

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



910B

FROM: County Counsel/TLMA
Department of Building & Safety

SUBMITTAL DATE: February 27, 2003

SUBJECT: Abatement of Public Nuisance [Excess Outside Storage];
B&S Case No.: CV 02-2109
Subject Property: 33222 Wesley Street, Winchester; APN: 463-074-002
District Three

RECOMMENDED MOTION: Move that:

1. The excess outside storage of materials on the real property located at 33222 Wesley Street, Winchester, Riverside County, California, APN: 463-074-002, be declared a public nuisance and a violation of Riverside County Ordinance No. 348, Section 5.1 as codified in Riverside County Code Chapter 17.16.
2. Ian S. Banwell and Ronald S. Mandlecorn, 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.

(Continued)

SHIRVAN SHERMA ACOSTA,
Deputy County Counsel

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

Prev. Agn. ref.

Dist. 3

AGENDA NO.

9.3

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 June 24, 2002.
2. The inspections of the property revealed the excess outside storage of materials in violation of Riverside County Ordinance No. 348, including but not limited to: metal, old wood, trash, old bicycle frames, auto parts, used tires and miscellaneous items. 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 November 5, December 30, 2002 and February 7, 2003 revealed that the property continued to be in violation of Riverside County Ordinance No. 348.
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.