

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



228 B

FROM: County Counsel/TLMA
Department of Building & Safety

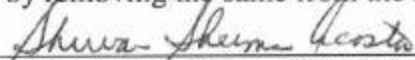
SUBMITTAL DATE: June 30, 2003

SUBJECT: Abatement of Public Nuisance [Excess Outside Storage and Accumulation of Rubbish];
B&S Case No.: CV 01-0821
Subject Property: 29250 Desert Moon Drive, Thousand Palms; APN: 648-220-013
District Four

RECOMMENDED MOTION: Move that:

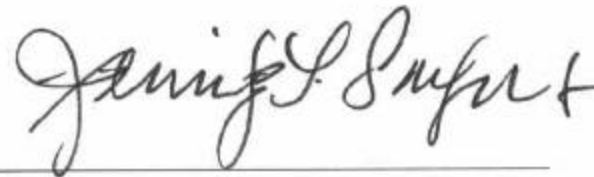
1. The excess outside storage of materials and accumulation of rubbish on the real property located at 29250 Desert Moon Drive, Thousand Palms, Riverside County, California, APN: 648-220-013 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 Section 15.1 (RCC Chapter 17.144) and 541 (RCC Chapter 8.120).
2. Jesse Ricky Diaz, the owner of the subject real property, be directed to abate the excess outside storage and accumulation of rubbish 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 and accumulation of rubbish 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
 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 and accumulation of Rubbish on the real property is declared to be in violation of Riverside County Ordinance Nos. 348 and 541, 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 March 23, 2001.
2. The inspection revealed the excess outside storage of materials and accumulation of rubbish on the subject property in violation of Riverside County Ordinance Nos. 348 and 541. The items included but were not limited to: tree stumps, scrap wood, wood chips, colored landscape rock, landscape gravel, cinderblock, discarded furniture, lumber and litter.
3. Subsequent re-inspections of the above-described real property on May 8, August 13, September 25, 2001, July 25, October 3, December 18, December 24, 2002, February 11, and June 11, 2003, revealed that the property continued to be in violation of Riverside County Ordinance Nos. 348 and 541.
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 and rubbish.