

**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: June 23, 2003

SUBJECT: Abatement of Public Nuisance [Excess Outside Storage];
B&S Case No.: CV 01-2142
Subject Property: 16400 Washington Street, Riverside; APN: 274-040-003
District One

RECOMMENDED MOTION: Move that:

1. The excess outside storage of materials on the real property located at 16400 Washington Street, Riverside, Riverside County, California, APN: 274-040-003, be declared a public nuisance and a violation of Riverside County Ordinance No. 348, Section 17.32.
2. Don Fruciano and Elissa Fruciano, 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

SHIRVAN SHERMA ACOSTA,
Deputy County Counsel

C.E.O. RECOMMENDATION: APPROVE

County Executive Office Signature

James L. Siefert

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

Prev. Agn. ref.

Dist. 1

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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 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 on July 19, 2001.
2. The inspections of the property revealed the excess outside storage of materials in violation of Riverside County Ordinance No. 348, Section 6.50, including but not limited to: wood, metal, tires and debris. On January 16, 2003, the total square footage of the material measured in excess of three thousand, two hundred fifty (3,250) square feet.
3. Subsequent inspections of the above-described real property on September 25, 2001, February 13, September 27, 2002, January 16, April 29 and June 5, 2003 revealed that the property continued to be in violation of Riverside County Ordinance No. 348, Section 17.32.
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.