

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

707B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
April 15, 2015

SUBJECT: Order to Abate [Accumulated Rubbish]
Case No. CV11-06536 [MOORE / WESTLAKE]
Subject Property: 1 Parcel South of 64580 16th Avenue, North Palm Springs
APN: 666-070-016
District: 5 [\$0.00]

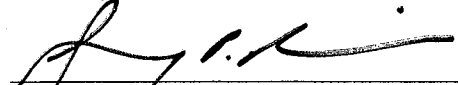
RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Findings of Fact, Conclusions and Order to Abate in Case No. CV11-06536;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV11-06536; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV11-06536.

BACKGROUND:

Summary

On March 24, 2015, this Board received the declaration of the Code Enforcement Officer in the above referenced matter and declared the accumulated rubbish located on the subject property to be a public (Continued)


GREGORY P. PRIAMOS
County Counsel

Departmental Concurrence

| 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

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

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
Nays: None
Absent: None
Date: April 28, 2015
xc: Co.CO./TLMA-Code Enf., Recorder

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

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

Prev. Agn. Ref.: 03/24/15; 9.2 | District: 5 | Agenda Number:

2-8

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Order to Abate [Accumulated Rubbish];
Case No. CV11-06536 [MOORE / WESTLAKE]
Subject Property: 1 Parcel South of 64580 16th Avenue, North Palm Springs
APN: 666-070-016
District: 5 [\$0.00]

DATE: April 15, 2015

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

nuisance. The Board ordered the property owner to abate the violative 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:
2 Kecia Harper-Ihem, Clerk of the
3 Board of Supervisors
4 (Stop #1010)

Customer Copy Label
The paper to which this label is
affixed has not been compared
with the filed/recorded document

Peter Aldana
County of Riverside
Assessor, County Clerk & Recorder

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

[EXEMPT GC §§ 6103 and 27383]

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

| | | | |
|----|--|---|--------------------------|
| 11 | IN RE ABATEMENT OF PUBLIC NUISANCE: |) | CASE NO. CV 11-06536 |
| 12 | [ACCUMULATION OF RUBBISH]; |) | |
| 13 | APN 666-070-016, 1 PARCEL SOUTH OF 64580 |) | FINDINGS OF FACT, |
| 14 | 16 TH AVENUE, NORTH PALM SPRINGS, |) | CONCLUSIONS AND ORDER TO |
| 15 | RIVERSIDE COUNTY, CALIFORNIA; |) | ABATE NUISANCE |
| 16 | BYRON H. MOORE and |) | |
| 17 | FRANKIE L. WESTLAKE, |) | R.C.O. Nos. 541 and 725 |
| 18 | OWNERS. |) | |

18 The above-captioned matter came on regularly for hearing on March 24, 2015, before the
19 Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor
20 Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real
21 property described as 1 Parcel South of 64580 16th Avenue, North Palm Springs, Riverside County,
22 and further described as Assessor's Parcel Number 666-070-016 referred to hereinafter as "THE
23 PROPERTY."

24 Sophia Choi, Deputy County Counsel, appeared along with Michelle Cervantes, Senior Code
25 Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

26 Owners did not appear.

27 The Board of Supervisors received the Declaration of Code Enforcement Officer together
28 with the attached exhibits, evidencing the accumulation of rubbish on THE PROPERTY as a public

1 nuisance and violation of Riverside County Ordinance No. 541.

2 **SUMMARY OF EVIDENCE**

3 1. Documents of record in the Riverside County Recorder's Office identify the
4 OWNERS of THE PROPERTY as Byron H. Moore and Frankie L. Westlake ("OWNERS").

5 2. Documents of title indicate that no parties may potentially hold a legal interest in THE
6 PROPERTY.

7 3. THE PROPERTY was inspected by Code Enforcement Officers on April 26, 2012,
8 and on twelve (12) additional occasions, the last being March 12, 2015.

9 4. During each inspection, an accumulation of rubbish was observed on THE
10 PROPERTY. The rubbish consisted of, but was not limited to: large tractor tire, plastic tubing, green
11 waste, bricks and miscellaneous items.

12 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance
13 No. 541 by the Code Enforcement Officer.

14 6. A Notice of Pendency of Administrative Proceedings was recorded in the Office of
15 the County Recorder, County of Riverside, State of California on April 6, 2012, as instrument
16 number 2012-0158261.

17 7. On April 26, 2012, a Notice of Violation was posted on THE PROPERTY. On April
18 30, 2012, a Notice of Violation was mailed to OWNERS by regular mail.

19 8. A "Notice to Correct County Ordinance Violations and Abate Public Nuisance"
20 providing notice of the public hearing before the Board of Supervisors on March 24, 2015, was
21 mailed to OWNERS and was posted on THE PROPERTY.

22 **FINDINGS AND CONCLUSIONS**

23 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in
24 regular session assembled on March 24, 2015, finds and concludes that:

25 1. WHEREAS, the accumulation of rubbish on the real property located at 1 Parcel
26 South of 64580 16th Avenue, North Palm Springs, Riverside County, California, also identified as
27 Assessor's Parcel Number 666-070-016 violates Riverside County Ordinance No. 541 and constitutes
28 a public nuisance.

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Department will be recoverable from the property owner(s) even if THE PROPERTY is brought into compliance within ninety (90) days of the date of this Order to Abate Nuisance.

Dated: April 28, 2015

COUNTY OF RIVERSIDE

By Marion Ashley
Marion Ashley
Chairman, Board of Supervisors

ATTEST:
KECIA HARPER-IHEM
Clerk to the Board

By K. Henderson
Deputy

(SEAL)



**PETER ALDANA
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER**

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

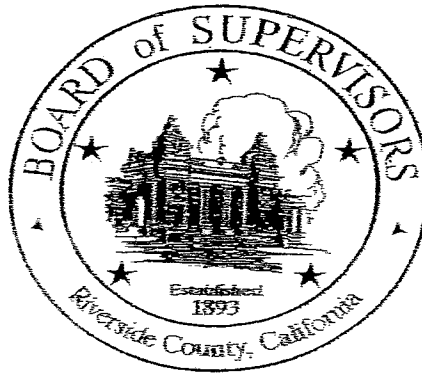
www.riversideacr.com

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:

4-28-15

Signature:

Karen Barton

Print Name:

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