

**FAXED**

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FILING FEE EXEMPT PURSUANT TO GOVERNMENT CODE § 6103

**FILED**  
 SUPERIOR COURT OF CALIFORNIA  
 COUNTY OF SAN BERNARDINO  
 SAN BERNARDINO CIVIL DIVISION

JUN 20 2023

*by*   
 VERONICA GONZALEZ, DEPUTY

6 Attorneys for  
 7 WEST VALLEY MOSQUITO AND VECTOR  
 8 CONTROL DISTRICT

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
 10 **COUNTY OF SAN BERNARDINO**

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 12 **IN THE MATTER OF WEST VALLEY**  
 13 **MOSQUITO AND VECTOR**  
 14 **CONTROL DISTRICT'S**  
 15 **APPLICATION FOR AN**  
 16 **INSPECTION AND ABATEMENT**  
 17 **WARRANT**

Case No. CIVDS1723119

JFAP: Hon. Khymberli S. Apaloo  
Dept. S25

~~(PROPOSED)~~ INSPECTION AND ABATEMENT WARRANT

[Filed concurrently with Declaration of Michelle A. Brown; Application for Inspection And Abatement Warrant.]

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 20 **TO THE PEOPLE OF THE STATE OF CALIFORNIA, AND TO THE GENERAL**  
 21 **MANAGER OF THE WEST VALLEY MOSQUITO AND VECTOR CONTROL**  
 22 **DISTRICT (the "DISTRICT"), AND ANY REPRESENTATIVE OR DESIGNEE**  
 23 **THEREOF, AND ANY SHERIFF, POLICE OFFICER OR PEACE OFFICER IN THE**  
 24 **COUNTY OF SAN BERNARDINO:**

25 Upon the Declaration of Michelle A. Brown, which is incorporated by reference, and it  
 26 appearing therefrom that there is cause to believe that all neglected pools or other stagnant water  
 27 sources on the properties within the District's jurisdiction are potential breeding sources for  
 28 mosquitos that can potentially transmit West Nile Virus and other arthropod-borne viruses and

RIV #4888-0045-6263 v1

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1 therefore, that those sources must be inspected and treated. The District's Jurisdiction includes  
 2 Chino, Chino Hills, Montclair, Ontario, Rancho Cucamonga, Upland, and parts of unincorporated  
 3 San Bernardino County.

4 **YOU ARE HEREBY AUTHORIZED** to enter onto all properties within the District's  
 5 Jurisdiction, when the District believes that said property may be a breeding ground for  
 6 mosquitos, for purposes of inspecting and abating health and safety conditions, more fully  
 7 described in the Declaration of Michelle A. Brown. Justification for this expanded authority is  
 8 based on the Declaration of Michelle A. Brown.

9 **YOU ARE HEREBY AUTHORIZED** to enter onto all properties within the District's  
 10 Jurisdiction, when the District believes that said property contains a neglected pool or other  
 11 stagnant water source.

12 **YOU ARE HEREBY AUTHORIZED** to examine water quality and identify the various  
 13 mosquito stages that are present, if you determine that mosquito breeding is occurring.

14 **YOU ARE HEREBY AUTHORIZED** to take any and all necessary actions to test, treat,  
 15 remediate, and abate any conditions where mosquitos potentially capable of transmitting West  
 16 Nile Virus and other arthropod-borne viruses are breeding or where conditions are conducive to  
 17 breeding mosquitos that are potentially capable of transmitting West Nile Virus and other  
 18 arthropod-borne viruses, consistent with applicable federal, state, and local regulations.

19 **YOU ARE HEREBY AUTHORIZED** to utilize larvicides or mosquito fish as control  
 20 measures, if you determine that mosquito breeding is occurring. Adulticides may also be used if  
 21 large numbers of adult mosquitos are present, to reduce risk of disease transmission.

22 The inspections shall be conducted in a reasonable manner for the purpose of ensuring  
 23 compliance with all applicable laws.

24 The inspection shall be conducted subject to the following conditions:

- 25 1. This warrant shall be effective for a period from the date it is signed through and
- 26 including December 31, 2023;
- 27 2. This warrant may not be executed after 6:00 p.m. or before 8:00 a.m. of any day;

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- 3. Prior to entering on any property, you shall attempt to obtain voluntary consent to enter. If consent is not received or given, you may immediately enter onto the exterior of the property for inspection, testing, and treatment;
- 4. Good cause appearing, minimal forcible entry onto the premises is authorized, if necessary, to effectuate entry, including but not limited to the use of a state licensed locksmith;
- 5. Good cause appearing, this inspection may be made in the absence of the Property's owner or other occupant;
- 6. Any animals found on the premises may be restrained until the inspection is completed;
- 7. Notwithstanding any other provision, if *Aedes aegypti* is confirmed on any given property, the District will place a written notice on all private properties within a 450 foot radius, informing the property owner that within 48 hours, the District will conduct an inspection of the exterior of the property to determine whether *Aedes aegypti* is present. The notifications will also contain information on *Aedes aegypti*, a description of the inspection, a phone number for the District, and a request that the resident contact the District to schedule an inspection. The resident will be informed that if the District is not contacted within 24-hours to schedule an inspection, District staff will return to seek consent in person. Further, if consent is not given or is denied, District staff will execute the warrant, inspecting the front, back, and side yards for stagnant water sources and taking actions necessary to abate mosquito breeding;
- 8. Any animals found on the premises may be restrained until the inspection is completed; and
- 9. Any inspection made pursuant to this warrant may be made in the company of attorneys, technical assistants, contractors, and other experts whose professional and expert advice and assistance is necessary in order to assure a thorough and

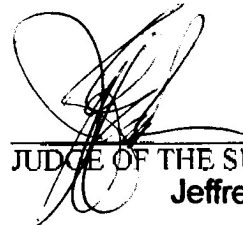
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safe remedy to the hazardous conditions and public nuisances existing on the Property.

You are directed to file monthly updates with the Court on the status of the inspections and abatements. Each update shall identify the address of each property inspected or abated, how the District determined the property needed to be inspected and/or abated, whether consent was granted to enter onto the property, the date and time of the inspection and/or abatement, and the abatement description, where applicable.

You are directed to make a final return of this warrant, to this Court, on or before December 31, 2023.

GIVEN UNDER MY HAND and dated June 20, 2023.

  
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JUDGE OF THE SUPERIOR COURT  
Jeffrey R. Erickson