

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

815B



FROM: County Counsel/TLMA
Code Enforcement Department


SUBMITTAL DATE:
December 11, 2006

SUBJECT: Abatement of Public Nuisance [Excess Outside Storage];
Case No.: CV 06-2989
Subject Property: 18809 Deer Trail, Banning (Poppet Flats); APN: 545-096-015
District Three

RECOMMENDED MOTION: Move that:

1. The excess outside storage of materials on the real property located at 18809 Deer Trail, Banning, Riverside County, California, APN: 545-096-015 be declared a public nuisance and a violation of Riverside County Ordinance No. 348 (Riverside County Code Chapter 17.32).
2. Scott Jonting, the owner of the subject real property, be directed to abate all excess outside storage of materials on the property by removing the same from the real property within ninety (90) days.

(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:
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:
	Annual Net County Cost:	\$ N/A	For Fiscal Year:

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



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

Prev. Agn. Ref.: _____ District: 3 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, the 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 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 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 the Code Enforcement Officer on May 25, 2006.
2. The inspection revealed the excess outside storage of materials on the subject property in violation of Riverside County Ordinance No. 348. The items included but were not limited to: lumber, tools, equipment, tires, auto parts, metal, plastic, cardboard and other miscellaneous items.
3. Subsequent re-inspection of the above-described real property on July 19, 2006, September 21, 2006, and November 7, 2006 revealed that the property continued to be in violation of Riverside County Ordinance No. 348.
4. Staff and the Code Enforcement Department have complied with the notice requirements set forth in the appropriate laws of this jurisdiction pertaining to Administrative Abatement Proceedings for the removal of excess outside storage.