

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



323 B

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

**SUBMITTAL DATE:** June 22, 2004

**SUBJECT:** Abatement of Public Nuisance [Excess Outside Storage and Accumulation of Rubbish];  
B&S Case No.: CV 02-4378  
Subject Property: 21638 Mountain Avenue, Perris; APN: 343-152-015  
District Five

**RECOMMENDED MOTION:** Move that:

1. The excess outside storage of materials and accumulation of rubbish on the real property located at 21638 Mountain Avenue, Perris, Riverside County, California, APN: 343-152-015 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 and 541.
2. Herb Shaffer, 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)

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. 5

AGENDA NO.

9.14

SO 11:05 - J. M. 05  
COUNTY OF RIVERSIDE, CALIFORNIA  
REGISTERED CLERK

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.
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 October 25, 2002.
2. During inspections of the property, code enforcement officers observed 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: chairs, tables, trash cans, a barbeque, toys, a work table, tools, boxes, metal, refrigerators, lawn mowers, washers, dryers, cabinets, wiring, tires, sheet metal, plywood boards, carpet, hay straw, papers, trash, boxes of spoiled food, trash piles, metal pipe, plastic, wood, and buckets.
3. During subsequent re-inspections of the above-described real property on October 29, 2002, March 26 and September 25, 2003 and February 25, April 15, and June 22, 2004, code enforcement officers observed on that excess outside storage and an accumulation of rubbish remained on the property, 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 accumulated rubbish.