

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

4198



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
February 16, 2007

SUBJECT: Abatement of Public Nuisance [Accumulation of Rubbish];
Case No.: CV05-4753
Subject Property: 23740 Mt. Vernon Pl., Canyon Lake; APN: 350-192-028
District Three

RECOMMENDED MOTION: Move that:

Departmental Concurrence

- ((1)) The accumulation of rubbish on the real property located at 23740 Mt. Vernon Pl., Canyon Lake, Riverside County, California, APN: 350-192-028, be declared a public nuisance and a violation of Riverside County Ordinance No. 541 which does not permit the accumulation of rubbish on the property.
- ((2)) Dilip B. Sheth, the owner of the subject real property, be directed to abate the accumulation of rubbish on the property by removing the same from the real property within ninety (90) days.

(Continued)

Tiffany N. North

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

[Signature]

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

3001 FEB 16 6W 1:17
 COUNTY OF RIVERSIDE
 RECEIVED RIVERSIDE COUNTY

Prev. Agn. Ref.: | **District:** 3 | **Agenda Number:**

9.8

- (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 the Board's Order to Abate, that representatives of the Code Enforcement Department, Sheriff's Department, and/or a contractor, upon consent of the owner or receipt of a Court Order authorizing entry onto the real property, when necessary under applicable law, shall abate the accumulation of rubbish by removing the same from the real property.
- (4) The reasonable cost 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 accumulation of rubbish on the real property is declared to be in violation of Riverside County Ordinance No. 541, and a public nuisance, and further, to prepare an Order to Abate for approval by the Board of Supervisors.

JUSTIFICATION:

1. An initial inspection was made of the subject real property by the Code Enforcement Officer on October 2, 2005.
2. The inspection revealed the accumulation of rubbish on the subject property in violation of Riverside County Ordinance No. 541.
3. Subsequent inspections of the above-described real property on February 1, 2006, May 15, 2006, June 28, 2006, October 23, 2006, January 2, 2007 and January 25, 2007, revealed that the property continues to be in violation of Riverside County Ordinance No. 541. The rubbish consists of, but is not limited to: household furnishings, cardboard, clothing, plastic tarps, scrap wood, office furniture, household trash, used tires, auto parts, paint cans and miscellaneous items.
4. Staff and the Code Enforcement Department have complied with the requirements set forth in the appropriate laws of this jurisdiction pertaining to administrative abatement proceedings for accumulated rubbish.