

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



208B

FROM: County Counsel/TLMA
Department of Building & Safety

SUBMITTAL DATE: May 8, 2003

SUBJECT: Abatement of Public Nuisance [Excess Outside Storage];
B&S Case No.: CV 00-3657
Subject Property: 96436 Highway 111, Mecca; APN: 725-040-004
District Four

RECOMMENDED MOTION: Move that:

1. The excess outside storage of materials on the real property located at 96436 Highway 111, Mecca, Riverside County, California, APN: 725-040-004 be declared a public nuisance and a violation of Riverside County Ordinance No. 348 (RCC Title 17).
2. Phillip Stephens, 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)


SHIRVAN SHERMA ACOSTA,
Deputy County Counsel

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature



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 (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, 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 September 5, 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: auto parts, tires, construction materials, scrap metal and wood, furniture, appliances, books, household waste, green woody waste, inoperable golf utility carts, burnt boats, two boat frame, junked organ, carpet scraps and flooring, garden hoses, metal chain link poles, air conditioning units, pipes, tractor frame with missing parts and shell, corrugated aluminum and metal sheets, bricks, steel beams, bicycles, tub motorcycle parts, plastic and wood barrels, tools, containers, large water main pipes, broken Jacuzzi, asphalt and concrete rubble, foam mattresses, old street signs and miscellaneous junk and debris. The inspection revealed the excessive outside storage in excess of sixty-eight thousand (68,000) square feet.
3. Subsequent re-inspections of the above-described real property on November 30, 2001, May 2, June 4, June 10, September 3, November 25, December 31, 2002, February 3, February 24, March 27, and May 1, 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.