

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



902B

FROM: County Counsel/TLMA
Department of Building & Safety


SUBMITTAL DATE: November 23, 2004

SUBJECT: Abatement of Public Nuisance [Excess Outside Storage];
B&S Case No.: CV 03-4600
Subject Property: 33065 Churchill Street, Lake Elsinore; APN: 383-125-010
District One

RECOMMENDED MOTION: Move that:

1. The excess outside storage of materials on the real property located at 33065 Churchill Street, Lake Elsinore, Riverside County, California, APN: 383-125-010 be declared a public nuisance and a violation of Riverside County Ordinance No. 348.
2. Robert F. Moore, the owner of the subject real property, be directed to abate the excess outside storage 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 by removing the same from the real property.

(Continued)



 DALE ALLEN GARDNER,
 Deputy County Counsel

C.E.O. RECOMMENDATION: APPROVE

County Executive Office Signature



Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

3001 WOK 1E VN 10: 33
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Prev. Agn. ref.

Dist. 1

AGENDA NO.

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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 on the real property is declared to be in violation of Riverside County Ordinance No. 348, 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 30, 2003.
2. The inspection revealed the excess outside storage of materials or junkyard on the subject property in violation of Riverside County Ordinance No. 348. The items include but are not limited to: bins, tools, equipment, scrap wood, scrap metal, fluorescent lighting tubes, nuts, bolts, metal racks, shelving, gym lockers, paint and miscellaneous hardware and debris. The amount of outside storage during the July 19, 2004 inspection measured two thousand four hundred (2,400) square feet.
3. Subsequent re-inspections of the above-described real property on February 20, July 19, and November 2, 2004 revealed that the property continued to be in violation of Riverside County Ordinance No. 348.
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.