

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

523 B



FROM: County Counsel
Code Enforcement Department

SUBMITTAL DATE:
07/09/07

SUBJECT: Abatement of Public Nuisance [Excess Outside Storage and Accumulation of Rubbish]
Case No.: CV 05-4184
Subject Property: Vacant Parcel S/E Centaur Road and Helios Road, Riverside;
APN: 285-070-003
District One

RECOMMENDED MOTION: Move that:

1. The excess outside storage of materials and accumulation of rubbish on the real property located at Vacant Parcel S/E Centaur Road and Helios Road, Riverside County, California, APN: 285-070-003 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 and 541.
2. David R. Smith, the owner of the subject real property, be directed to abate the excess outside storage of materials and accumulation of rubbish on the property by removing the same from the real property within ninety (90) days.

[Handwritten Signature]

TIFFANY N. NORTH, Deputy County Counsel
for JOE S. RANK, County Counsel

(Continued)

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 *[Handwritten Signature]*
Tina Grande

County Executive Office Signature

Policy
 Policy
 Consent
 Consent

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

Prev. Agn. Ref.:

District: 1

Agenda Number:

9.3

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3. If the owner 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 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 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 and Order to Abate for approval by the Board.

JUSTIFICATION:

1. An initial inspection was made of the subject property by the Code Enforcement Officer on July 11, 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: used construction materials, railroad tires, cables, hoses, plywood, lumber, large culvert pipes, small pipes, scaffolding, furniture, spa, storage containers, forklifts, semi-trailers, and miscellaneous other items.
3. Subsequent re-inspections of the above-described real property on August 29, 2006, September 14, 2006, September 25, 2006, April 19, 2007, May 30, 2007, and June 21, 2007 revealed that the property continued to be in violation of Riverside County Ordinance Nos. 348 and 541.
4. Staff of the Code Enforcement Department 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 of materials and accumulated rubbish.