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Exempt per Gov't Code §6103

Attorneys for
Northwest Mosquito & Vector Control District

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF RIVERSIDE**

IN THE MATTER OF NORTHWEST MOSQUITO AND VECTOR CONTROL DISTRICT APPLICATION FOR INSPECTION AND ABATEMENT WARRANT	CASE NO. CVRI 2205441 INSPECTION AND ABATEMENT WARRANT
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TO THE GENERAL MANAGER OF THE NORTHWEST MOSQUITO AND VECTOR CONTROL DISTRICT ("DISTRICT"), ANY REPRESENTATIVE OR DESIGNEE THEREOF, AND ANY SHERIFF, POLICE OFFICER OR PEACE OFFICER IN THE COUNTY OF RIVERSIDE:

Proof by Affidavit of Dr. Mark Breidenbaugh, of the District, having been made before the above-entitled Court that there is probable cause to believe that all neglected pools or other stagnant water sources on the properties within the District are potential breeding sources of mosquitoes that can potentially transmit West Nile and other arthropod-borne viruses and must be inspected and treated. By this reference, the Affidavit of Dr. Mark Breidenbaugh which accompanies this warrant, is incorporated herein as if stated in full herewith.

The District's jurisdiction includes all of the incorporated cities of Calimesa, Canyon Lake, Corona, Lake Elsinore, Eastvale, Jurupa Valley, Norco and Riverside. The District also controls vectors in the northwest portion of Riverside County including the following unincorporated communities: Arlanza/Arlington, Canyon Crest, Coronita, Glen Avon, Highgrove, Home Gardens, La Sierra, Pedley, Rubidoux, Woodcrest and other unincorporated areas within the boundaries of

1 the Northwest Mosquito and Vector Control District (collectively hereinafter, the "District's
2 Jurisdiction").

3 This warrant authorizes the District to enter all properties within the District's Jurisdiction
4 for purposes of inspecting and abating health and safety conditions described more fully in the
5 Affidavit of Dr. Mark Breidenbaugh. Justification for this expanded authority lies in the discovery
6 made by the District of *Aedes aegypti* in the District's Jurisdiction, as more specifically discussed
7 in the attached and incorporated Affidavit of Dr. Mark Breidenbaugh.

8 YOU ARE THEREFORE AUTHORIZED: Commencing on the date this warrant is
9 executed, or as soon thereafter as practicable, and for a period extended through and including
10 December 31, 2023, to enter the exterior of any property in the District's Jurisdiction when the
11 District believes that said property contains a neglected pool or other stagnant water sources, based
12 upon aerial imagery, historical records, public complaints to investigate possible standing water
13 sources, or the observation of district personnel. Historical records include a history of harboring a
14 neglected pool or stagnant water source at specified addresses or locations.

15 You may enter the exterior area of these properties for the purpose of inspecting for the
16 presence of mosquito larvae that are potentially capable of transmitting West Nile virus and other
17 arboviruses once they become adults. Once it is determined by you that mosquito breeding is
18 occurring, you may examine water quality and identify the various mosquito stages that are present
19 and utilize larvicides or mosquito fish as control measures. Treatment may also be made as a
20 preventive measure if conditions exist that are conducive to mosquito breeding. Adulticides may
21 also be used if large numbers of adult mosquitoes are present to reduce risk of disease transmission.

22 Prior to entering each said property, you shall knock on the front door of the property and
23 request voluntary consent to enter the property. If you do not receive consent for any reason, you
24 shall leave a written communication giving 24-hour notice to resolve any obstruction before entry
25 is made. After 24-hour notice is given, you may enter the exterior of the property to conduct the
26 inspection, testing, and treatment. You may use minimal reasonable force to enter an area (e.g.,
27 opening, or otherwise entering into areas behind unlocked gates) of any property within the
28 District's Jurisdiction if District believes said area contains a neglected pool or other stagnant body

1 of water. If destruction of property is necessary to gain entry, a more particularized showing will
2 be required.

3 Upon identifying a neglected pool or stagnant body of water on the property that either is
4 currently breeding mosquitos or has conditions conducive to breeding mosquitos that are potentially
5 capable of transmitting West Nile and other arthropod-borne viruses once they become adults, the
6 District may take any and all necessary actions to test, treat, remediate, and abate such conditions
7 consistent with applicable Federal, State, and local regulations. This includes but is not limited to
8 *Health and Safety Code* §§2040 and 2053 and *Code of Civil Procedure* §1822.50, et seq.

9 Notwithstanding the foregoing, if *Aedes aegypti* is confirmed on any given property, the
10 District will place a written notice on all private properties found within a 450-foot radius of said
11 location where the *Aedes aegypti* has been identified. The notice will inform the property owner
12 that within 48 hours, the District will be performing an inspection on said property in an effort to
13 determine whether any water sources on said property are infected with *Aedes aegypti*.
14 Notifications will consist of information about *Aedes aegypti*, public health significance, and what
15 the District will do while performing the inspection and treatments. A phone number for the District
16 shall be included with the posting asking residents to contact the District to schedule an inspection
17 appointment. The resident will be informed that if he/she does not contact the District within 24
18 hours to schedule an appointment, District staff will return to the residence to request entry to the
19 property for inspection and, if the resident is not present or refuses, the District will move forward
20 with execution of the warrant. District staff will then perform an inspection of the front, side and
21 backyards for stagnant water (such as, but not limited to, include buckets, pots with or without
22 plants, pot bases, ornamental ponds, decorative fountains, birdbaths, animal water dishes, bowls,
23 toys, broken appliances, discarded tires, portable pools, cisterns, leaking water supplies,
24 evaporative coolers, gutters, yard drains, drain pipes) and take the necessary action to abate
25 mosquito breeding, all consistent with the attached and incorporated Affidavit of Mark
26 Breidenbaugh.

27 This warrant may only be executed between the hours of 7:00 am. and 6:00 p.m. each day
28 that it is in effect.

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The District shall file periodic returns with the court on or before the last business day of each quarter commencing March 2023, and continuing through December 31, 2023. Each return shall identify the address of each property being inspected, how the District determined the property had a neglected pool or stagnant water sources; the method of notice used; the date and time of inspection; and a description of the steps of abatement taken.

DATE: 12/19/2022

Harold W. Hopp



JUDGE OF THE SUPERIOR COURT

Honorable Harold W. Hopp