

**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: October 26, 2004
SUBJECT: Abatement of Public Nuisance [Excess Outside Storage and Accumulation of Rubbish];
B&S Case No.: CV 03-4505
Subject Property: 10590 Jonathan Avenue, Beaumont; APN: 402-170-003
District Five

RECOMMENDED MOTION: Move that:

1. The excess outside storage of materials and accumulation of rubbish on the real property located at 10590 Jonathan Avenue, Beaumont, Riverside County, California, APN: 402-170-003 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 and 541.
2. Nick Thomas and Holly J. Thomas, 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
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

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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 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 an accumulation of rubbish on the subject property in violation of Riverside County Ordinance Nos. 348 and 541. The materials stored outside on the property consisted of, but were not limited to: wood, an appliance, chairs, metal fire extinguishers, and furniture. The area of outside storage on the property was approximately eight hundred ten (810) square feet. The accumulated rubbish on the property included, but was not limited to: scrap metal, scrap wood, plastic buckets, carpet, trash, and miscellaneous debris. The area of accumulated rubbish on the property was approximately two thousand twenty-five (2,025) square feet.
3. Subsequent re-inspections of the above-described real property on March 4, May 17, and October 26, 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.