

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



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**FROM:** County Counsel/TLMA  
Department of Building & Safety

**SUBMITTAL DATE:** April 14, 2003

**SUBJECT:** Abatement of Public Nuisance [Excess Outside Storage];  
B&S Case No.: CV 01-1723  
Subject Property: 13413 Cholla Road, Whitewater; APN: 517-282-011  
District Five

**RECOMMENDED MOTION:** Move that:

1. The excess outside storage of materials on the real property located at 13413 Cholla Road, Whitewater, Whitewater, Riverside County, California, APN: 517-282-011 be declared a public nuisance and a violation of Riverside County Ordinance No. 348 (RCC Title 17).
2. Jason Hutchins, the owner 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 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 by removing the same from the real property.

(Continued)

  
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SHIRVAN SHERMA ACOSTA,  
Deputy County Counsel

**C.E.O. RECOMMENDATION:**

**APPROVE**

County Executive Office Signature



Policy  
 Policy

Consent  
 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 (RCC Title 1).
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 (RCC Title 17), 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 August 10, 2001.
2. The inspection revealed the excess outside storage of materials or junkyard on the subject property in violation of Riverside County Ordinance No. 348. The items included but were not limited to: trash, wood scraps, metal scraps, furniture, storage lockers, approximately 25 tires, old water heaters, approximately 50 barrels with junk inside of them, old bath tubs, dishwashers, auto parts and cement blocks..
3. Subsequent re-inspections of the above-described real property on October 2, November 2, December 17, 2001, January 29, March 19, May 2, July 31, 2002, January 6 and March 17, 2003, revealed that the property continued to be in violation of Riverside County Ordinance No. 348 (RCC Title 17).
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.