

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



701B

FROM: County Counsel/TLMA
Department of Building & Safety

SUBMITTAL DATE: May 23, 2005

SUBJECT: Abatement of Public Nuisance [Accumulation of Rubbish];
B&S Case No.: CV 03-5309
Subject Property: 62800 16th Avenue, North Palm Springs; APN: 668-140-005
District Five

RECOMMENDED MOTION: Move that:

- (1) The accumulation of rubbish on the real property located at 62800 16th Avenue, North Palm Springs, APN: 668-140-005, be declared a public nuisance and a violation of Riverside County Ordinance No. 541 which does not permit the accumulation of rubbish on the property.
- (2) James Dumas, the owner of the subject real property, be directed to abate the accumulation of rubbish on the property by removing the same from the real property within ninety (90) days.
- (3) If the owner or whoever has possession or control 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 of the owner or receipt of a Court Order authorizing entry onto the real property, when necessary under applicable law, shall abate the accumulation of rubbish 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. L. [Signature]

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

- (4) The reasonable cost 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 Facts and Conclusions that the accumulation of rubbish on the real property is declared to be in violation of Riverside County Ordinance No. 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 real property by the Code Enforcement Officer on November 25, 2003.
2. The inspection revealed the accumulation of rubbish in excess of sixty seven thousand seven hundred thirty six (67,736) square feet on the subject property in violation of Riverside County Ordinance No. 541.
3. Subsequent inspections of the above-described real property on January 27, 2004, February 11, 2004, February 27, 2004, March 11, 2004, April 8, 2004, June 3, 2004 and May 18, 2005 revealed the property continues to be in violation of Riverside County Ordinance No. 541. The rubbish consisted of, but was not limited to wood, metal, vehicle parts, tires, trash and other miscellaneous debris.
4. Staff and the Department of Building and Safety have complied with the requirements set forth in the appropriate laws of this jurisdiction pertaining to the Administrative Abatement Proceedings for the removal of accumulation of rubbish.