

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



614B

FROM: County Counsel/TLMA
Department of Building & Safety
SUBMITTAL DATE: April 14, 2003
SUBJECT: Abatement of Public Nuisance [Excess Outside Storage and Accumulation of Rubbish];
B&S Case No.: CV 00-1261
Subject Property: 69415 Sugar Loaf Avenue, Mountain Center; APN: 636-173-005
District Three

RECOMMENDED MOTION: Move that:

1. The excess outside storage of materials and accumulation of rubbish on the real property located at 69415 Sugar Loaf Avenue, Mountain Center, Riverside County, California, APN: 636-173-005 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 (RCC Title 17) and 541 (RCC Title 8.120).
2. David L. Johnston, the owner of the subject real property, be directed to abate the excess outside storage and accumulation of rubbish on the property by removing the same from the real property within ninety (90) days.
3. If the owner 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 or receipt of a Court Order authorizing entry onto the real property when necessary under applicable law, shall abate the excess outside storage and accumulation of rubbish 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

Consent

Department Recommendation:
Per Executive Office:

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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 (RCC Title 1).
5. County Counsel be directed to prepare the necessary Findings of Fact and Conclusions that the excess outside storage of materials and accumulation of Rubbish on the real property is declared to be in violation of Riverside County Ordinance Nos. 348 (RCC Title 17) and 541 (RCC Title 8.120) 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 by the Code Enforcement Officer on April 26, 2000.
2. The inspection revealed the excess outside storage of materials and accumulation of rubbish on the subject property in violation of Riverside County Ordinance Nos. 348 (RCC Title 17) and 541 (RCC Title 8.120). The items included but were not limited to: metal, wood, paper, plastic, glass, appliances, toilet tanks, kitchen sinks, vehicle parts, boat, old trailers over fifty tires.
3. On January 3, 2003, an inspection warrant was executed and the amount of outside storage and rubbish on the property was determined with a measuring wheel to be eighteen thousand nine hundred four (18,904) square feet.
4. Subsequent re-inspections of the above-described real property on March 27, June 4, October 15, 2001, April 4, October 15, 2001, November 7, 2002, January 6 and March 14, 2003, revealed that the property continued to be in violation of Riverside County Ordinance Nos. 348 (RCC Title 17) and 541 (RCC Title 8.120).
5. 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 and accumulated rubbish.