

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



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**FROM:** County Counsel/TLMA  
Department of Building & Safety

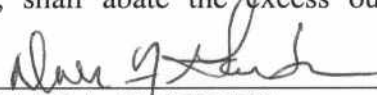
**SUBMITTAL DATE:** June 22, 2004

**SUBJECT:** Abatement of Public Nuisance [Excess Outside Storage];  
B&S Case No.: CV 03-2356  
Subject Property: 43849 D Street, Hemet; APN: 549-161-011  
District Three

**RECOMMENDED MOTION:** Move that:

1. The excess outside storage of materials on the real property located at 43849 D. Street, Hemet, Riverside County, California, APN: 549-161-011, be declared a public nuisance and a violation of Riverside County Ordinance No. 348, Section 5.1 as codified in Riverside County Code Chapter 17.16.
2. Walter L. Hoeting and Janet S. Hoeting, 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)

  
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 DALE A. GARDNER  
 Deputy County Counsel

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

County Executive Office Signature



Policy  
 Policy

Consent  
 Consent

Department Recommendation:  
Per Executive Office:

Prev. Agn. ref.

Dist. 3

AGENDA NO.

9.17

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43849 D Street, Hemet

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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 August 4, 2003.
2. The inspections of the property revealed the excess outside storage of materials in violation of Riverside County Ordinance No. 348, Section 5.1, including but not limited to: wood, cement blocks, broken down scaffolding, sheet metal, tires, auto parts and other miscellaneous debris. On August 7, 2003, the total square footage of the material measured approximately seven thousand three hundred fifty (7,350) square feet. On or about May 3, 2004 the total square footage of material was estimated to be approximately one thousand two hundred (1,200) square feet.
3. Inspections of the above-described real property on October 17 and December 9, 2003, and May 3 and May 14, 2004 revealed that the excess outside storage remained on the property, in violation of Riverside County Ordinance No. 348, Section 5.1.
4. Staff of the Department of Building and Safety has 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.