

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

307B



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

**SUBMITTAL DATE:**

AUGUST 11, 2016

**SUBJECT:** Order to Abate [Excessive Outside Storage & Accumulated Rubbish]  
Case No. CV13-02369 [ADLER]  
Subject Property: 51898 Date Avenue, Cabazon  
APN: 528-033-026  
District: 5 [\$0]

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

1. Approve the Findings of Fact, Conclusions and Order to Abate in Case No. CV13-02369;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV13-02369; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV13-02369.

**BACKGROUND:**

**Summary**

On June 21, 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	\$	\$	\$	\$	

<b>SOURCE OF FUNDS:</b>	<b>Budget Adjustment:</b>
	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 Ashley, seconded by Supervisor Jeffries 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: August 23, 2016  
xc: Co.CO./TLMA-Code Enf., Recorder

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

Departmental Concurrence

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

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

**FORM 11: Order to Abate [Excessive Outside Storage & Accumulated Rubbish]**

Case No. CV13-02369 [ADLER]

Subject Property: 51898 Date Avenue, Cabazon

APN: 528-033-026

District: 5 [\$0]

**DATE:** AUGUST 11, 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

**2016-0378777**

09/01/2016 11:03 AM

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Peter Aldana  
County Of Riverside  
Assessor-County Clerk-Recorder

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

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]

**BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE**

11 IN RE ABATEMENT OF PUBLIC NUISANCE: ) CASE NO. CV 13-02369  
12 [EXCESSIVE OUTSIDE STORAGE AND )  
13 ACCUMULATION OF RUBBISH]; ) FINDINGS OF FACT,  
14 APN 528-033-026, 51898 DATE AVENUE, ) CONCLUSIONS AND ORDER TO  
15 CABAZON, RIVERSIDE COUNTY, ) ABATE NUISANCE  
16 CALIFORNIA; THOMAS H. ADLER, OWNER. )  
R.C.O. Nos. 348, 541 and 725

17 The above-captioned matter came on regularly for hearing on June 21, 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 51898 Date Avenue, Cabazon, Riverside County, Assessor's Parcel Number 528-033-026  
21 and referred to hereinafter as "THE PROPERTY."

22 Sophia Choi, Deputy County Counsel, appeared along with Michelle Cervantes, Senior Code  
23 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.

**COPY**

1 **SUMMARY OF EVIDENCE**

2 1. Documents of record in the Riverside County Recorder’s Office identify the owner  
3 of THE PROPERTY as Thomas H. Adler (“OWNER”).

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

6 3. THE PROPERTY was inspected by Code Enforcement Officers on March 31, 2015,  
7 and on eight (8) subsequent follow up inspections, with the last being June 13, 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: discarded broken furniture,  
10 spent building materials, household trash, a camper, appliances and other miscellaneous items, of  
11 about 1,250 square feet. During the inspection on February 29, 2016, the officer observed additional  
12 rubbish and outside storage on THE PROPERTY. This additional rubbish and outside storage,  
13 included but were not limited to green waste, spent building materials, discarded household items,  
14 telephone poles, lumber and miscellaneous items of about 4,777 square feet.

15 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance  
16 Nos. 348 and 541 by the Code Enforcement Officer.

17 6. On August 13, 2015, a Notice of Pendency of Administrative Proceedings was  
18 recorded at the Riverside County Recorder’s Office as instrument number 2015-0358535.

19 7. On March 31, 2015, a Notice of Violation was posted on THE PROPERTY. On  
20 April 15, 2015, a Notice of Violation was mailed to OWNER by certified mail, return receipt  
21 requested. On September 2, 2015, a Notice of Violation was mailed to OWNER by first class mail  
22 and was posted on THE PROPERTY on September 21, 2015.

23 8. A “Notice to Correct County Ordinance Violations and Abate Public Nuisance”  
24 providing notice of the public hearing before the Board of Supervisors was mailed to OWNER and  
25 was posted on THE PROPERTY.

26 **FINDINGS AND CONCLUSIONS**

27 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
28 regular session assembled on June 21, 2016, finds and concludes that:

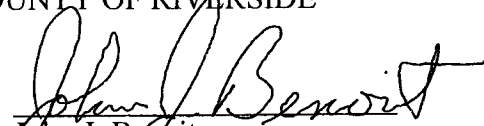


1 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special  
2 assessment against THE PROPERTY pursuant to Government Code section 25845 and RCO Nos.  
3 348, 541, and 725. Under RCO No. 725, "abatement costs" means "any costs or expenses  
4 reasonably related to the abatement of conditions which violate County Land Use Ordinances, and  
5 shall include, but not be limited to, enforcement, investigation, collection and administrative costs,  
6 attorneys fees, and the costs associated with the removal or correction of the violation." Reasonable  
7 abatement costs accrued by the Code Enforcement Department will be recoverable from OWNER  
8 even if THE PROPERTY is brought into compliance within ninety (90) days of the date of this  
9 Order to Abate Nuisance.

10  
11 Dated: August 23, 2016

COUNTY OF RIVERSIDE

12  
13 By

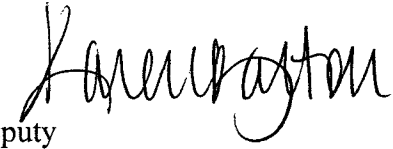
  
John J. Benoit  
Chairman, Board of Supervisors

14 ATTEST:

15 KECIA HARPER-IHEM

16 Clerk to the Board

17  
18 By

19   
Deputy

20 (SEAL)  
21  
22  
23  
24  
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26  
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28



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

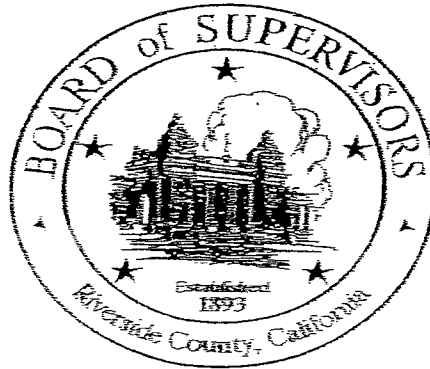
**Recorder**  
P.O. Box 751  
Riverside, CA 92502-0751  
(951) 486-7000  
[www.riversideacr.com](http://www.riversideacr.com)

**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:

B-23-16

Signature:

Karen Barton

Print Name:

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