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CONTROL DISTRICT

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CONTROL DISTRICT

FILING FEE EXEMPT PURSUANT TO  
GOVERNMENT CODE § 6103

**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN BERNARDINO  
SAN BERNARDINO DISTRICT

MAR 22 2021

BY *Elizabeth Gomez*  
ELYZABETH GOMEZ, DEPUTY

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

**IN THE MATTER OF WEST VALLEY  
MOSQUITO AND VECTOR  
CONTROL DISTRICT'S  
APPLICATION FOR AN  
INSPECTION AND ABATEMENT  
WARRANT**

Case No. CIVDS1723119

JFAP: Hon.  
Dept. S25

**(PROPOSED) INSPECTION AND  
ABATEMENT WARRANT**

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

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

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

BY FAX

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, 2021;
- 27 2. This warrant may not be executed after 6:00 p.m. or before 8:00 a.m. of any day;

- 1 3. Prior to entering on any property, you shall attempt to obtain voluntary consent to  
2 enter. If consent is not received or given, you may immediately enter onto the  
3 exterior of the property for inspection, testing, and treatment;
- 4 4. Good cause appearing, minimal forcible entry onto the premises is authorized, if  
5 necessary, to effectuate entry, including but not limited to the use of a state  
6 licensed locksmith;
- 7 5. Good cause appearing, this inspection may be made in the absence of the  
8 Property's owner or other occupant;
- 9 6. Any animals found on the premises may be restrained until the inspection is  
10 completed;
- 11 7. Notwithstanding any other provision, if *Aedes aegypti* is confirmed on any given  
12 property, the District will place a written notice on all private properties within a  
13 450 foot radius, informing the property owner that within 48 hours, the District  
14 will conduct an inspection of the exterior of the property to determine whether  
15 *Aedes aegypti* is present. The notifications will also contain information on *Aedes*  
16 *aegypti*, a description of the inspection, a phone number for the District, and a  
17 request that the resident contact the District to schedule an inspection. The resident  
18 will be informed that if the District is not contacted within 24-hours to schedule an  
19 inspection, District staff will return to seek consent in person. Further, if consent is  
20 not given or is denied, District staff will execute the warrant, inspecting the front,  
21 back, and side yards for stagnant water sources and taking actions necessary to  
22 abate mosquito breeding;
- 23 8. Any animals found on the premises may be restrained until the inspection is  
24 completed; and
- 25 9. Any inspection made pursuant to this warrant may be made in the company of  
26 attorneys, technical assistants, contractors, and other experts whose professional  
27 and expert advice and assistance is necessary in order to assure a thorough and  
28

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

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

8 You are directed to make a final return of this warrant, to this Court, on or before  
9 December 31, 2021.

10 GIVEN UNDER MY HAND and dated MAR 22 2021, 2021.

11  
12  
13 MAR 22 2021

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JUDGE OF THE SUPERIOR COURT

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MAR 17 2021  
By \_\_\_\_\_  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN BERNARDINO