

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

903B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBJECT: Abatement of Public Nuisance [Excess Outside Storage and Accumulation of Rubbish];
Case No.: CV 06-2998
Subject Property: 38901 Reed Valley Road, Aguanga; APNs: 571-280-037 and 571-280-039
District Three

SUBMITTAL DATE:
November 15, 2007

RECOMMENDED MOTION: Move that:

- (1) The excess outside storage of materials and accumulation of rubbish on the real property located at 38901 Reed Valley Road, Aguanga, Riverside County, California, APNs: 571-280-037 and 571-280-039 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 (Riverside County Code Chapter 17.16) and 541 (Riverside County Code Chapter 8.120).
- (2) CHP Ventures, LLC, the owner of the subject real property, be directed to abate the excess outside storage and accumulation of rubbish on the property by removing the same from the real property within ninety (90) days.

Departmental Conference

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:
Alex Gann

County Executive Office Signature

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

Prev. Agn. Ref.:

District: 3

Agenda Number:

9.2

- (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 posting and mailing the Board's Order to Abate, then 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 Riverside County 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 an 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 June 21, 2007. 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: wood, lumber, dismantled paddle boats, portion of brick building, skateboard and miscellaneous ramps, green waste, black top area, and miscellaneous debris. The amount of excess outside storage of materials and accumulation of rubbish measured approximately forty-seven thousand six hundred eight (47,608) square feet.
2. Subsequent re-inspections of the above-described real property on August 13, 2007 and October 16, 2007 revealed that the property continued to be in violation of Riverside County Ordinance Nos. 348 and 541.
3. Staff and 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 and accumulated rubbish.