

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



903B

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

**SUBMITTAL DATE:** November 23, 2004

**SUBJECT:** Abatement of Public Nuisance [Excess Outside Storage and Accumulation of Rubbish];  
B&S Case No.: CV 03-3875  
Subject Property: 40590 Dutton Street, Beaumont; APN: 402-060-007  
District five

**RECOMMENDED MOTION:** Move that:

1. The excess outside storage of materials and accumulation of rubbish on the real property located at 40590 Dutton Street, Beaumont, Riverside County, California, APN: 402-060-007 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 and 541.
2. John P Martin and Vicki J. Martin, 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)

  
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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. 5

AGENDA NO.

9.3

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 January 8, 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: metal drums, scrap metal, tools, used tires, furniture, auto parts, equipment, appliances, and miscellaneous debris. As of May 5, 2004, the area of excess outside storage measured approximately one thousand five hundred (1,500) square feet. Additional accumulated rubbish was also observed.
3. Subsequent re-inspections of the above-described real property on February 6, May 5, and October 5, 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.