

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



ITEM
2.17
(ID # 2833)

MEETING DATE:

Tuesday, December 6, 2016

FROM : TLMA/Code Enforcement and COUNTY COUNSEL:

SUBJECT: COUNTY COUNSEL AND TLMA/CODE ENFORCEMENT: Order to Abate
[Excessive Outside Storage & Accumulated Rubbish] Case No. CV15-03287
[Estate of George A. Williams and Estate of Dorothea E. Williams] Subject
Property: 1 Parcel East of 19770 Carroll Street, Perris APN: 318-190-028
District: 1 [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Findings of Fact, Conclusions and Order to Abate in Case No. CV15-03287;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV15-03287; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV15-03287.

ACTION: Consent

BACKGROUND:

Summary

On September 27, 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 conditions on the property and directed County Counsel to prepare Findings of Fact, Conclusions and Order to Abate.

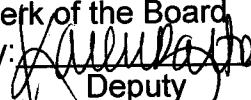
FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST				
NET COUNTY COST				
SOURCE OF FUNDS:			Budget Adjustment:	
			For Fiscal Year:	

C.E.O. RECOMMENDATION: Approved

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington and Ashley
Nays: None
Absent: Benoit
Date: December 6, 2016
xc: Co.CO./TLMA-Code Enf., Recorder

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

2.17

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

Impact on Residents 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

Exhibit A



Gregory V. Priamos, Director County Counsel 10/26/2016

2016-0558081

12/14/2016 02:49 PM

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

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, Acting Supr. Code Enf. Officer
7 Regina Keyes, Senior Code Enforcement Officer
8 CODE ENFORCEMENT DEPARTMENT
4080 Lemon Street, Twelfth Floor (Stop #1012)
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 15-03287
12 [EXCESSIVE OUTSIDE STORAGE AND)
ACCUMULATION OF RUBBISH];) FINDINGS OF FACT,
13 APN 318-190-028, 1 PARCEL EAST OF 19770) CONCLUSIONS AND ORDER TO
CARROLL STREET, PERRIS, RIVERSIDE) ABATE NUISANCE
14 COUNTY, CALIFORNIA; THE ESTATE OF)
GEORGE A. WILLIAMS AND THE ESTATE OF) R.C.O. Nos. 348, 541 and 725
15 DOROTHEA E. WILLIAMS, OWNERS.)
16

17 The above-captioned matter came on regularly for hearing on September 27, 2016, before the
18 Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor
19 Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real
20 property described 1 Parcel East of 19770 Carroll Street, Perris, Riverside County, Assessor's Parcel
21 Number 318-190-028 and referred to hereinafter as "THE PROPERTY." A true and correct copy of
22 a Thomas Brothers map page indicating the location of THE PROPERTY is attached hereto and
23 incorporated herein by reference as Exhibit "A."

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

27 Owners did not appear.

28 The Board of Supervisors received the Declaration of the Code Enforcement Officer together

1 with attached Exhibits, evidencing the excessive outside storage of materials and accumulation of
2 rubbish on THE PROPERTY as violations of Riverside County Ordinance ("RCO") Nos. 348 and
3 541 and as a public nuisance.

4 **SUMMARY OF EVIDENCE**

5 1. Documents of record in the Riverside County Recorder's Office identify the owners
6 of THE PROPERTY as The Estate of George A. Williams and The Estate of Dorothea E. Williams
7 ("OWNERS").

8 2. Documents of title indicate that there appears to be no other parties who may
9 potentially hold a legal interest in THE PROPERTY.

10 3. THE PROPERTY was inspected by Code Enforcement Officers on September 3,
11 2015, and on eight (8) subsequent follow up inspections, with the last being September 19, 2016.

12 4. During each inspection an accumulation of rubbish and excess outside storage was
13 observed throughout THE PROPERTY consisting of but not limited to: a boat, personal items,
14 wood, tires, trash, gasoline powered generator, tools, buckets, clothing, washing machine, a
15 barbecue, metal, a microwave, mini refrigerator, lights, construction materials, boxes with bedding
16 and gasoline containers, of about 630 square feet.

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

19 6. On November 2, 2015, a Notice of Pendency of Administrative Proceedings was
20 recorded at the Riverside County Recorder's Office as instrument number 2015-0481377 and on July
21 15, 2016, as instrument number 2016-0296907.

22 7. On September 3, 2015, a Notice of Violation was posted on THE PROPERTY. On
23 September 14, 2015, a Notice of Violation was mailed to OWNERS by first class mail. On January
24 13, 2016, a Notice of Violation was mailed to OWNER George A. Williams by certified mail, return
25 receipt requested, and by first class mail. On May 18, 2016, a Notice of Violation was mailed to
26 OWNERS by certified mail, return receipt requested.

27 8. A "Notice to Correct County Ordinance Violations and Abate Public Nuisance"
28 providing notice of the public hearing before the Board of Supervisors was mailed to OWNERS by

1 first class mail and was posted on THE PROPERTY.

2 **FINDINGS AND CONCLUSIONS**

3 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in
4 regular session assembled on September 27, 2016, finds and concludes that:

5 1. WHEREAS, the excessive outside storage of materials and accumulation of rubbish
6 on the real property located at 1 Parcel East of 19770 Carroll Street, Perris, Riverside County,
7 California, also identified as Assessor's Parcel Number 318-190-028 violates RCO Nos. 348 and 541
8 and constitutes a public nuisance.

9 2. WHEREAS, the OWNERS, occupants and any other person having possession or
10 control of THE PROPERTY shall abate the accumulation of rubbish and excessive outside storage of
11 materials by removing and disposing of all rubbish and excessive outside storage on THE
12 PROPERTY in strict accordance with all Riverside County Ordinances, including but not limited to
13 RCO Nos. 348 and 541 within ninety (90) days.

14 3. WHEREAS, the OWNERS ARE FURTHER NOTICED that the time within which
15 judicial review of the administrative determinations made herein must be sought is ninety (90) days
16 from the posting and mailing of the Findings of Fact, Conclusions and Order To Abate Nuisance, and
17 is governed by California Code of Civil Procedure Section 1094.6.

18 **ORDER TO ABATE NUISANCE**

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

25 IT IS FURTHER ORDERED that if the accumulation of rubbish and excessive outside
26 storage of materials are not removed and disposed of in strict accordance with all Riverside County
27 Ordinances, including but not limited to RCO Nos. 348 and 541 within ninety (90) days of the date
28 of this Order to Abate Nuisance, the accumulation of rubbish and excessive outside storage of

1 materials may be abated and disposed of by representatives of the Riverside County Code
2 Enforcement Department, a contractor or the Sheriff's Department upon receipt of an owner's
3 consent or a Court Order when necessary under applicable law.

4 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity
5 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special
6 assessment against THE PROPERTY pursuant to Government Code section 25845 and RCO Nos.
7 348, 541, and 725. Under RCO No. 725, "abatement costs" means "any costs or expenses
8 reasonably related to the abatement of conditions which violate County Land Use Ordinances, and
9 shall include, but not be limited to, enforcement, investigation, collection and administrative costs,
10 attorneys fees, and the costs associated with the removal or correction of the violation." Reasonable
11 abatement costs accrued by the Code Enforcement Department will be recoverable from OWNERS

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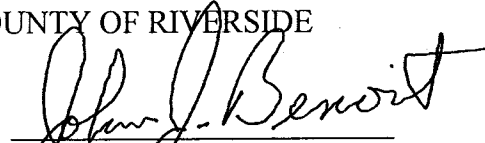
28 ///

1 even if THE PROPERTY is brought into compliance within ninety (90) days of the date of this
2 Order to Abate Nuisance.

3
4 Dated: December 6, 2016

COUNTY OF RIVERSIDE

5
6 By


John J. Benoit
Chairman, Board of Supervisors

7
8 ATTEST:

9 KECIA HARPER-IHEM

10 Clerk to the Board

11
12 By

13 Deputy

14 (SEAL)

Exhibit A

CV15-03287

1 Parcel East of 19770 Carroll Street, Perris APN: 318-190-028



- Legend**
- ☐ TBM Page
 - ☐ TBM Grid
 - ☐ Townships
 - ☐ Survey
 - ☐ City Boundaries
 - ☐ Cities
 - ☐ roadsanno
 - ☐ highways
 - ☐ HWY
 - ☐ INTERCHANGE
 - ☐ INTERSTATE
 - ☐ OFFRAMP
 - ☐ ONRAMP
 - ☐ USHWY
 - ☐ counties
 - ☐ cities
 - ☐ hydrographylines
 - ☐ waterbodies
 - ☐ Lakes
 - ☐ Rivers

Notes
Thomas Bros Page 777
Grid A3

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.



REPORT PRINTED ON... 5/16/2016 9:03:19 AM

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PETER ALDANA
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

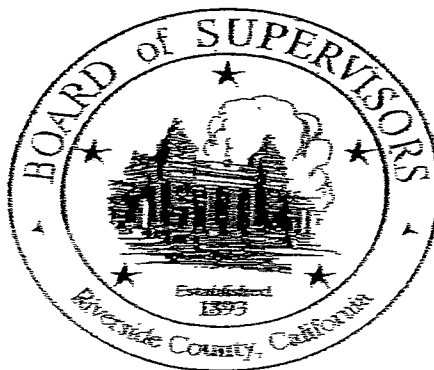
Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000
www.riversideacr.com

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:

12-6-16

Signature:

Karen Barton

Print Name:

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