

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



521 B

FROM: County Counsel/TLMA
Department of Building & Safety

SUBMITTAL DATE: January 14, 2003

SUBJECT: Abatement of Public Nuisance [Excess Outside Storage];
B&S Case No.: CV 01-3285
Subject Property: 73105 Paradise Avenue, Desert Hot Springs; APN: 645-160-001
District Four

RECOMMENDED MOTION: Move that:

1. The excess outside storage of materials on the real property located at 73105 Paradise Avenue, Desert Hot Springs, Riverside County, California, APN: 645-160-001, be declared a public nuisance and a violation of Riverside County Ordinance No. 348, Section 6.1 as codified in Riverside County Code Chapter 17.24.
2. Floyd Goodman and Janean Goodman, the owners of the subject real property, be directed to abate the excess outside storage on the property by removing the same from the real property within ninety (90) days.
3. If the owners or whoever has possession or control of the real property does not take the above described action within ninety (90) days of the date of the Board's Order to Abate, that representatives of the Department of Building & Safety, Sheriff's Department, and/or a contractor, upon consent of the owner or receipt of a Court Order authorizing entry onto the real property, when necessary under applicable law, shall abate the excess outside storage by removing the same from the real property.

Shirvan Sherma Acosta

 SHIRVAN SHERMA ACOSTA,
 Deputy County Counsel

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

James H. Sawyer

Policy

Consent

Department Recommendation:
Per Executive Office:

4. The reasonable costs of abatement, after notice and an opportunity for hearing, shall be imposed as a lien on the real property, which may be collected as a special assessment against the real property pursuant to Government Code Section 25845 and Ordinance No. 725.
5. County Counsel be directed to prepare the necessary Findings of Fact and Conclusions that the excess outside storage of materials on the real property is declared to be in violation of Riverside County Ordinance No. 348, and a public nuisance, and further, to prepare and Order to Abate for approval by the Board.

JUSTIFICATION:

1. An initial inspection was made of the subject property on October 19, 2001.
2. The inspections of the property revealed the excess outside storage of materials in violation of Riverside County Ordinance No. 348, Section 6.1, including but not limited to: used tires, scrap metal, wood, discarded furniture, appliances, car parts, a collapsed shed and trash. The total square footage of the material measured in excess of eight thousand (8,000) square feet.
3. Subsequent inspections of the above-described real property on December 12, 2001, February 6, March 19, April 30, July 25, November 21, and December 24, 2002, revealed that the property continued to be in violation of Riverside County Ordinance No. 348, Section 6.1.
4. Staff of the Department of Building and Safety have complied with the notice requirements set forth in the appropriate laws of this jurisdiction pertaining to the Administrative Abatement Proceedings for the removal of excess outside storage.