

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



756B

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

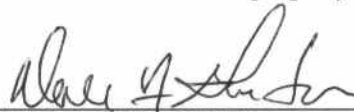
**SUBMITTAL DATE:** August 24, 2004

**SUBJECT:** Abatement of Public Nuisance [Accumulation of Rubbish];  
B&S Case No.: CV 02-1140  
Subject Property: 18740 Darin Drive, Perris; APN: 314-060-025  
District One

**RECOMMENDED MOTION:** Move that:

- (1) The accumulation of rubbish on the real property located at 18740 Darin Drive, Perris, APN: 314-060-025, 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) Henry Weatherspoon and Margaret Weatherspoon, 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)

  
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 DALE A. GARDNER,  
 Deputy County Counsel

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

**APPROVE**

County Executive Office Signature

  
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Policy

Consent

Department Recommendation:  
Per Executive Office:

Prev. Agn. ref. **ATTACHMENTS FILED WITH THE CLERK OF THE BOARD** Dist. 1

AGENDA NO. **9.2**

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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 Code Enforcement Officers on April 17, 2002.
2. As of June 5, 2002, approximately eight thousand three hundred ninety-six square feet of accumulated rubbish was observed on the property in violation of Riverside County Ordinance No. 541.
3. Further inspections of the above-described real property on May 14, June 5, October 16, October 23, October 23, and December 23, 2002; August 20, 2003; and July 9, 2004 revealed the property continues to be in violation of Riverside County Ordinance No. 541. The rubbish consisted of, but was not limited to: vegetation waste, appliances, furniture, and house hold waste.
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.