

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



816B

FROM: County Counsel/TLMA
Department of Building & Safety

SUBMITTAL DATE: January 10, 2005

SUBJECT: Abatement of Public Nuisance [Excess Outside Storage];
B&S Case No.: CV 04-0372
Subject Property: 21321 Lemon Street, Wildomar; APN: 366-130-036
District One

RECOMMENDED MOTION: Move that:

1. The excess outside storage of materials on the real property located at 21321 Lemon Street, Wildomar, Riverside County, California, APN: 366-130-036, be declared a public nuisance and a violation of Riverside County Ordinance No. 348, Section 5.2.
2. Duwayne M. Johnson and Patricia L. Malone, the owners 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 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 of the owner 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)

Monica R. Romero
MONICA R. ROMERO
Deputy County Counsel

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

James G. Sufst

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

Prev. Agn. ref.

Dist. 1

3082 144 10 AM ID: 22
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 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 Code Enforcement Officer on January 22, 2004.
2. The inspection revealed the excess outside storage of materials in excess of 200 square feet on the subject property in violation of Riverside County Ordinance No. 348, Section 5.2, including but not limited to: a garage door, furniture, scrap wood, piping, tires, appliances, tools, green waste, trash and miscellaneous debris.
3. Subsequent inspections of the above-described real property on April 29, June 24, July 20 and December 7, 2004 revealed that the property continues to be in violation of Riverside County Ordinance No. 348, Section 5.2.
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.