

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
3 RIVERSIDE, CALIFORNIA, APPROVING THE REPORT,
4 ASSESSING THE COSTS AND ESTABLISHING LIENS
5 AGAINST PARCELS OF REAL PROPERTY IN THE CITY OF
6 RIVERSIDE RELATING TO THE ABATEMENT OF
7 GARBAGE, RUBBISH, REFUSE, TRASH/DEBRIS OR WASTE
8 MATTER AS PUBLIC NUISANCES PURSUANT TO THE
9 PROVISIONS OF CHAPTERS 6.15 OF THE RIVERSIDE
10 MUNICIPAL CODE.

11 WHEREAS Article XI, Section 7 of the California Constitution grants counties and cities
12 authority to make and enforce local ordinances pursuant to their police power; and

13 WHEREAS the rights and remedies provided in Section 2929.3 of the California Civil
14 Code are cumulative and in addition to any other rights and remedies provided by law and does
15 not preempt local ordinances; and

16 WHEREAS, by Section 6.15.020 of the Riverside Municipal Code, the existence of any
17 garbage, rubbish, refuse or waste matter upon the premises within the City of Riverside, contrary
18 to the provisions of Chapters 6.04 of the Riverside Municipal Code was declared a nuisance; and

19 WHEREAS, Sections 6.15.050 and 6.15.055 of the Riverside Municipal Code authorizes
20 unpaid administrative costs to be placed on regular tax rolls for collection in the same manner as
21 an ad valorem tax; and

22 WHEREAS, a public hearing was held on July 16, 2019, by the City Council of the City
23 of Riverside.

24 NOW THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED
25 by the City Council of the City of Riverside, California, as follows:

26 Section 1: That in accordance with the provisions of Section 6.15.025 of the Riverside
27 Municipal Code, notices were given to the owners or persons in control of various parcels
28 located within the City of Riverside of the existence of garbage, rubbish, refuse, trash/debris or
waste matter on such parcel contrary to the provisions of Chapter 6.15 of the Riverside
Municipal Code and advising that the existence of such garbage, rubbish, refuse or waste matter
was a nuisance and ordering the abatement of such nuisance.

1 Section 2: That after expiration of the limit for compliance as set forth in such notice to
2 abate including the time for any appeal as set forth in Section 6.15.030 of the Riverside
3 Municipal Code, the City of Riverside either by its employees or by contractor caused the
4 nuisance to be abated as authorized by Section 6.15.040 of the Riverside Municipal Code.

5 Section 3: That said costs are based on the actual cost to abate the garbage, rubbish,
6 refuse, trash/debris, or waste matter nuisances and is levied without regard to property
7 valuations.

8 Section 4: That it be and is hereby found and determined by the City Council that the
9 existence of garbage, rubbish, refuse, trash/debris, or waste matter on each of the parcels of land
10 located within the City of Riverside as described in Exhibit B, attached hereto and incorporated
11 hereby by this reference, constituted a nuisance as defined by and declared by Chapter 6.15 of
12 the Riverside Municipal Code.

13 Section 5: That the report and accounting setting forth the charges was prepared in full
14 compliance with the applicable requirements of Chapter 6.15 of the Riverside Municipal Code
15 and is thereby in compliance with the laws pertaining to the levy of the subject costs and said
16 costs are based on the actual cost to abate the nuisance and is levied without regard to property
17 valuations.

18 Section 6: That the above-mentioned report and account be and the same is hereby
19 confirmed and that the total costs of abating such nuisance on each of the parcels of land
20 described in said Exhibit B, as said costs are set forth therein, be and the same are hereby
21 charged and assessed as special assessments against and liens upon the respective parcels of
22 land, as such parcels are shown on the last available assessment roll of the County of Riverside,
23 to be collected at the same time and in the same manner as ordinary municipal taxes are collected
24 in the 2019/2020 tax year.

25 Section 7: That the Tax Collector of the County of Riverside bill and collect the
26 assessments against each parcel of land as described in Exhibit B in the same manner as ordinary
27 municipal taxes are collected.

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Section 8: That the City Clerk shall prepare and file with the County Recorder and County Auditor of the County of Riverside a certified copy of this resolution, including said Exhibit B.

Section 9: That the costs against any parcel listed in Exhibit B assessed by this resolution and the lien created thereby shall be deemed discharged and released upon the payment of said parcel of the property taxes for the tax year above noted.

ADOPTED by the City Council this _____ day of _____, 2019.

WILLIAM RUSTY BAILEY III
Mayor of the City of Riverside

Attest:

COLLEEN J. NICOL
City Clerk of the City of Riverside

1 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the
2 foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City
3 at its meeting held on the _____ day of _____, 2019, by the following vote, to wit:

4 Ayes:

5 Noes:

6 Absent:

7 Abstain:

8 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of
9 the City of Riverside, California, this _____ day of _____, 2019.

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11 _____
12 COLLEEN J. NICOL
13 City Clerk of the City of Riverside
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