

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



930B

FROM: County Counsel/TLMA
Department of Building & Safety

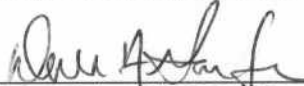
SUBMITTAL DATE: September 14, 2004

SUBJECT: Abatement of Public Nuisance [Excess Outside Storage and Accumulation of Rubbish];
B&S Case No.: CV 02-4089
Subject Property: 22207 De Prad Street, Perris; APN: 325-181-007
District five

RECOMMENDED MOTION: Move that:

1. The excess outside storage of materials and accumulation of rubbish on the real property located at 22207 De Prad Street, Perris, Riverside County, California, APN: 325-181-007 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 and 541.
2. James Albert Sweeney, Eula Virginia Sweeney and Norman L. Sweeney, the owners 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 owners of the real property do 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

Consent

Department Recommendation:
Per Executive Office:

500P 225 -5 LN P: 35
 RECEIVED DISTRICT COMMISSION

Prev. Agn. ref.

Dist. 5

AGENDA NO.

9.4

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 an Order to Abate for approval by the Board.

JUSTIFICATION:

1. An initial inspection was made of the subject property by Code Enforcement Officers on November 10, 2003.
2. The inspection revealed the 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: waste wood, waste metal, dilapidated machinery, used tires, auto parts, clothing, old appliances, buckets, old paint cans, broken electrical items, and other used and second-hand materials. The amount of excess outside storage of materials and accumulation of rubbish measured approximately eighty-seven thousand one hundred twenty (87,120) square feet.
3. Subsequent re-inspections of the above-described real property on December 31, 2003, January 22, March 2, and July 16, 2004, revealed that the property continued to be 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 accumulation of rubbish.