

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



ITEM: 3.30
(ID # 12842)

MEETING DATE:
Tuesday, June 16, 2020

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/CODE ENFORCEMENT:
Adoption of Ordinance No. 704.3 amending Ordinance No. 704, an ordinance of the County of Riverside providing for the abatement of graffiti, to clarify and streamline the County of Riverside's graffiti abatement procedures. All Districts. [\$6,000 Total Cost - Code Enforcement Cost Recovery 100%] (CEQA Exempt)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Ordinance No. 704.3, an ordinance of the County of Riverside amending Ordinance No. 704 in its entirety to clarify and streamline the County of Riverside's graffiti abatement procedures; and
2. Direct the Code Enforcement Department to file a Notice of Exemption with the County Clerk of the County of Riverside.

ACTION:Policy

Charissa Leach, Assistant TLMA Director 6/10/2020

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: June 16, 2020
xc: Planning

Kecia R. Harper
Clerk of the Board
By:
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 6,000	\$ 0	\$ 6,000	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: 100% Code Enforcement Cost Recovery			Budget Adjustment:	No
			For Fiscal Year:	19/20

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On June 2, 2020, (Agenda Item 3.20), the Board of Supervisors introduced and found Ordinance No. 704.3 to be exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines section 15061(b)(3). This ordinance clarifies and streamlines graffiti abatement procedures and achieves consistency between Ordinance No. 704 and Ordinance No. 725. Ordinance No. 704.3 also delegates authority to the appointed hearing officer to hear administrative appeals after a Notice of Violation and Order to Abate has been issued.

Impact on Residents and Businesses

Code Enforcement plays a critical role in preserving the Quality of Life of our unincorporated communities. Critical functions of the Department include the abatement of graffiti. The Department will continue to work with individuals and business owners on 'compliance first' based strategies to try and achieve voluntary compliance. The included 'Right-of Entry' form will be the second step to abatement. Where enforcement does become necessary, Ordinance No. 704.3 allows for reasonable time for compliance while maintaining due process protections, increasing transparency for the activities undertaken by the Department and reducing the total processing time for graffiti abatement.

Additional Fiscal Information

The Board's adoption of this ordinance will protect public funds from being used to pay expenses associated with private property graffiti abatements by properly passing that responsibility to the property owners who maintain or allow the land use violation. Further, the less burdensome process will provide a more streamlined path to abatement.

ATTACHMENTS

1. Ordinance No. 704.3
2. Notice of Exemption

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



Jason Farin, Principal Management Analyst 6/11/2020



Gregory V. Priamos, Director County Counsel 6/11/2020

1 Section 3. AUTHORITY. This ordinance is adopted pursuant to Government Code
2 Section 53069.3 which authorizes counties to adopt ordinances establishing procedures for the abatement
3 of graffiti.

4 Section 4. DEFINITIONS. As used in this ordinance, the following terms shall have the
5 following meanings:

- 6 a. GRAFFITI. Any unauthorized inscription, word, figure, mark, symbol or
7 design that is marked, etched, scratched, drawn, or painted on any structural
8 component of any building, structure, sign or other facility, on publicly or
9 privately owned real property, regardless of the nature of the material of that
10 structural component.
- 11 b. ENFORCEMENT OFFICER. The Transportation and Land Management
12 Agency (TLMA) Director, the TLMA Assistant Director-Community
13 Development, Community Health Agency Director, Building Official, the
14 TLMA Deputy Director-Code Enforcement Department, Environmental
15 Health Department Director, Department of Animal Services Director,
16 Agricultural Commissioner, Fire Chief, Clerk of the Board of Supervisors,
17 Sheriff and their designees.
- 18 c. HEARING OFFICER. The County Hearing Officer established pursuant to
19 Ordinance No. 643 as the entity conducting a hearing authorized by this
20 ordinance and issuing a written order or decision.
- 21 d. PROPERTY. Publicly or privately owned real property and any structural
22 component of a building, structure, sign or other facility located on publicly
23 or privately owned real property.
- 24 e. RESPONSIBLE PARTY. Shall include any of the following:
- 25 1. Each person committing the violation or causing a condition on a
26 parcel of real property located within the jurisdiction of the County of
27 Riverside which violates this ordinance; or
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2 Section 6. GRAFFITI REMOVAL AT COUNTY EXPENSE. Whenever an
3 Enforcement Officer determines that graffiti is so located on a property within the unincorporated areas of
4 Riverside County so as to be capable of being viewed by persons utilizing any public right-of-way in the
5 County, the Enforcement Officer is authorized to provide for the removal of the graffiti at the County's
6 expense in accordance with this ordinance and the following:

- 7 a. In removing the graffiti, the painting or repair shall be limited to the minimum
8 necessary to properly restore the defaced area.
- 9 b. Where a property is owned by a public entity other than the County, the
10 removal of the graffiti may be performed only after securing the written
11 consent of the public entity having jurisdiction over the property.
- 12 c. When a property is privately owned, the removal of the graffiti by County
13 personnel or by a private contractor under the direction of the County shall
14 be performed only after securing the written consent of the owner on the
15 Right of Entry consent form provided by the County.
- 16 d. Whenever graffiti has been removed from public or private property at the
17 expense of the County, the owner of the property, each person who placed
18 any of the graffiti, and the custodial parents or guardians of any minor who
19 placed any of the graffiti shall be legally responsible to reimburse the County
20 in accordance with this ordinance for all costs for removal of such graffiti as
21 well as for related staff investigation time.

22 Section 7. GRAFFITI DECLARED PUBLIC NUISANCE. Graffiti which an
23 Enforcement Officer has determined to exist on any property in the unincorporated area of the County and
24 which is visible from a street or other public or private property is hereby declared to be a public nuisance.

25 Section 8. ABATEMENT PROCEDURE. Whenever an Enforcement Officer
26 determines that graffiti on a particular property constitutes a public nuisance, the County may abate the
27 graffiti in accordance with this ordinance and the following regardless if the property owner consents to the
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1 graffiti's removal:

2 a. Notice. The Enforcement Officer shall issue or cause to be issued a "Notice
3 of Violation and Order to Abate Public Nuisance" to the property owner as
4 identified on the last Equalized Property Tax Assessment Roll of the County
5 of Riverside, and to any of responsible parties if known to the Enforcement
6 Officer. The property owner shall have ten (10) calendar days after the date
7 of service of the Notice to remove the graffiti, otherwise the graffiti shall be
8 subject to abatement by the County.

9 b. Service of Notice. Unless otherwise noted, all notices under this ordinance
10 shall be served upon the owner(s) of the affected property, as such owner's
11 name and address appears on the last Equalized Property Tax Assessment
12 Roll of the County of Riverside. If there is no known address for the owner,
13 the notice shall be sent in care of the property address. The notice may also
14 be served on any other responsible parties if known to the Enforcement
15 Officer. All notices required by this section may be served by any of the
16 following manners:

17 1. By personal service on the owner, occupant, or person in charge or
18 control of the property.

19 2. By posting a copy of the notice in a visible place on the property and
20 mailing a copy to the property owner as such person's name and
21 address appears on the last Equalized Property Tax Assessment Roll.
22 If this address is unknown, the notice will be sent to the property
23 address. If the notice is mailed to a responsible party other than the
24 property owner then the notice may be mailed to the last known
25 address. Service by mail and posting shall be deemed complete five
26 days after the date of deposit in the mail and posting, whichever is
27 later.
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c. Content of Notice of Violation and Order to Abate. The Notice of Violation and Order to Abate ("Notice") shall be in writing and shall:

1. Identify the owner(s) of the property upon which the nuisance exists, as named in the last County Equalized Assessment Roll.
2. Describe the location of such property by its commonly used street address, giving the name or number of the street, road or highway and the number, if any.
3. Identify such property by reference to the Assessor's Parcel Number.
4. Contain a statement that said graffiti is hereby determined to constitute a public nuisance. "If you fail to remove the graffiti, County personnel or private contractors employed by the County will enter upon your property and abate the public nuisance by removal or painting over the graffiti. The cost of such abatement by County personnel or private contractors hired by the County shall be assessed upon your property and such costs will constitute a lien upon the land until paid".
5. Contain a statement that the property owner and any other responsible party is required to abate the graffiti within ten (10) calendar days after the date that the Notice was served.
6. Contain a statement that the owner or any other responsible party may, within ten (10) calendar days after the date that the Notice was served, make a request in writing for a hearing to appeal the determination of the Enforcement Officer that the conditions existing on the property constitute a public nuisance, or to show other cause why those conditions should not be abated.

- 1 d. The failure of the Notice to set forth all required contents shall not affect the
2 validity of the proceedings.

3 Section 9. HEARINGS. Within ten (10) calendar days from the date of service of a
4 Notice of Violation and Order to Abate or a Statement of Abatement Costs and Demand for Payment, the
5 owner or person occupying or controlling such premises or lot affected may request a hearing before a
6 Hearing Officer.

7 Pursuant to California Government Code Section 25845, as may be amended,
8 the hearing may be conducted by either the Board of Supervisors, the County Hearing Officer or the County
9 Hearing Board as follows:

- 10 a. Pursuant to California Government Code Sections 25845 and 27720 and
11 Riverside County Ordinance No. 643, the Board of Supervisors hereby
12 delegates to the County Hearing Officer the authority to conduct
13 administrative hearings under this ordinance. Said delegation shall include,
14 but shall not be limited to all matters set forth in Subsections (b) – (d) of this
15 Section 9. A decision rendered by the County Hearing Officer is a final
16 administrative determination on the matter.
- 17 b. A notice of the date, time, and place of the hearing to be conducted by the
18 Hearing Officer shall be issued pursuant to the provisions of Section 8.b. of
19 this ordinance and filed with the Clerk of the Board. The hearing shall be set
20 not less than ten (10) calendar days after issuance of the notice of hearing.
- 21 c. When the Hearing Officer conducts an administrative hearing, the Hearing
22 Officer shall consider the violation(s) of this ordinance, and shall hear all
23 facts and testimony they deem pertinent. The Hearing Officer shall not be
24 limited by the technical rules of evidence. The owner of the property or other
25 responsible party may appear in person or by an agent at the hearing, and may
26 present a written statement in time for consideration at the hearing.
- 27 d. At the conclusion of the hearing and no later than fifteen (15) days thereafter,
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1 the Hearing Officer shall issue a written decision, including any findings or
2 conclusions required for that decision, a copy of which shall be served in
3 accordance with Section 8.b of this ordinance upon the party requesting the
4 hearing. The Hearing Officer may impose such conditions and take such
5 actions and issue such orders as he deems appropriate under the
6 circumstances to carry out the purpose of this ordinance. The Hearing Officer
7 may delay the time for removal of the graffiti if, in his opinion, the
8 circumstances justify the delay. The Hearing Officer's decision shall specify
9 the time allowed for judicial appeal of the decision rendered by the Hearing
10 Officer. The Hearing Officer shall submit the decision and the record to the
11 Clerk of the Board of Supervisors.

12 Section 10. REMOVAL BY COUNTY. If the owner of the affected property fails to
13 comply with the Notice of Violation and Order to Abate by the designated date and fails to request a hearing,
14 or fails to comply by such date imposed by the Hearing Officer after a hearing pursuant to Section 9 of this
15 ordinance, then the Enforcement Officer is authorized to cause the graffiti to be abated by County personnel
16 or by private contractors, and the County personnel and its private contractors are expressly authorized to
17 enter upon the premises for such purposes. All reasonable efforts to minimize damage from such entry
18 shall be taken by the County and its private contractors, and any paint used to cover the graffiti shall be as
19 close as practicable to the background color(s) on which the graffiti has been painted or inscribed.

20 Section 11. ABATEMENT COST RECOVERY. The Enforcement Officer or authorized
21 representative shall keep an account of all costs incurred and associated with the abatement of graffiti on a
22 particular property, including but not limited to incidental, hearing and administrative expenses;
23 investigation costs, contractor costs, court costs, attorney's fees, costs of removal of the graffiti or other
24 inscribed material, costs of repair and replacement of defaced property, costs of administering and
25 monitoring the participation of a defendant and his or her parents or guardians in a graffiti abatement
26 program, and the law enforcement costs incurred by the County in identifying and apprehending the person
27 who created, caused, or committed the graffiti or other inscribed material on the publicly or privately owned
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1 permanent real or personal property within the County. The term "incidental expenses" shall include, but
2 not be limited to, the actual expenses and costs of the County in the preparation of notices, hearings,
3 specifications and contracts and in inspecting the work, and the costs of printing and mailing required
4 hereunder.

- 5 a. The Enforcement Officer shall serve a Statement of Abatement Costs and
6 Demand for Payment on the property owner in accordance with Section 8.b.
7 of this ordinance. Payment shall be due within thirty (30) calendar days of
8 service of the Statement of Abatement Costs and Demand for Payment.
- 9 b. Any property owner or any other responsible party who receives a Statement
10 of Abatement Costs and Demand for Payment shall have the opportunity to
11 contest the Statement of Abatement Costs and Fees by requesting a hearing
12 on such costs and fees in accordance with Section 9 of this ordinance. Notice
13 of the opportunity for hearing, together with a form to request a hearing shall
14 be provided with the Statement of Abatement Costs and Demand for
15 Payment.
- 16 c. If a hearing is requested pursuant to Section 9 of this ordinance, the Hearing
17 Officer shall consider whether the costs and fees contained in the Statement
18 of Abatement Costs are reasonable based on the circumstances of the case,
19 and shall also consider any objections by the property owner or other
20 responsible party. In issuing a decision, the Hearing Officer may revise,
21 correct, or modify the Statement of Abatement Costs based upon the evidence
22 presented.
- 23 d. The decision of the Hearing Officer is the final administrative determination
24 on the matter.

25 Section 12. ASSESSMENT OF COSTS AGAINST PROPERTY. Pursuant to
26 Government Code Section 25845, if payment is not made within thirty (30) calendar days of service of the
27 Statement of Abatement Costs and Demand for Payment, or by a later date as ordered by the Hearing
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1 Officer, the Enforcement Officer shall transmit the Statement of Abatement Costs and Fees and, if
2 applicable, the Hearing Officer's decision to the County Auditor, who shall place the amount thereof on the
3 Assessment Roll as a Special Assessment to be paid with County taxes, unless sooner paid. At the same
4 time, the Enforcement Officer shall file with County Recorder a Notice of Abatement Lien, describing the
5 real property affected, a summary of the action taken to abate the violative condition(s), if any, and the
6 amount of the lien claimed by the County. After such recordation, such lien may be foreclosed by judicial
7 or other sale in the manner and means provided by law.

8 Section 13. LIMITATION OF FILING JUDICIAL ACTION. Any owner, lessee,
9 occupant or other interested person having any objections or being aggrieved at any proceeding taken on
10 appeal by the Hearing Officer in ordering the public nuisance under the provisions of this ordinance must
11 bring a judicial action to contest such decision within ninety (90) days of the date of service such decision
12 by the Hearing Officer. Otherwise, all objections to such decision shall be deemed waived.

13 Section 14. NON-EXCLUSIVE REMEDIES AND PENALTIES. All remedies and
14 penalties for the abatement of graffiti provided for in this ordinance shall be cumulative and not exclusive.
15 Enforcement by use of any administrative, criminal or civil action, citation or administrative proceeding or
16 abatement remedy does not preclude the use of additional citations or other remedies as authorized by other
17 ordinance or law, including but not limited to Riverside County Ordinance No. 725. Enforcement remedies
18 may be employed concurrently or consecutively. Conviction and punishment of or enforcement against any
19 person hereunder shall not relieve such person from the responsibility of correcting, removing or abating a
20 violation, nor prevent the enforced correction, removal or abatement thereof. Each and every day, or any
21 portion thereof, during which any violation of a Land Use Ordinance or the rules, regulations, orders,
22 permits or conditions of approval issued thereunder is committed, continued, or permitted by such person,
23 shall be deemed a separate and distinct offense. A person convicted under Ordinance No. 704 may also be
24 ordered to render Community Service, including, but not limited to, cleaning up, painting over, or otherwise
25 removing his own graffiti and/or graffiti of others.

26 Section 15. SEVERABILITY. If any clause, provision, sentence, or paragraph of this
27 ordinance, or the application thereof, is deemed to be invalid as to any person, entity, establishment, or
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1 circumstance, such invalidity shall not affect the other provisions of this ordinance which shall still be in
2 effect, and to its end, it is hereby declared that the provisions of this ordinance are severable.”

3 Section 2. This ordinance shall be effective thirty (30) days after the date of adoption.
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5 BOARD OF SUPERVISORS OF THE COUNTY
6 OF RIVERSIDE, STATE OF CALIFORNIA

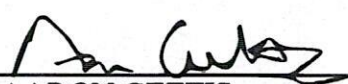
7 By: 
8 Chairman

9 ATTEST:

10 CLERK OF THE BOARD

11 By: 
12 Deputy
13 (SEAL)

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17 APPROVED AS TO FORM
18 May 26, 2020

19 By: 
20 AARON GETTIS
21 Deputy County Counsel
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STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE) ss

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on June 16, 2020, the foregoing ordinance consisting of 2 Sections was adopted by the following vote:

AYES: Jeffries, Spiegel, Washington, Perez and Hewitt
NAYS: None
ABSENT: None

DATE: June 16, 2020

KECIA R. HARPER
Clerk of the Board

BY: Priscilla Raso
Deputy

SEAL

THE PRESS-ENTERPRISE

DATE	ORDER NUMBER	PONumber	PRODUCT	SIZE	Amount
6/10/20	0011389815		PE Riverside	4 x 60 Li	312.00

Invoice text: Notice of Hearing - Ordinance No. 704.3

*TMA-Planning
 Department
 Item 3.30 of 6/16/20*

Placed by: Hannah Lumanauw

Legal Advertising Memo Invoice

BALANCE DUE
312.00

SALESCONTACT INFORMATION	ADVERTISER INFORMATION			
	BILLING DATE	BILLED ACCOUNT NUMBER	ADVERTISER/CLIENT NUMBER	ADVERTISER/CLIENT NAME
Nick Eller 951-368-9229	06/10/2020	5209148	5209148	BOARD OF SUPERVISORS



THE PRESS-ENTERPRISE
 Legal Advertising Memo Invoice

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR REMITTANCE

ADVERTISER/CLIENT NAME		
BOARD OF SUPERVISORS		
BILLING DATE	BILLED ACCOUNT NUMBER	ADVERTISER/CLIENT NUMBER
06/10/2020	5209148	5209148
BALANCE DUE	ORDER NUMBER	TERMS OF PAYMENT
312.00	0011389815	DUE UPON RECEIPT

BILLING ACCOUNT NAME AND ADDRESS

REMITTANCE ADDRESS

BOARD OF SUPERVISORS
 COUNTY OF RIVERSIDE
 'PO BOX 1147'
 RIVERSIDE, CA 92502

CALIFORNIA NEWSPAPER PARTNERSHIP
 dba The Press-Enterprise
 PO Box 65210
 Colorado Springs, CO 80962-5210

THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100
Riverside, CA 92507
951-684-1200
951-368-9018 FAX

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

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

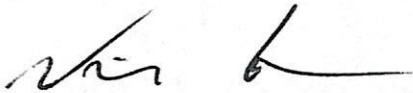
Ad Desc.: Notice of Hearing - Ordinance No. 704.3 /

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 in 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, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; 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:

06/10/2020

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

Date: June 10, 2020
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
PO BOX 1147
RIVERSIDE, CA 92502

Ad Number: 0011389815-01

P.O. Number:

Ad Copy:

RIVERSIDE COUNTY BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN that a public meeting at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on Tuesday, June 16, 2020 at 9:30 a.m., or as soon as possible thereafter, to consider adoption of the following Ordinance:

SUMMARY OF ORDINANCE NO. 704.3 AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 704 PROVIDING FOR THE ABATEMENT OF GRAFFITI

This summary is presented pursuant to California Government Code Section 25124(b). A certified copy of the full text of Ordinance No. 704.3 may be examined at the Office of the Clerk of the Board of Supervisors of the County of Riverside, located at 4080 Lemon Street, 1st Floor, Riverside, California.

Ordinance No. 704.3 amends Riverside County Ordinance No. 704 in its entirety and replaces it with new language to clarify and streamline the County of Riverside's graffiti abatement procedures. In particular, Ordinance No. 704.3 provides that once a Notice of Violation and Order to Abate is issued, a property owner may appeal the determination to a hearing officer, who will make a determination on the abatement order. If no appeal is requested, the Order to Abate becomes final and the County may abate the graffiti at the property owner's expense if the property owner fails to do so. Ordinance 704.3 also provides for clearer cost recovery procedures and broadens the scope of recoverable costs consistent with Government Code section 53069.3.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147 or email cob@rivco.org.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Clerk of the Board at (951) 955-1063, at least 72 hours prior to the meeting.

Dated: June 08, 2020
Kecia R. Harper, Clerk of the Board
By: Hannah Lumanauw, Board Assistant

6/10



OFFICE OF THE
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060 FAX: (951) 955-1071

KECIA R. HARPER
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

June 08, 2020

PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

E-MAIL: legals@pe.com
FAX: 951-368-9018

RE: NOTICE OF SUMMARY OF ORD. 704.3

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Wednesday, June 10, 2020**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, **WITH TWO CLIPPINGS OF THE PUBLICATION**.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Hannah Lumanauw
Deputy Clerk of the Board to
KECIA R. HARPER, CLERK OF THE BOARD



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1ST FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA R. HARPER
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

June 08, 2020

THE DESERT SUN
ATTN: LEGALS
P.O. BOX 2734
PALM SPRINGS, CA 92263

E-MAIL: legals@thedesertsun.com
TEL: (760)778-4578

RE: NOTICE OF PUBLIC HEARING: Introduction of Ordinance No. 704.3

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **(1) TIME** on **Wednesday, June 10, 2020**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, **WITH TWO CLIPPINGS OF THE PUBLICATION**.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Hannah Lumanauw

Deputy Clerk of the Board to:
KECIA R. HARPER, CLERK OF THE BOARD

RIVERSIDE COUNTY BOARD OF SUPERVISORS

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AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE NO. 704 PROVIDING FOR THE ABATEMENT OF GRAFFITI**

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Ordinance No. 704.3 amends Riverside County Ordinance No. 704 in its entirety and replaces it with new language to clarify and streamline the County of Riverside's graffiti abatement procedures. In particular, Ordinance No. 704.3 provides that once a Notice of Violation and Order to Abate is issued, a property owner may appeal the determination to a hearing officer, who will make a determination on the abatement order. If no appeal is requested, the Order to Abate becomes final and the County may abate the graffiti at the property owner's expense if the property owner fails to do so. Ordinance 704.3 also provides for clearer cost recovery procedures and broadens the scope of recoverable costs consistent with Government Code section 53069.3.

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Dated: June 08, 2020

Kecia R. Harper, Clerk of the Board

By: Hannah Lumanauw, Board Assistant



THE PRESS-ENTERPRISE **PE.com**

CALL: (951) 368-9222
EMAIL: legal@pe.com

DATE	ORDER NUMBER	PONumber	PRODUCT	SIZE	Amount
06/26/20	0011393538		PE Riverside	4 x 55 Li	286.00

Invoice text: NOH - Ordinance 704.3

*TCMA - Planning
Item 3.30 of 6/16/20*

Place by: Hannah Lumanauw

Legal Advertising Memo Invoice

BALANCE DUE
\$286.00

SALESCONTACT INFO	ADVERTISER INFORMATION			
	BILLING DATE	BILLED ACCOUNT NUMBER	ADVERTISER/CLIENT NUMBER	ADVERTISER/CLIENT NAME
Nick Eller 951-368-9229	6/26/2020	5209148	5209148	BOARD OF SUPERVISORS

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR REMITTANCE

THE PRESS-ENTERPRISE **PE.com**
Legal Advertising Memo Invoice

ADVERTISER/CLIENT NAME		
BOARD OF SUPERVISORS		
BILLING DATE	BILLED ACCOUNT NUMBER	ADVERTISER/CLIENT NUMBER
6/26/2020	5209148	5209148
BALANCE DUE	ORDER NUMBER	TERMS OF PAYMENT
\$286.00	0011393538	DUE UPON RECEIPT

BILLING ACCOUNT NAME AND ADDRESS

REMITTANCE ADDRESS

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
PO BOX 1147
RIVERSIDE, CA 92502

CALIFORNIA NEWSPAPERS PARTNERSHIP
dba The Press-Enterprise
PO Box 65210
COLORADO SPRINGS, CO 80962-5210

THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100
Riverside, CA 92507
951-684-1200
951-368-9018 FAX

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

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: NOH - Ordinance 704.3 /

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 in 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, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; 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:

06/26/2020

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

Date: June 26, 2020
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
PO BOX 1147
RIVERSIDE, CA 92502

Ad Number: 0011393538-01

P.O. Number:

Ad Copy:

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

SUMMARY OF ORDINANCE NO. 704.3 AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 704 PROVIDING FOR THE ABATEMENT OF GRAFFITI

This summary is presented pursuant to California Government Code Section 25124(b). A certified copy of the full text of Ordinance No. 704.3 may be examined at the Office of the Clerk of the Board of Supervisors of the County of Riverside, located at 4080 Lemon Street, 1st Floor, Riverside, California.

Ordinance No. 704.3 amends Riverside County Ordinance No. 704 in its entirety and replaces it with new language to clarify and streamline the County of Riverside's graffiti abatement procedures. In particular, Ordinance No. 704.3 provides that once a Notice of Violation and Order to Abate is issued, a property owner may appeal the determination to a hearing officer, who will make a determination on the abatement order. If no appeal is requested, the Order to Abate becomes final and the County may abate the graffiti at the property owner's expense if the property owner fails to do so. Ordinance 704.3 also provides for clearer cost recovery procedures and broadens the scope of recoverable costs consistent with Government Code section 53069.3.

V. Manuel Perez, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on June 16, 2020, the foregoing Ordinance consisting of two (2) sections was adopted by said Board by the following vote:

AYES: Jeffries, Spiegel, Washington, Perez and Hewitt
NAYS: None
ABSENT: None

Kecia R. Harper, Clerk of the Board
By: Hannah Lumanauw, Board Assistant

Press-Enterprise, 6/26



OFFICE OF THE
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060 FAX: (951) 955-1071

KECIA R. HARPER
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

June 23, 2020

PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

E-MAIL: legals@pe.com
FAX: 951-368-9018

RE: ADOPTION OF SUMMARY OF ORD. 704.3

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Friday, June 26, 2020**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, **WITH TWO CLIPPINGS OF THE PUBLICATION**.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Hannah Lumanauw

Board Assistant to
KECIA R. HARPER, CLERK OF THE BOARD

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

**SUMMARY OF ORDINANCE NO. 704.3
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE NO. 704 PROVIDING FOR THE ABATEMENT OF GRAFFITI**

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NAYS: None
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Kecia R. Harper, Clerk of the Board
By: Hannah Lumanauw, Board Assistant

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



ITEM: 3.30
(ID # 12842)

MEETING DATE:
Tuesday, June 16, 2020

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/CODE ENFORCEMENT:
Adoption of Ordinance No. 704.3 amending Ordinance No. 704, an ordinance of the County of Riverside providing for the abatement of graffiti, to clarify and streamline the County of Riverside's graffiti abatement procedures. All Districts. [\$6,000 Total Cost - Code Enforcement Cost Recovery 100%] (CEQA Exempt)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Ordinance No. 704.3, an ordinance of the County of Riverside amending Ordinance No. 704 in its entirety to clarify and streamline the County of Riverside's graffiti abatement procedures; and
2. Direct the Code Enforcement Department to file a Notice of Exemption with the County Clerk of the County of Riverside.

ACTION:Policy

Charissa Leach, Assistant TLMA Director 6/10/2020

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: June 16, 2020
xc: Planning

Kecia R. Harper
Clerk of the Board
By:
Deputy



PROOF OF PUBLICATION

STATE OF CALIFORNIA SS.
COUNTY OF RIVERSIDE

RIVERSIDE COUNTY-BOARD OF SUP.
4080 LEMON ST

RIVERSIDE CA 92501

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non pariel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

06/26/2020

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a Newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I certify under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.. Executed on this 26th of June 2020 in Green Bay, WI, County of Brown.

[Handwritten signature: Anna Kanitz]
DECLARANT

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AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE NO. 704
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NAYS: None
ABSENT: None

Kecia R. Harper, Clerk of the Board
By: Hannah Lumanauw, Board Assistant
Pub: 6/26/2020

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Kecia R. Harper, Clerk of the Board
By: Hannah Lumanauw, Board Assistant
Pub: 6/26/2020

TCMA - Planning
Item 3.30 of 6/16/20

2020 JUL -6 AM 11:13
RECEIVED RIVERSIDE COUNTY CLERK / BOARD OF SUPERVISORS



PROOF OF PUBLICATION

STATE OF CALIFORNIA SS.
COUNTY OF RIVERSIDE

RIVERSIDE COUNTY-BOARD OF SUP.
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RIVERSIDE CA 92501

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[Handwritten signature of Anna Koritz]
DECLARANT

Ad#:0004254125
P O : NOH - Ordinance 704.3

This is not an invoice

of Affidavits: 1

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Pub: 6/26/2020

RECEIVED RIVERSIDE COUNTY CLERK / BOARD OF SUPERVISORS
2020 JUL -6 AM 11:13

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 6,000	\$ 0	\$ 6,000	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: 100% Code Enforcement Cost Recovery			Budget Adjustment:	No
			For Fiscal Year:	19/20

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On June 2, 2020, (Agenda Item 3.20), the Board of Supervisors introduced and found Ordinance No. 704.3 to be exempt from the California Environmental Quality Act (“CEQA”) pursuant to State CEQA Guidelines section 15061(b)(3). This ordinance clarifies and streamlines graffiti abatement procedures and achieves consistency between Ordinance No. 704 and Ordinance No. 725. Ordinance No. 704.3 also delegates authority to the appointed hearing officer to hear administrative appeals after a Notice of Violation and Order to Abate has been issued.

Impact on Residents and Businesses

Code Enforcement plays a critical role in preserving the Quality of Life of our unincorporated communities. Critical functions of the Department include the abatement of graffiti. The Department will continue to work with individuals and business owners on ‘compliance first’ based strategies to try and achieve voluntary compliance. The included ‘Right-of Entry’ form will be the second step to abatement. Where enforcement does become necessary, Ordinance No. 704.3 allows for reasonable time for compliance while maintaining due process protections, increasing transparency for the activities undertaken by the Department and reducing the total processing time for graffiti abatement.

Additional Fiscal Information

The Board’s adoption of this ordinance will protect public funds from being used to pay expenses associated with private property graffiti abatements by properly passing that responsibility to the property owners who maintain or allow the land use violation. Further, the less burdensome process will provide a more streamlined path to abatement.

ATTACHMENTS

1. Ordinance No. 704.3
2. Notice of Exemption