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FILING FEE EXEMPT PURSUANT TO
GOVERNMENT CODE § 6103

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7 NORTHWEST MOSQUITO AND VECTOR
8 CONTROL DISTRICT

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

12 IN THE MATTER OF NORTHWEST 13 MOSQUITO AND VECTOR CONTROL 14 DISTRICT APPLICATION FOR 15 INSPECTION AND ABATEMENT 16 WARRANT	17 CASE NO. CVRI2600736 18 INSPECTION AND ABATEMENT 19 WARRANT
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20 TO THE GENERAL MANAGER OF THE NORTHWEST MOSQUITO AND VECTOR
21 CONTROL DISTRICT (“DISTRICT”), ANY REPRESENTATIVE OR DESIGNEE THEREOF,
22 AND ANY SHERIFF, POLICE OFFICER OR PEACE OFFICER IN THE COUNTY OF
23 RIVERSIDE:

24 THE COURT FINDS THAT:

25 1. Proof by Affidavit of Dr. Mark Breidenbaugh, of the District, having been made before
26 the above-entitled Court that there is probable cause to believe that all neglected pools or other
27 stagnant water sources on the properties within the District are potential breeding sources of
28 mosquitoes that can potentially transmit West Nile and other arthropod-borne viruses and must be
inspected and treated.

2. By this reference, the Affidavit of Dr. Mark Breidenbaugh which accompanies this
warrant, is incorporated herein as if stated in full herewith.

3. 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

1 controls vectors in the northwest portion of Riverside County including the following
2 unincorporated communities: Arlanza/Arlington, Canyon Crest, Coronita, Glen Avon, Highgrove,
3 Home Gardens, La Sierra, Pedley, Rubidoux, Woodcrest and other unincorporated areas within the
4 boundaries of the Northwest Mosquito and Vector Control District (collectively hereinafter, the
5 “District’s Jurisdiction”).

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

11 5. Neglected pools and stagnant water bodies create immediate health and safety threats
12 because they serve as prime breeding grounds for mosquitoes.

13 THEREFORE, THE COURT ORDERS AS FOLLOWS:

14 YOU ARE THEREFORE AUTHORIZED: Commencing on the date this warrant is
15 executed, or as soon thereafter as practicable, and for a period extended through and including
16 December 31, 2026, to enter the exterior of any property in the District’s Jurisdiction when the
17 District believes that said property contains a neglected pool or other stagnant water sources, based
18 upon aerial imagery, historical records, public complaints to investigate possible standing water
19 sources, or the observation of district personnel. Historical records include a history of harboring a
20 neglected pool or stagnant water source at specified addresses or locations.

21 You may enter the exterior area of these properties for the purpose of inspecting for the
22 presence of mosquito larvae that are potentially capable of transmitting West Nile virus and other
23 arboviruses once they become adults. Once it is determined by you that mosquito breeding is
24 occurring, you may examine water quality and identify the various mosquito stages that are present
25 and utilize larvicides or mosquito fish as control measures. Treatment may also be made as a
26 preventive measure if conditions exist that are conducive to mosquito breeding. Adulticides may
27 also be used if large numbers of adult mosquitoes are present to reduce risk of disease transmission.
28

1 Prior to entering each said property, you shall knock on the front door of the property and
2 request voluntary consent to enter the property. If you do not receive consent for any reason, you
3 shall leave a written communication giving 24-hour notice to resolve any obstruction before entry
4 is made. After 24-hour notice is given, you may enter the exterior of the property to conduct the
5 inspection, testing, and treatment. You may use minimal reasonable force to enter an area (e.g.,
6 opening, unlocking, or otherwise entering into areas behind locked gates or fences) of any property
7 within the District’s Jurisdiction if District believes said area contains a neglected pool or other
8 stagnant body of water. Good cause exists for such minimal reasonable force due to the reasonable
9 suspicion of conditions that if existing post an immediate threat to health or safety.

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

16 Notwithstanding the foregoing, if *Aedes aegypti* is confirmed on any given property, the
17 District will place a written notice on all private properties found within a 450-foot radius of said
18 location where the *Aedes aegypti* has been identified. The notice will inform the property owner
19 that within 48 hours, the District will be performing an inspection on said property in an effort to
20 determine whether any water sources on said property are infected with *Aedes aegypti*.
21 Notifications will consist of information about *Aedes aegypti*, public health significance, and what
22 the District will do while performing the inspection and treatments. A phone number for the District
23 shall be included with the posting, asking residents to contact the District to schedule an inspection
24 appointment. The resident will be informed that if he/she does not contact the District within 24
25 hours to schedule an appointment, District staff will return to the residence to request entry to the
26 property for inspection and, if the resident is not present or refuses, the District will move forward
27 with execution of the warrant. District staff will then perform an inspection of the front, side and
28 backyards for stagnant water (such as, but not limited to, include buckets, pots with or without

1 plants, pot bases, ornamental ponds, decorative fountains, birdbaths, animal water dishes, bowls,
2 toys, broken appliances, discarded tires, portable pools, cisterns, leaking water supplies,
3 evaporative coolers, gutters, yard drains, drain pipes) and take the necessary action to abate
4 mosquito breeding, all consistent with the attached and incorporated Affidavit of Mark
5 Breidenbaugh.

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

8 The District shall file periodic returns with the court on or before the 15th day following
9 the end of each quarter. Each return shall identify the address of each property being inspected,
10 how the District determined the property had a neglected pool or stagnant water sources; the method
11 of notice used; the date and time of inspection; and a description of the steps of abatement taken, if
12 any.

13 DATE: Tas&A LLC



Harold W. Hopp

JUDGE OF THE SUPERIOR COURT
Honorable Harold W. Hopp