

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

213B



**FROM:** County Counsel/TLMA  
Department of Code Enforcement

**SUBMITTAL DATE:**  
January 22, 2006

**SUBJECT:** Abatement of Public Nuisance [Appeal; Inoperable Vehicles];  
Case No.: CV 02-4680  
Subject Property: 22306 Serena Court, Perris, Riverside County;  
APN: 345-080-038  
District Five

**RECOMMENDED MOTION:** Move that:

- (1) The vehicles and auto parts as set forth in the Vehicle Investigation Inventory Abatement Report, dated April 3, 2003, be found to be abandoned, wrecked, dismantled or inoperative vehicles and declared a public nuisance in violation of Riverside County Ordinance No. 520 (RCC Chapter 10.04).
- (2) The Administrative Hearing Order/Decision issued on August 9, 2006 be affirmed.
- (3) Judith A. Dennis, or anyone having possession or control of the vehicles and auto parts be required to abate the public nuisance by removing them from the subject property, or lawfully enclosing them in a building, within fifteen (15) days of the posting and mailing of the Board's Order.

(Continued)

*[Handwritten Signature]*

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

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

<b>SOURCE OF FUNDS:</b>	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]*

5001 7th St 6th Fl  
RECEIVED RIVERSIDE COUNTY

Prev. Agn. Ref.:

District: 5

Agenda Number:

9.2

Departmental Concurrence

Dept't Recomm.:  Consent  Policy

Per Exec. Ofc.:  Consent  Policy

- (4) If Judith A. Dennis, or anyone having possession or control of the vehicles and vehicle parts, do not properly abate the public nuisance within fifteen (15) days of the posting and mailing of the Board's Order, a designated representative of the Code Enforcement Department, a towing contractor and/or Sheriff's Department representative shall abate the public nuisance by removal and destruction pursuant to RCO No. 520 (RCC Chapter 10.04) and applicable laws.
- (5) The reasonable costs of abatement, after notice and an opportunity for hearing shall be imposed as a lien on the subject real property which may be collected as a special assessment against the real property pursuant to Government Code Section 25845 and RCO Nos. 520 and 725 (RCC Chapters 10.04 and 1.16, respectively).
- (6) County Counsel be directed to prepare the necessary Findings of Facts and Conclusions of Law that the vehicles and vehicle parts on the real property are declared to be in violation of RCO No. 520 (RCC Chapter 10.04) and a public nuisance, and further, to prepare an Order to Abate for approval by the Board.

**JUSTIFICATION:**

1. As authorized by California Vehicle Code Sections 22660 and 22661 and California Government Code Section 25845, RCO No. 520 prohibits the outside storage of abandoned, wrecked, dismantled or inoperative vehicles on private property and deems the condition a public nuisance. Furthermore, RCO No. 520 authorizes the removal and destruction of the vehicles constituting a public nuisance.
2. On April 3, 2003, March 1, 2004, May 20, 2004, June 29, 2004, July 13, 2004, November 9, 2004, March 14, 2006, July 13, 2006, November 3, 2006 and December 13, 2006 inspections were made of the subject real property by code enforcement officers.
3. The initial inspection revealed thirty-eight (38) abandoned, inoperable, wrecked or dismantled vehicles and miscellaneous auto parts on the subject real property in violation of Riverside County Ordinance No. 520.
4. Pursuant to the request from real property owner, Judith A. Dennis, a public hearing was held on July 17, 2006 wherein the Hearing Officer determined that all thirty-eight (38) of the vehicles and miscellaneous auto parts on the subject property constitute a public nuisance in violation of RCO No. 520 and ordered all thirty-eight (38) of the vehicles and motorcycles, and auto parts removed from the properties.
5. A timely appeal of the Administrative Hearing Order/Decision was filed by Judith A. Dennis. Notices of the appeal hearing before the Board of Supervisors have been given as required by law.
6. Staff and the Code Enforcement Department have complied with the requirements set forth in the appropriate laws of this jurisdiction pertaining to the administrative abatement proceedings for abandoned, wrecked, dismantled or inoperable vehicles.