

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

114B



FROM: County Counsel
Code Enforcement Department

SUBMITTAL DATE:
November 26, 2007

SUBJECT: Abatement of Public Nuisance [Excess Outside Storage and Accumulation of Rubbish]
Case Nos.: CV 06-7960 and CV 06-7959
Subject Property: 13771 Calle De Los Pinos, Lake Elsinore; APN: 386-040-031
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: 386-040-031 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 and 541.
2. Beniamino Melloni and Susan 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)

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
- Consent
- Policy
- Consent

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

Prev. Agn. Ref.: | District: 1 | Agenda Number: |

Abatement of Public Nuisance [Excess Outside Storage and Accumulation of Rubbish];

Case Nos.: CV 06-7960 and CV 06-7959

Subject Property: 13771 Calle De Los Pinos, Lake Elsinore; APN: 386-040-031

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3. If the owners 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 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 and disposing 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 inspection was made of the subject property by the Code Enforcement Officer on January 18, 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: construction materials, auto parts, scrap wood, scrap metal, appliances, railroad ties, tools, machinery, tires, metal racks, furniture, crates, bricks, blocks, green waste, and other miscellaneous, items, trash and debris. The amount of the excessive outside storage of materials and accumulated rubbish was measured to be approximately seven thousand (7,000) square feet.
2. Subsequent re-inspections of the above-described real property on May 15, 2007 and October 31, 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 of materials and accumulated rubbish.