

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

213B



FROM: County Counsel
Code Enforcement Department

SUBMITTAL DATE:
April 9, 2007

SUBJECT: Abatement of Public Nuisance [Accumulation of Rubbish];
CE Case No.: CV 06-3748
Subject Property: 25926 Riverview Drive, Hemet; APN: 547-180-008
District Three

RECOMMENDED MOTION: Move that:

- (1) The accumulation of rubbish on the real property located at 25926 Riverview Drive, Hemet, Riverside County, California, APN: 547-180-008, 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) Irene E. George, 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, 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

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

- (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, then 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 Ordinance No. 725.
- (5) County Counsel be directed to prepare the necessary Findings of Fact 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.

JUSTIFICATION:

1. An initial inspection was made of the subject real property by the Code Enforcement Officer on June 20, 2006.
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 September 12, 2006, November 8, 2006 and March 12, 2007, revealed the property continues to be in violation of Riverside County Ordinance No. 541. The rubbish consists of, but is not limited to: green waste (clippings and dead tree branches), metal, cardboard, tires, scrap wood, trash, broken toys, and other 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 the removal of accumulated rubbish.