

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



209 B

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

**SUBMITTAL DATE:** May 8, 2003

**SUBJECT:** Abatement of Public Nuisance [Accumulation of Rubbish];  
B&S Case No.: CV 02-0356  
Subject Property: 68070 Pinesmoke, Mountain Center; APN: 635-261-012  
District Three

**RECOMMENDED MOTION:** Move that:

- (1) The accumulation of rubbish on the real property located at 68070 Pinesmoke, Mountain Center, Riverside County, California, APN: 635-261-012, be declared a public nuisance and a violation of Riverside County Ordinance No. 541 (RCC Title 8.120) which does not permit the accumulation of rubbish on the property.
- (2) Salt Creek, LTD, 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)

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SHIRVAN SHERMA ACOSTA,  
Deputy County Counsel

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

**APPROVE**

County Executive Office Signature

Department Recommendation:  Policy  Consent  
Per Executive Office:  Policy  Consent

- (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 (RCC Title 1).
- (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 April 29, 2002.
2. The inspection revealed the accumulation of rubbish in excess of six thousand eight hundred four (6,804) square feet the subject property in violation of Riverside County Ordinance No. 541.
3. Subsequent inspections of the above-described real property on August 15, November 5, 2002, February 13 and April 28, 2003, revealed the property continues to be in violation of Riverside County Ordinance No. 541. The rubbish consisted of, but was not limited to: plastics, scrap wood and metal, swamp cooler, pallets, bricks, screen doors, plastic buckets, lumber, metal, tires, mattress, garage door, hot tub and miscellaneous debris throughout the property.
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.