

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



407 B

FROM: County Counsel/TLMA
Department of Building & Safety

SUBMITTAL DATE: January 6, 2003

SUBJECT: Abatement of Public Nuisance [Accumulation of Rubbish];
B&S Case No.: CV 01-1693
Subject Property: Field North of Buckeye, East of Marshall off Highway 74, Hemet; APN: 553-180-009
District Three

RECOMMENDED MOTION: Move that:

- (1) The accumulation of rubbish on the real property located at the Field north of Buckeye, east of Marshall off Highway 74, Hemet, Riverside County, California, APN: 553-180-009, be declared a public nuisance and a violation of Riverside County Ordinance No. 541 which does not permit the accumulation of rubbish on the property.
- (2) Papa Cortes Citrus Ranch, Inc., the owner of the subject real property, be directed to abate the accumulation of rubbish 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 accumulation of rubbish by removing the same from the real property.

(Continued)

Shirvan Sherma Acosta

SHIRVAN SHERMA ACOSTA,
Deputy County Counsel

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

James P. Buford

Policy Policy

Consent Consent

Department Recommendation:
Per Executive Office:

- (4) The reasonable cost 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 Facts and Conclusions that the accumulation of rubbish on the real property is declared to be in violation of Riverside County Ordinance No. 541, and a public nuisance, and further, to prepare an Order to Abate for approval by the Board.

JUSTIFICATION:

1. An initial inspection was made of the subject real property by the Code Enforcement Officer on September 5, 2001.
2. The inspection revealed the accumulation of rubbish in excess of seven hundred (700) square feet the subject property in violation of Riverside County Ordinance No. 541.
3. Subsequent inspections of the above-described real property on November 16, December 4, 2001, November 21, and December 23, 2002, revealed the property continues to be in violation of Riverside County Ordinance No. 541. The rubbish consisted of, but was not limited to: broken concrete, concrete piping, rust metal and miscellaneous debris.
4. Staff and the Department of Building and Safety have complied with the requirements set forth in the appropriate laws of this jurisdiction pertaining to the Administrative Abatement Proceedings for the removal of accumulation of rubbish.

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



9.5

10:00 a.m. being the time set for public hearing on Abatement of Public Nuisance [Accumulation of Rubbish] Case No. CV 01-1693, located at Field North of Buckeye, East of Marshall off Highway 74, Hemet, 3rd District, the Chairman called the matter for hearing.

Shirvan Sherma Acosta, Deputy County Counsel, requested that the matter be continued to February 25, 2003.

On motion of Supervisor Tavaglione, seconded by Supervisor Venable and duly carried by unanimous vote, IT WAS ORDERED that the above matter is continued to Tuesday, February 25, 2003.

Roll Call:

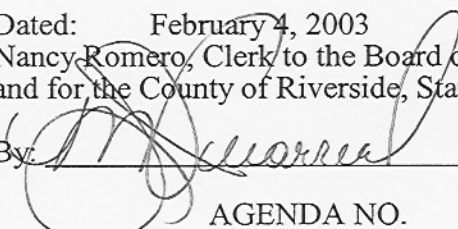
Ayes: Buster, Tavaglione, Venable and Ashley
Noes: None
Absent: Wilson

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on

February 4, 2003 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors

Dated: February 4, 2003
Nancy Romero, Clerk to the Board of Supervisors, in
and for the County of Riverside, State of California.

By:  Deputy

AGENDA NO.
9.5

xc: Co.Co., Bldg. & Safety, Property Owner, COB