

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

126 B



FROM: County Counsel
Code Enforcement Department

SUBMITTAL DATE:
June 11, 2007

SUBJECT: Abatement of Public Nuisance [Accumulation of Rubbish];
CE Case No.: CV 06-2790
Subject Property: One Parcel North of 14875 McGarger Road, Desert Hot Springs;
APN: 656-270-051
District Five

RECOMMENDED MOTION: Move that:

- (1) The accumulation of rubbish on the real property located at One Parcel North of 14875 McGarger Road, Desert Hot Springs, Riverside County, California, APN: 656-270-051, 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) Charlie Park and Soon D. Park, the owners 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)

Warren Chu

WARREN CHU, 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

BY: *Tina Grande*

Tina Grande

County Executive Office Signature

Dept Recomm.: Policy Policy
 Per Exec. Ofc.: Consent Consent

Prev. Agn. Ref.: _____ **District:** 5 **Agenda Number:** _____

- (3) If the owners 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 Officers on June 13, 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 8, 2006, September 13, 2006, March 12, 2007 and May 25, 2007, revealed the property continues to be in violation of Riverside County Ordinance No. 541. The rubbish consisted of, but was not limited to: pieces of carpet, household trash, pieces of wood, brush and or tree trimmings, a water heater, corrugated metal, a stove, a washing machine, pieces of plastic, a couch and miscellaneous debris.
4. Staff and the Code Enforcement Department has complied with the requirements set forth in the appropriate laws of this jurisdiction pertaining to the administrative abatement proceedings for the removal of the accumulated rubbish.