

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

115B



**FROM:** County Counsel  
Code Enforcement Department

**SUBMITTAL DATE:**  
November 26, 2007

**SUBJECT:** Abatement of Public Nuisance [Excess Outside Storage and Accumulation of Rubbish]  
Case No.: CV 02-1209  
Subject Property: 13711 Calle De Los Pinos, Lake Elsinore; APN: 386-040-032  
District One

**RECOMMENDED MOTION:** Move that:

1. The excess outside storage of materials and accumulation of rubbish on the real property located at 13711 Calle De Los Pinos, Lake Elsinore, Riverside County, California, APN: 386-040-032 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 and 541.
2. Adelfo Melloni and Susana Melloni, the owners of the subject real property, be directed to abate the excess outside storage and accumulation of rubbish on the property by removing and disposing of 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)

<b>FINANCIAL DATA</b>	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

<b>SOURCE OF FUNDS:</b>	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
- Consent
- Policy
- Consent

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

Prev. Agn. Ref.:

District: 1

Agenda Number:

Abatement of Public Nuisance [Appeal; Inoperative Vehicles];

Case Nos.: CV 02-1210 and CV06-7958;

Subject Property: 13711 and 13771 Calle De Los Pinos, Lake Elsinore, Riverside County;

APNs: 386-040-031 and 386-040-032

District One

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- (4) If Adelfo Melloni and/or Susana Melloni, or anyone having possession or control of the vehicles and vehicle parts, do not properly abate the public nuisance within fifteen (15) days of the posting and mailing of the Board's Order, a designated representative of the Code Enforcement Department, a towing contractor and/or Sheriff's Department representative shall abate the public nuisance by removal and destruction pursuant to RCO No. 520 (RCC Chapter 10.04) and applicable laws.
- 5) The reasonable costs of abatement, after notice and an opportunity for hearing shall be imposed as a lien on the subject real property which may be collected as a special assessment against the real property pursuant to Government Code Section 25845 and RCO Nos. 520 and 725 (RCC Chapters 10.04 and 1.16, respectively).
- (6) County Counsel be directed to prepare the necessary Findings of Facts and Conclusions of Law that the vehicles, motorcycles and vehicle parts on the real property are declared to be in violation of RCO No. 520 (RCC Chapter 10.04) and a public nuisance, and further, to prepare an Order to Abate for approval by the Board.

#### **JUSTIFICATION:**

- (1) As authorized by California Vehicle Code Sections 22660 and 22661 and California Government Code Section 25845, RCO No. 520 prohibits the outside storage of abandoned, wrecked, dismantled or inoperative vehicles on private property and deems the condition a public nuisance. Furthermore, RCO No. 520 authorizes the removal and destruction of the vehicles constituting a public nuisance.
- (2) On August 24, 2004, an inspection was made of the subject real property by code enforcement officers. The inspection revealed fifty nine (59) abandoned, inoperable, wrecked or dismantled vehicles and miscellaneous auto parts on the subject real property, and on adjacent lot APN 386-040-031 and 386-040-032, in violation of Riverside County Ordinance No. 520.
- (3) Pursuant to the request from the property owner, Adelfo Melloni, an administrative hearing was held on February 8, 2005 wherein the Hearing Officer determined that all fifty nine (59) inoperative vehicles, motorcycles and miscellaneous auto parts on the subject property, constitute a public nuisance in violation of RCO No. 520 and ordered all fifty nine (59) inoperative vehicles, motorcycles, and auto parts removed from the property.
- (4) A timely appeal of the Administrative Hearing Order/Decision was filed by Adelfo Melloni. Notices of the appeal hearing before the Board of Supervisors have been given as required by law. As of October 31, 2007, the inoperative vehicles remained on the property.
- (5) 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 abandoned, wrecked, dismantled or inoperable vehicles.