

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

313B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
January 29, 2006

SUBJECT: Abatement of Public Nuisance [Excess Outside Storage and Accumulation of Rubbish];
Case No.: CV 06-1637
Subject Property: 20450 Jefferson Avenue, Perris; APN: 295-070-013
District One

RECOMMENDED MOTION: Move that:

1. The excess outside storage of materials and accumulation of rubbish on the real property located at 20450 Jefferson Avenue, Perris, Riverside County, California, APN: 295-070-013 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 (Riverside County Code Chapter 17.120) and 541 (Riverside County Code Chapter 8.120).
2. Luther J. Winzer, the owner 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

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.:

5001 7th St Bldg 5: P2
 RECEIVED RIVERSIDE COUNTY

Prev. Agn. Ref.:

District: 1

Agenda Number:

9.7

3. If the owner or whoever has possession or control of the real property does not take the above described action within ninety (90) days of the date of posting and mailing 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 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 March 22, 2006.
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: discarded furniture, appliances, equipment, wood, plastics, tools, metal, old tires, engine parts, car parts, tree trimmings, household waste, and other miscellaneous items. The amount of excess outside storage of materials and accumulation of rubbish measured approximately twenty-eight thousand (28,000) square feet.
3. Subsequent re-inspections of the above-described real property on September 27, 2006 and January 3, 2007 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.

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



9.2

9:30 a.m. being the time set for public hearing on the Abatement of Public Nuisance [Excess Outside Storage and Accumulation of Rubbish] Case No. CV 06-1637, the Chairman called the matter for hearing.

Tiffany North, Deputy County Counsel, presented the matter and recommended continuance to February 27, 2007, as requested by the property owner.

On motion of Supervisor Buster, seconded by Supervisor Stone, and duly carried by unanimous vote, IT WAS ORDERED that the above matter is continued to Tuesday, February 27, 2007, at 9:30 a.m.

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on _____ February 6, 2007 _____ of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors

Dated: February 6, 2007
Nancy Romero, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By: David Schlemmer Deputy

AGENDA NO.

9.2

xc: Co. Co., Code Enforce., COB, Property Owner
NR