

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

616B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:

SUBJECT: Order to Abate [Accumulated Rubbish];
Case No. CV12-05227 [RIVERA, SURUY, SHRUSBREE, GUZMAN, ET AL.]
Subject Property: 20815 Hansen Avenue, Nuevo; APN: 426-210-060
District: 5/5 [\$0.00]

RECOMMENDED MOTION: That the Board of Supervisors:

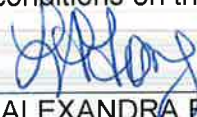
1. Approve the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-05227;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-05227; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-05227.

BACKGROUND:

Summary

On April 8, 2014, 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 nuisance. The Board ordered the property owner to abate the violative conditions on the property and

(Continued)


L. ALEXANDRA FONG
Deputy County Counsel

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$	\$	\$	\$	Consent ☒ Policy ☐
NET COUNTY COST	\$	\$	\$	\$	

SOURCE OF FUNDS:

Budget Adjustment:

For Fiscal Year: _____

C.E.O. RECOMMENDATION:

APPROVE

BY: 

County Executive Office Signature

Tina Grande

MINUTES OF THE BOARD OF SUPERVISORS

☐ Positions Added

☐ Change Order

☐ A-30

☐ 4/5 Vote

Prev. Agn. Ref.: 04/08/14; 9.4

District: 5/5

Agenda Number:

2-22

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Order to Abate [Accumulated Rubbish];

Case No. CV12-05227 [RIVERA, SURUY, SHRUSBREE, GUZMAN, ET AL.]

Subject Property: 20815 Hansen Avenue, Nuevo; APN: 426-210-060

District: 5/5 [\$0.00]

DATE:

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

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

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

[EXEMPT GC §§ 6103 and 27383]

8
9 **BOARD OF SUPERVISORS**
10 **COUNTY OF RIVERSIDE**

11 IN RE ABATEMENT OF PUBLIC NUISANCE:) CASE NO. CV 12-05227
[ACCUMULATION OF RUBBISH];)
12 APN 426-210-060, 20815 HANSEN AVENUE,) FINDINGS OF FACT,
NUEVO, RIVERSIDE COUNTY, CALIFORNIA;) CONCLUSIONS AND ORDER TO
13 DIANA RIVERA, ROBERTA SURUY, EUGENE) ABATE NUISANCE
SHRUSBREE, MARGARITA GUZMAN, ANGEL)
14 HARO, AND PANALITA MUTUKUN, OWNERS.) R.C.O. Nos. 541 and 725
15)
16)

17 The above-captioned matter came on regularly for hearing on April 8, 2014, 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 as 20815 Hansen Avenue, Nuevo, Riverside County, and further described as Assessor's
21 Parcel Number 426-210-060 referred to hereinafter as "THE PROPERTY."

22 L. Alexandra Fong, Deputy County Counsel, appeared along with Michelle Cervantes, Code
23 Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

24 Owners did not appear.

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

28 ///

1

2

5

8

10

13

15

17

21

24

25

27

1 426-210-060 violates Riverside County Ordinance No. 541 and constitutes a public nuisance.

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

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

10 **ORDER TO ABATE NUISANCE**

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

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

22 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity
23 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special
24 assessment against THE PROPERTY pursuant to Government Code section 25845 and Riverside
25 County Ordinance Nos. 541 and 725. Under Riverside County Ordinance No. 725, "abatement
26 costs" means "any costs or expenses reasonably related to the abatement of conditions which violate
27 County Land Use Ordinances, and shall include, but not be limited to, enforcement, investigation,
28 collection and administrative costs, attorneys fees, and the costs associated with the removal or

1 correction of the violation." Reasonable abatement costs accrued by the Code Enforcement
2 Department will be recoverable from the property owner(s) even if THE PROPERTY is brought into
3 compliance within ninety (90) days of the date of this Order to Abate Nuisance.

4
5 Dated: _____

COUNTY OF RIVERSIDE

6
7 By _____
8 Jeff Stone
9 Chairman, Board of Supervisors

10 ATTEST:

11 KECIA HARPER-IHEM

12 Clerk to the Board

13 By _____
14 Deputy
15
16 (SEAL)

FORM APPROVED COUNTY COUNSEL
BY: 5/16/14 DATE
L. ALEXANDRA FONG

17
18
19
20
21
22
23
24
25
26
27 G:\Litigation\Code Enforcement\Findings of Facts\2014\12-05227\541 FOF.DOC
28