; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

12-30-09

I Certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: Dec. 30, 2009
At: Riverside, California

BOARD OF SUPERVISORS
P.O. BOX 1147
COUNTY OF RIVERSIDE
RIVERSIDE CA 92502

Ad #: 10111978

PO #:

Agency #: _____

Ad Copy:

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

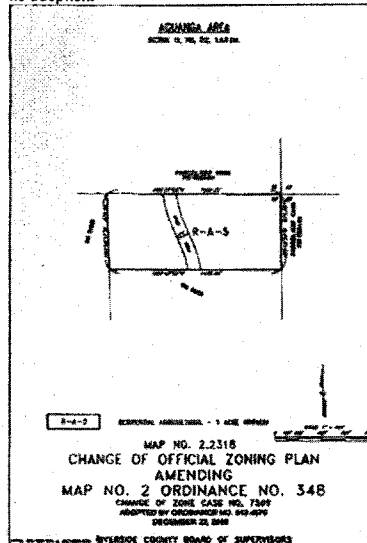
ORDINANCE NO. 348.4676

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE NO. 348 RELATING TO
ZONING**

The Board of Supervisor of the County of Riverside
Ordains as Follows:

Section 1. Sections 4.1 of Ordinance No. 348, and official Zoning Plan Map No. 2, as amended, are further amended by placing in effect in the Aguanga Area, the zone or zones as shown on the map entitled "Change of Official Zoning Plan Amending Ordinance No. 348, Map No. 2.2318, Change of Zone Case No. 7569" which map is made part of this ordinance.

Section 2. This ordinance shall take effect 30 days after its adoption.



Jeff Stone, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on December 22, 2009, the foregoing Ordinance consisting of two (2) sections was adopted by said Board by the following vote:

AYES: Buster, Tavaglione, Stone, Benoit and Ashley
NAYS: None
ABSENT: None

Kecia Harper-Ithem, Clerk of the Board
By: Cecilia Gil, Board Assistant