

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

402B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
November 13, 2006

SUBJECT: Abatement of Public Nuisance [Accumulation of Rubbish and Excess Outside Storage];
Case No.: CV 05-4046
Subject Property: 5135 Beach Street, Riverside: 167-171-006
District Two

RECOMMENDED MOTION: Move that:

1. The accumulation of rubbish and excess outside storage of materials and on the real property located at 5135 Beach Street, Riverside, Riverside County, California, APN: 167-171-006 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 541 (Riverside County Chapter 8.120) and 348 (Riverside County Code Chapter 17.120).
2. Rene Belle Sawatsky, the owner of the subject real property, be directed to abate the accumulation of rubbish and all outside storage on the property by removing the same from the real property within ninety (90) days.

Departmental Concurrence

(Continued)

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

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

Prev. Agn. Ref.:

District: 2

Agenda Number:

9.2

3. 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.
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 accumulation of rubbish and excess outside storage of materials on the real property is declared to be in violation of Riverside County Ordinance Nos. 541 and 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 Officers on October 24, 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. 541 and 348. The items of accumulated rubbish included but were not limited to: bicycles, woodpiles, dressers, doors, and pipes. The items of excess outside storage included but were not limited to: bathtubs, refrigerators, sinks, and mattresses. At the time of the initial inspection, a fire damaged dwelling was also on the property but it has since been removed.
3. Subsequent re-inspections of the above-described real property on February 2, June 13, and September 6, 2006, revealed that the property continued to be in violation of Riverside County Ordinance Nos. 541 and 348.
4. Staff of 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.