

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

9103



FROM: County Counsel/TLMA
Code Enforcement Department

SUBJECT: Abatement of Public Nuisance [Excess Outside Storage and Accumulated Rubbish];
Case No.: CV 05-1426
Subject Property: 18040 Carroll Street, Perris; APN: 315-141-001
District One

SUBMITTAL DATE:
October 16, 2006

RECOMMENDED MOTION: Move that:

1. The excess outside storage of materials and accumulation of rubbish on the real property located at 18040 Carroll Street, Perris, Riverside County, California, APN: 315-141-001 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 and 541.
2. Dayton Financial Corporation, the owner of the subject real property, be directed to abate the excess outside storage of materials on the property by reducing the outside storage of materials to less than 200 square feet in accordance with the provisions of RCO No. 348 within ninety (90) days.

(Continued)

[Handwritten Signature]

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

FINANCIAL DATA	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

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

C.E.O. RECOMMENDATION:
APPROVE

County Executive Office Signature

[Handwritten Signature]

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

Prev. Agn. Ref.: | District: 1 | Agenda Number: | 9.2

3. Dayton Financial Corporation, the owner of the subject real property, be directed to abate the excess accumulation of rubbish on the property by removing the same from the real property in accordance with the provisions of RCO No. 541 within ninety (90) days.
4. 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 Code Enforcement Department, 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.
5. 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.
6. 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 are declared to be in violation of Riverside County Ordinance Nos. 348 and 541, 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 Officers on June 28, 2005.
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: plastics, discarded equipment, furniture, appliances, wood, tree trimmings, paper, tires, plastic containers, tarp, crates, containers, trash and miscellaneous items. The amount of excess outside storage of materials and accumulation of rubbish measured approximately two thousand (2,000) square feet.
3. Subsequent re-inspections of the above-described real property on June 12, 2006, July 14, 2006, and September 20, 2006 revealed that the property continued to be in violation of Riverside County Ordinance Nos. 348 and 541.
4. Staff and the Code Enforcement Department 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.