

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



935B

FROM: County Counsel/TLMA
Department of Building & Safety


SUBMITTAL DATE: November 4, 2003

SUBJECT: Abatement of Public Nuisance [Accumulation of Rubbish];
B&S Case No.: CV 02-1946 and CV 02-4397
Subject Property: 17770 and 17744 Day Street, Perris; APNs: 295-310-001 and 002
District One

RECOMMENDED MOTION: Move that:

- (1) The accumulation of rubbish on the real property located at 17770 and 17744 Day Street, Perris, Riverside County, California, APNs: 295-310-001 and 002, 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) L. G. Altemus Family Trust Dated October 12, 1983 and the Altemus Charitable Trust, Lillian G. Altemus, Trustee, 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 posting and mailing 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,
 Deputy County Counsel

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office 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 June 27, 2002.
2. The inspection revealed the accumulation of rubbish on the subject property in violation of Riverside County Ordinance No. 541.
3. Subsequent inspections of the above-described real property on August 19, November 12, 2002, January 14, and September 25, 2003, revealed the property continues to be in violation of Riverside County Ordinance No. 541. The rubbish consisted of, but was not limited to: furniture, concrete, metal, debris, wood and household trash scattered 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.