

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

420B



SUBMITTAL DATE:
June 30 2010

FROM: County Counsel/TLMA
Code Enforcement Department

SUBJECT: Order to Abate [Accumulation of Rubbish];
Case No.: CV 09-05922 (ZAMORA)
Subject Property: 30181 13TH Street, Nuevo
APN 427-041-003
District Five

Departmental Concurrence

RECOMMENDED MOTION: Move that

- (1) The Findings of Fact, Conclusions and Order to Abate in Case No. CV 09-05922 be approved;
- (2) The Chairman of the Board of Supervisors be authorized to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV 09-05922; and
- (3) The Clerk of the Board of Supervisors be authorized to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV 09-05922.

BACKGROUND:

On June 15, 2010, this Board received the Declaration of the Code Enforcement Officer in the above-referenced matter. At the conclusion of the hearing, this Board declared the accumulation of rubbish located on the subject property to be a public nuisance. The Board ordered the property owner to abate the violative conditions on the property and directed County Counsel to prepare the Findings of Fact, Conclusion and Order to Abate.

L. Alexandra Fong

L. ALEXANDRA FONG, Deputy County Counsel
for PAMELA J. WALLS, County Counsel

FINANCIAL DATA	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	N/A

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: *Tina Grande*
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: July 13, 2010
xc: Co.Co.(3); Recorder

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*
Deputy

Prev. Agn. Ref.: 06/15/10; 9.4 | District: 5 | Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

2.9

Dept't Recomm.: Policy
 Per Exec. Ofc.: Policy
 Consent: Policy
 X Consent

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



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5 WHEN RECORDED PLEASE MAIL TO:
6 L. Alexandra Fong, Deputy County Counsel
7 County of Riverside
8 OFFICE OF COUNTY COUNSEL
9 3960 Orange Street, Fifth Floor (Stop #1350)
10 Riverside, CA 92501

EXEMPT '6103

11 **BOARD OF SUPERVISORS**
12 **COUNTY OF RIVERSIDE**

C
508

11 IN RE ABATEMENT OF PUBLIC NUISANCE:) CASE NO. CV 09-05922
 12 [ACCUMULATION OF RUBBISH]; APN 427-)
 13 041-003, 30181 13th STREET, NUEVO,) FINDINGS OF FACT,
 14 RIVERSIDE COUNTY, CALIFORNIA; MARIO) CONCLUSIONS AND ORDER TO
 15 ZAMORA AND MAURICIO ZAMORA,) ABATE NUISANCE
 16 OWNERS.)
 17) [R.C.O. Nos. 541 (RCC Chapter 8.120)
 18) and 725 (RCC Title 1)]

16 The above-captioned matter came on regularly for hearing on June 15, 2010, before the Board
17 of Supervisors of the County of Riverside, State of California in the Board Room, First Floor Annex,
18 County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real property
19 described as 30181 13th Street, Nuevo, Riverside County, and further described as Assessor's Parcel
20 Number 427-041-003 referred to hereinafter as "THE PROPERTY."

21 L. Alexandra Fong, Deputy County Counsel, appeared along with Brian Black, Supervising
22 Code Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

23 Owners did not appear.

24 The Board of Supervisors received the Declaration of Code Enforcement Officer together
25 with the attached exhibits, evidencing the accumulation of rubbish on THE PROPERTY as a public
26 nuisance and violation of Riverside County Ordinance No. 541, as codified in Riverside County Code
27 Chapter 8.120.

28 ///

1 **SUMMARY OF EVIDENCE**

2 1. Documents of record in the Riverside County Recorder's Office identify the
3 OWNERS of THE PROPERTY as Mario Zamora and Mauricio Zamora ("OWNERS").

4 2. Documents of title indicate that other parties may potentially hold a legal interest in
5 THE PROPERTY, to-wit: San Diego County Department of Child Support Services, Los Angeles
6 Department of Child Support Services, Eastern Municipal Water District and Monterey County
7 Department of Child Support Services ("INTERESTED PARTIES").

8 3. THE PROPERTY was inspected by Code Enforcement Officers on August 12, 2009,
9 September 24, 2009, February 10, 2010, May 3, 2010 and June 10, 2010.

10 4. During each inspection, an accumulation of rubbish was observed on THE
11 PROPERTY. The rubbish consisted of, but was not limited to: green waste, cardboard, mattresses,
12 trash, carpet, used and discarded house and lawn furniture and scattered litter.

13 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance
14 No. 541 (RCC Chapter 8.120) by the Code Enforcement Officer.

15 6. A Notice of Noncompliance was recorded in the Office of the County Recorder,
16 County of Riverside, State of California on September 18, 2009 as instrument number 2009-0486801.

17 7. On August 12, 2009, a Notice of Violation was posted on THE PROPERTY. On
18 September 9, 2009, a Notice of Violation was mailed by certified mail, return receipt requested to
19 OWNERS. On October 27, 2009, a Notice of Violation was mailed by certified mail, return receipt
20 requested to INTERESTED PARTIES.

21 8. On April 29, 2010, a "Notice to Correct County Ordinance Violations and Abate
22 Public Nuisance" providing notice of the public hearing before the Board of Supervisors on June 15,
23 2010 was mailed by certified mail, return receipt requested, to the OWNERS and INTERESTED
24 PARTIES and was posted on THE PROPERTY on May 3, 2010.

25 **FINDINGS AND CONCLUSIONS**

26 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in
27 regular session assembled on June 15, 2010, finds and concludes that:

28 1. WHEREAS, the accumulation of rubbish on the real property located at 30181 13th



1 Street, Nuevo, Riverside County, California, also identified as Assessor's Parcel Number 427-041-003
2 violates Riverside County Ordinance No. 541 and constitutes a public nuisance.

3 2. WHEREAS, THE OWNERS, or any person having possession or control of the
4 premises should abate the condition by removing and disposing all accumulated rubbish from the
5 subject real property in strict accordance with all Riverside County Ordinances, including but not
6 limited to Riverside County Ordinance No. 541 (RCC Chapter 8.120) within ninety (90) days.

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

12 **ORDER TO ABATE NUISANCE**

13 IT IS THEREFORE ORDERED that the accumulation of rubbish on THE PROPERTY be
14 abated by OWNERS or anyone having possession or control of THE PROPERTY, by removing and
15 disposing of all rubbish from the subject real property in strict accordance with all Riverside County
16 Ordinances, including but not limited to Riverside County Ordinance No. 541 (RCC Chapter 8.120)
17 within ninety (90) days of the date of this Order to Abate Nuisance.

18 IT IS FURTHER ORDERED that if the rubbish is not removed and disposed of in strict
19 accordance with all Riverside County Ordinances, including but not limited to Riverside County
20 Ordinance No. 541, within ninety (90) days of the date of this Order to Abate Nuisance, the rubbish
21 shall be abated and disposed of by representatives of the Riverside County Code Enforcement, a
22 contractor or the Sheriff's Department upon receipt of an owner's consent or a Court Order
23 authorizing entry onto THE PROPERTY when necessary under applicable law.

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

2018-0336128
07/19/2018 08:00H
3 of 5



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

6
7 Dated: July 13, 2010

COUNTY OF RIVERSIDE

8
9 By Marion Ashley
Marion Ashley
Chairman, Board of Supervisors

10 ATTEST:

11 KECIA HARPER-IHEM

12 Clerk to the Board

13
14
15 By Kaungron
16 Deputy

17
18 (SEAL)

FORM APPROVED COUNTY COUNSEL
BY: L. ALEXANDRA FONG DATE 6/21/10



2010-0336128
07/13/2010 08:00AM
4 of 5



**LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER**

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000
<http://riverside.asrelkrec.com>

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

CLARIFICATION OF THE SEAL for the Riverside County Board of Supervisors
(embossed on document)



Date:

7-13-10

Signature:

Karen Barton

Print Name:

Karen Barton, Board Assistant, Riverside County Clerk of the Board



NOTICE LIST

Subject Property: 30181 13th Street, Nuevo
Case No.: CV 09-05922 APN: 427-041-003; District 5

MARIO ZAMORA
MAURICIO ZAMORA
30181 13TH STREET
NUEVO, CA 92567

MARIO ZAMORA
MAURICIO ZAMORA
18260 HENRY TERRACE
PERRIS, CA 92570

EASTERN MUNICIPAL WATER DISTRICT
ATTENTION BILLING DEPARTMENT
PO BOX 8300
PERRIS, CA 92570

MONTEREY COUNTY DEPARTMENT OF CHILD SUPPORT SERVICES
PO BOX 989067
SACRAMENTO, CA 95798-9067

SAN DIEGO COUNTY DEPARTMENT OF CHILD SUPPORT SERVICES
PO BOX 989067
WEST SACRAMENTO, CA 95798-9067

LOS ANGELES DEPARTMENT OF CHILD SUPPORT SERVICES
PO BOX 989067
WEST SACRAMENTO, CA 95798-9067

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none">Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.Print your name and address on the reverse so that we can return the card to you.Attach this card to the back of the mailpiece, or on the front if space permits.	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent Simone Bowles <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery</p>
1. Article Addressed to: EASTERN MUNICIPAL WATER DIST ATTN BILLING DEPT PO BOX 8300 PERRIS CA 92570	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
2. Article Number (Transfer from service label)	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.
PS Form 3811, February 2004	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes 7009 3410 0000 1318 2001 Domestic Return Receipt 102595-02-M-1540

NOTICE LIST

Subject Property: 30181 13th Street, Nuevo
Case No.: CV 09-05922 APN: 427-041-003; District 5

COMPLETE THIS SECTION ON DELIVERY	
SENDER: COMPLETE THIS SECTION <ul style="list-style-type: none">■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.■ Print your name and address on the reverse so that we can return the card to you.■ Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee <i>Mario Zamora</i>
1. Article Addressed to: MARIO ZAMORA MAURICIO ZAMORA 18260 HENRY TERRACE PERRIS CA 92570	B. Received by: (Printed Name) C. Date of Delivery
2. Article Number (Transfer from service label) <i>CV09-05922 (ZAMORA) FF 6</i> 7009 3410 0000 1318 2018	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail <input type="checkbox"/> Express Mail <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D.	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
PS Form 3811, February 2004	
Domestic Return Receipt	
102595-02-M-1540	

NOTICE LIST

Subject Property: 30181 13th Street, Nuevo
Case No.: CV 09-05922 APN: 427-041-003; District 5

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p style="text-align: center;">LOS ANGELES DEPT OF CHILD SUPPORT SERVICES PO BOX 989067 WEST SACTO CA 95798-9067</p> <p style="color: blue; font-size: 1.2em;">CVA-05922 (ZAMORA) FF 6</p>	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Date of Delivery</p> <p style="text-align: center;">Williams AUG 04 2004</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> <p>Article Number (Transfer from service label) 7009 3410 0000 1318 1974</p> <p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p style="text-align: center;">MONTEREY COUNTY DEPT OF CHILD SUPPORT SERVICES PO BOX 989067 SACRAMENTO, CA 95798-9067</p> <p style="color: blue; font-size: 1.2em;">CVA-05922 (ZAMORA) FF 6</p>	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Date of Delivery</p> <p style="text-align: center;">Williams AUG 04 2004</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> <p>Article Number (Transfer from service label) 7009 3410 0000 1318 1998</p> <p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p style="text-align: center;">SAN DIEGO COUNTY DEPT OF CHILD SUPPORT SERVICES PO BOX 989067 WEST SACRAMENTO, CA 95798-9067</p> <p style="color: blue; font-size: 1.2em;">CVA-05922 (ZAMORA) FF 6</p>	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Date of Delivery</p> <p style="text-align: center;">Williams AUG 04 2004</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> <p>Article Number (Transfer from service label) 7009 3410 0000 1318 1981</p> <p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>

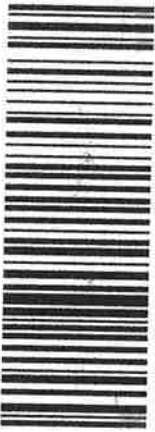
NOTICE LIST

Subject Property: 30181 13th Street, Nuevo
Case No.: CV 09-05922 APN: 427-041-003; District 5

Office of County Counsel
3960 Orange Street, 5th Floor
Riverside, CA 92501

RTP

CERTIFIED MAIL



7009 34J8 0000 13J7 7700

~~MARIO ZAMORA
MAURICIO ZAMORA
30181 13TH STREET
NUEVO CA 92~~

MAURICIO



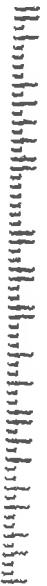
UNITED STATES POSTAGE
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0003958246 AUG 02 2010
MAILED FROM ZIP CODE 92501
\$ 005.710

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RETURN TO SENDER
ATTEMPTED TO FORWARD
UNABLE TO FORWARD

BC: 92501384399 *1977-00150-03-30

92501384399





**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

GLENN BAUDE
Director

AFFIDAVIT OF POSTING OF NOTICES

August 5, 2010

RE CASE NO: CV0905922

I, Lori Lyon, hereby declare:

I am employed by the Riverside County Code Enforcement Department; that my business address is 24318 Hemlock, Ave., Suite C-1, Moreno Valley, California 92557 .

That on 08/03/10 at 10:10am, I securely and conspicuously posted FINDINGS OF FACT, CONCLUSIONS AND ORDER TO ABATE NUISANCE, NOTICE LIST AND PROOF OF SERVICE at the property described as:

Property Address: 30181 13TH ST, NUEVO

Assessor's Parcel Number: 427-041-003

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on August 5, 2010 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT


By: Lori Lyon, Code Enforcement Officer

PROOF OF SERVICE

Case No. CV09-09-05922

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STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

I, Brenda Peeler, the undersigned, declare that I am a citizen of the United States and am employed in the County of Riverside, over the age of 18 years and not a party to the within action or proceeding; that my business address is 3960 Orange Street, 5th Floor, Riverside, California 92501-3674.

That on August 2, 2010, I served the following document(s):

FINDINGS OF FACT, CONCLUSIONS AND ORDER TO ABATE NUISANCE

by placing a true copy thereof enclosed in a sealed envelope(s) addressed as follows:

**OWNERS OR INTERESTED PARTIES
(SEE ATTACHED NOTICE LIST)**

XX **BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED.** I am "readily familiar" with the office's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Riverside, California, in the ordinary course of business.

— **BY PERSONAL SERVICE:** I caused to be delivered such envelope(s) by hand to the offices of the addressee(s).

XX **STATE - I declare under penalty of perjury under the laws of the State of California that the above is true and correct.**

— **FEDERAL - I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.**

EXECUTED ON August 2, 2010, at Riverside, California.



BRENDA PEELER