

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

215 B



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

**SUBMITTAL DATE:**  
January 22, 2007

**SUBJECT:** Abatement of Public Nuisance [Excess Outside Storage and Accumulation of Rubbish];  
Case No.: CV 04-4605  
Subject Property: 18878 Decker Road, Perris; APN: 314-250-006  
District One

**RECOMMENDED MOTION:** Move that:

1. The excess outside storage of materials and accumulation of rubbish on the real property located at 18878 Decker Road, Perris, Riverside County, California, APN: 314-250-006 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. Felipe Gutierrez and Aurora Gutierrez, the owners 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.

(Continued)

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>	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**

Policy  Policy

Consent  Consent

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

5001 10W S3 6W 3: 08  
RECEIVED RIVERSIDE COUNTY

**Prev. Agn. Ref.:**

**District: 1**

**Agenda Number:**

9.3

3. If the owners of the real property do 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 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 Facts 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 December 8, 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: automotive parts, automotive tools, construction equipment, construction tools, patio furniture, toys, used tires, piles of dismantled vehicles, metal, construction debris, household trash and miscellaneous items. The amount of excess outside storage of materials and accumulation of rubbish measured approximately four thousand (4,000) square feet.
3. Subsequent re-inspections of the above-described real property on January 18, 2005, June 30, 2005, June 23, 2006, September 12, 2006 and December 11, 2006 revealed that the property continued to be in violation of Riverside County Ordinance Nos. 348 and 541.
4. Staff and Code Enforcement Department 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.