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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **FOR THE COUNTY OF RIVERSIDE**  
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11 IN THE MATTER OF NORTHWEST ) CASE NO. RIC 1607533  
12 MOSQUITO AND VECTOR CONTROL )  
DISTRICT APPLICATION FOR )  
13 INSPECTION AND ABATEMENT ) **INSPECTION AND ABATEMENT**  
WARRANT ) **WARRANT**  
14 \_\_\_\_\_ )

15 TO THE GENERAL MANAGER OF THE NORTHWEST MOSQUITO AND VECTOR  
16 CONTROL DISTRICT ("DISTRICT"), ANY REPRESENTATIVE OR DESIGNEE THEREOF,  
17 AND ANY SHERIFF, POLICEMAN OR PEACE OFFICER IN THE COUNTY OF  
18 RIVERSIDE:

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

25 The District's jurisdiction includes all of the cities of Riverside, Jurupa Valley, Eastvale,  
26 Norco, Corona, Lake Elsinore, Canyon Lake, and parts of unincorporated western Riverside  
27 County (collectively hereinafter, the "District's Jurisdiction").  
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1 This Request is for a warrant to provide the District with authority to enter all properties  
2 within the District's Jurisdiction for purposes of inspecting and abating health and safety  
3 conditions described more fully in the Declaration of Major Dhillon, Ph.D. Justification for this  
4 expanded authority lies in a discovery made by the District of *Aedes aegypti* in the District's  
5 Jurisdiction, as more specifically discussed in the attached and incorporated Declaration of Major  
6 Dhillon, Ph.D.

7 Districts Jurisdiction warrants of this type were upheld in the case of *Camara v.*  
8 *Municipal Court of San Francisco* (1967) 387 U.S. 523. As the United States Supreme Court  
9 recognized in that case, when health and safety issues arise, an agency's need "to conduct an area  
10 inspection is unavoidably based on its appraisal of conditions in the area as a whole, not on its  
11 knowledge of conditions in each particular building." (*Id.* at 536) For this reason, the Court  
12 further noted that area warrants have historically been used to prevent epidemics and are therefore  
13 of "indispensable importance to the maintenance of community health." (*Id.* at 537)

14 YOU ARE THEREFORE COMMANDED: 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, 2017, 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.

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

26 Prior to entering each said property, you shall knock on the front door of the property and  
27 request voluntary consent to enter the property. If you do not receive consent for any reason, you  
28 may immediately enter the exterior of the property to conduct the inspection, testing, and

1 treatment. You may use minimal reasonable force to enter an area (e.g., opening, unlocking, or  
2 otherwise entering into areas behind locked fences and gates) of any property within the District's  
3 Jurisdiction if District believes said area contains a neglected pool or other stagnant body of  
4 water.

5       Upon identifying a neglected pool or stagnant body of water on the property that either is  
6 currently breeding mosquitos or has conditions conducive to breeding mosquitos that are  
7 potentially capable of transmitting West Nile and other arthropod-borne viruses once they  
8 become adults, the District may take any and all necessary actions to test, treat, remediate, and  
9 abate such conditions consistent with applicable Federal, State, and local regulations.

10       Notwithstanding the foregoing, if *Aedes aegypti* is confirmed on any given property, the  
11 District will place a written notice on all private properties found within a 450 foot radius of said  
12 location where the *Aedes aegypti* has been identified. The notice will inform the property owner  
13 that within 48 hours, the District will be performing an inspection on said property in an effort to  
14 determine whether any water sources on said property are infected with *Aedes aegypti*.

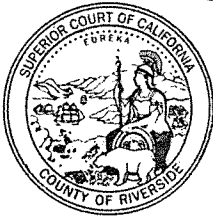
15 Notifications will consist of information about *Aedes aegypti*, public health significance, and  
16 what the District will do while performing the inspection and treatments. A phone number for  
17 the District shall be included with the posting asking residents to contact the District to schedule  
18 an inspection appointment. The resident will be informed that if he/she does not contact the  
19 District within 24 hours to schedule an appointment, District staff will return to the residence to  
20 request entry to the yard for inspection and, if the resident is not present or refuses, the District  
21 will move forward with execution of the warrant. District staff will then perform an inspection of  
22 the front, side and backyards for stagnant water (such as, but not limited to, include buckets, pots  
23 with or without plants, pot bases, ornamental ponds, decorative fountains, birdbaths, animal water  
24 dishes, bowls, toys, broken appliances, discarded tires, portable pools, cisterns, leaking water  
25 supplies, evaporative coolers, gutters, yard drains, drain pipes) and take the necessary action to  
26 abate mosquito breeding, all consistent with the attached and incorporated Declaration of Major  
27 Dhillon, Ph.D.

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

3 The District shall file periodic returns with the court on or before the last business day of  
4 each month commencing June 30, 2017, and continuing through December 31, 2017. Each return  
5 shall identify the address of each property being inspected, how the District determined the  
6 property had a neglected pool or stagnant water sources; the method of notice used; the date and  
7 time of inspection; and a description of the steps of abatement taken.

8  
9 DATE: 7/26/17



  
JUDGE OF THE SUPERIOR COURT

**John W Vineyard**

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