

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



417B

FROM: County Counsel/TLMA
Department of Building & Safety

SUBMITTAL DATE: August 29, 2003

SUBJECT: Abatement of Public Nuisance [Accumulation of Rubbish];
B&S Case No.: CV 02-3868
Subject Property: 415 Highland Avenue, Riverside; APN: 247-103-001
District Five

RECOMMENDED MOTION: Move that:

- (1) The accumulation of rubbish on the real property located at 415 Highland Avenue, Riverside, APN: 247-103-001, be declared a public nuisance and a violation of Riverside County Ordinance No. 541 which does not permit the accumulation of rubbish on the property.
- (2) Esperidion Sanchez and Mary Sanchez, the owners 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)

Shirvan Sherma Acosta

 SHIRVAN SHERMA ACOSTA,
 Deputy County Counsel

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

[Handwritten Signature]

Policy

Consent

Department Recommendation:
Per Executive Office:

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- (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.
- (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 September 17, 2002.
2. The inspection revealed the accumulation of rubbish of approximately one thousand four hundred eight (1,408) square feet on the subject property in violation of Riverside County Ordinance No. 541.
3. Subsequent inspections of the above-described real property on December 9, 002, March 21, April 22, and July June 27, 2003 revealed the property continues to be in violation of Riverside County Ordinance No. 541. The rubbish consisted of, but was not limited to: remains of a torn down structure, wood, aluminum siding, wood panels, toilet and cut tree trunks.
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.