

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

912B



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

**SUBMITTAL DATE:**  
May 15, 2006

**SUBJECT:** Abatement of Public Nuisance [Excess Outside Storage and Accumulation of Rubbish];  
B&S Case No.: CV 04-2502  
Subject Property: 22937 Markham Street, Perris; APN: 314-210-032  
District One

**RECOMMENDED MOTION:** Move that:

1. The excess outside storage of materials and accumulation of rubbish on the real property located at 22937 Markham Street, Perris, Riverside County, California, APN: 314-210-032 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 (Riverside County Code Chapter 17.16) and 541 (Riverside County Code Chapter 8.120).
2. Ruth I. Binkley, 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 posting and mailing 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)

*Tiffany N. North*

TIFFANY N. NORTH, Deputy County Counsel  
for JOE S. RANK, County Counsel

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	N/A

<b>SOURCE OF FUNDS:</b>	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

**APPROVE**

*H. S. [Signature]*

County Executive Office Signature

Policy  
 Policy  
 Consent  
 Consent  
 Dept't Recomm.:  
 Per Exec. Ofc.:

JUNE 12 12 2: 15  
 RECEIVED BY THE COUNTY

**Prev. Agn. Ref.:** | **District:** 1 | **Agenda Number:**

9.1

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 Riverside County 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 June 22, 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: furniture, tools, car parts, various trash and debris. The amount of excess outside storage of materials and accumulation of rubbish measured approximately six hundred (600) square feet.
3. Subsequent re-inspections of the above-described real property on September 16, 2004, December 3, 2004, December 13, 2005, March 1, 2006 and April 5, 2006, revealed that the property continued to be in violation of Riverside County Ordinance Nos. 348 and 541.
4. Department of Building & Safety staff 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.