

**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:** July 31, 2003

**SUBJECT:** Abatement of Public Nuisance [Appeal; Inoperable Vehicles];  
B&S Case No.: CV 02-0524  
Subject Property: 18337 Grand Avenue, Lake Elsinore, Riverside County;  
APN: 371-170-005  
District One

**RECOMMENDED MOTION:** Move that:

- (1) The vehicles and parts as set forth in the Vehicle Investigation Inventory Abatement Report be found to be abandoned, wrecked, dismantled or inoperative and declared a public nuisance in violation of Riverside County Ordinance Number 520 as codified in Riverside County Code Chapter 10.04.
- (2) The Administrative Hearing Order/Decision issued on November 4, 2002 be affirmed.
- (3) Robert W. Nelson and Nelda L. Nelson, or anyone having possession or control of the vehicles and vehicle parts be required to abate the public nuisance by removing all fifty-nine (59) abandoned, wrecked, dismantled or inoperative vehicles and vehicle parts within ninety days of the posting and mailing of the Board's Order.
- (4) If Robert W. Nelson and Nelda L. Nelson, or anyone having possession or control of the vehicles and vehicle parts, do not properly abate the public nuisance within ninety (90) days, a designated representative of the Department of Building & Safety, a towing contractor and/or Sheriff's Department representative shall abate the public nuisance by removal and destruction pursuant to Riverside County Ordinance No. 520 (RCC Chapter 10.04) and applicable laws.

(Continued)

*Shirvan Sherma Acosta*  
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 SHIRVAN SHERMA ACOSTA,  
 Deputy County Counsel

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

**APPROVE**

*Armin J. Simpson*

County Executive Office Signature

Policy  
 Policy

Consent  
 Consent

Department Recommendation:  
Per Executive Office:

- (5) The reasonable costs of abatement, after notice and an opportunity for hearing shall be imposed as a lien on the subject real property which may be collected as a special assessment against the real property pursuant to Government Code Section 25845 and County Ordinance Nos. 520 and 725.
- (6) County Counsel be directed to prepare the necessary Findings of Facts and Conclusions of Law that the vehicles and vehicle parts on the real property are declared to be in violation of Riverside County Ordinance No. 520 and a public nuisance, and further, to prepare an Order to Abate for approval by the Board.

**JUSTIFICATION:**

1. As authorized by California Vehicle Code Sections 22660 and 22661 and California Government Code Section 25845, Riverside County Ordinance No. 520 prohibits the outside storage of abandoned, wrecked, dismantled or inoperative vehicles on private property and deems the condition a public nuisance. Furthermore, Riverside County Ordinance No. 520 authorizes the removal and destruction of the vehicles constituting a public nuisance.
2. On July 1, 2002, an inspection was made of the subject real properties by Code Enforcement Officers Michael Sanders and Jim Witt.
3. The inspection revealed fifty-nine (59) abandoned, inoperable, wrecked or dismantled vehicles on the subject real properties in violation of Riverside County Ordinance No. 520.
4. Pursuant to the request from real property owner, Robert W. Nelson, a public hearing was held on October 23, 2002 wherein the Hearing Officer determined all fifty-nine (59) vehicles on the subject property constitute a public nuisance in violation of Riverside County Ordinance 520 and ordered all fifty-nine (59) vehicles and vehicle parts removed from the property.
5. An appeal of the Administrative Hearing Order/Decision was filed by Robert W. Nelson. Notices of the appeal hearing before the Board of Supervisors have been given as required by law.
6. 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 abandoned, wrecked, dismantled or inoperable vehicles.