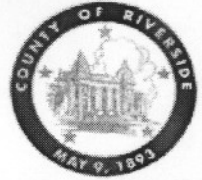


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

2218



FROM: County Counsel
Code Enforcement Department

SUBMITTAL DATE:
September 10, 2007

SUBJECT: Abatement of Public Nuisance [Accumulation of Rubbish];
Case No.: CV 06-6965
Subject Property: 21300 Gemini Rd., Desert Hot Springs: APN: 647-170-020
District Four

RECOMMENDED MOTION: Move that:

Departmental Concurrence

- (1) The accumulation of rubbish on the real property located at 21300 Gemini Road, Desert Hot Springs, Riverside County, California, APN: 647-170-020, 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) The Executor of the Estates of Bill J. Decker and Lois M. Decker, the deceased owners of the subject real property, be directed to abate the accumulation of rubbish on the property by removing and disposing of the same from the real property within ninety (90) days.

[Handwritten Signature]

(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

BY: *[Handwritten Signature]*
Tina Grande

County Executive Office Signature

- | | |
|-------------------------------------|---------|
| <input checked="" type="checkbox"/> | Policy |
| <input checked="" type="checkbox"/> | Policy |
| <input type="checkbox"/> | Consent |
| <input type="checkbox"/> | Consent |

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

Prev. Agn. Ref.: | District: 4 | Agenda Number:

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MAY 5 3 11 2007

9.3

- (3) If the owners, or whomever has possession or control of the real property, do 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 and disposing of 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 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.

JUSTIFICATION:

1. An initial inspection was made of the subject real property by Code Enforcement Officers on November 15, 2006.
2. The inspection revealed the accumulation of rubbish on the subject property in violation of Riverside County Ordinance No. 541. The rubbish observed consisted of, but was not limited to: broken furniture, wooden debris, deteriorated carpet, plastic buckets, concrete blocks, televisions, trash cans, truck parts, deteriorated mattresses, scrap metal, a propane tank, a hose, paint buckets, broken tile, defective fans, construction materials, carpet scraps and padding, wooden pallets, tires, household appliances, dead vegetation, construction rubble, household trash, discarded plastic containers, and miscellaneous trash and debris.
3. Subsequent inspections of the above-described real property on January 23, 2007, March 26, 2007, May 2, 2007 and August 13, 2007, revealed the property continues to be in violation of Riverside County Ordinance No. 541.
4. Staff and the Code Enforcement Department have complied with the requirements set forth in the appropriate laws of this jurisdiction pertaining to the administrative abatement proceedings for the removal of accumulated rubbish.