

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



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FROM: County Counsel/TLMA
Department of Building & Safety

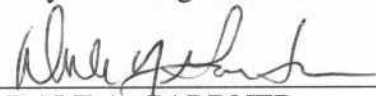
SUBMITTAL DATE: August 24, 2004

SUBJECT: Abatement of Public Nuisance [Excess Outside Storage and Accumulation of Rubbish];
B&S Case No.: CV 03-5611
Subject Property: 33067 Wesley Street, Winchester; APN: 463-117-054
District Three

RECOMMENDED MOTION: Move that:

1. The excess outside storage of materials and accumulation of rubbish on the real property located at 33067 Wesley Street, Winchester, Riverside County, California, APN: 463-117-054 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 and 541.
2. Lewis L. Gerbl and Tambia Rae Gerbl, 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:

3007 2Eb -5 6N n: 31
 RECEIVED DISTRICT COUNCIL

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 Riverside County 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 are declared to be in violation of Riverside County Ordinance Nos. 348 and 541, and public nuisances, 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 January 9, 2004.
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: tires, scrap wood, partially buried household trash, auto parts, construction equipment, tools, piping, windows, doors, and miscellaneous items. The amount of excess outside storage of materials and accumulation of rubbish was subsequently measured and found to be approximately two thousand four hundred (2,400) square feet in area.
3. Subsequent re-inspections of the above-described real property on January 28, April 14, May 4 and July 20, 2004, revealed that the property continued to be in violation of Riverside County Ordinance Nos. 348 and 541.
4. Staff and 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.