

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

717B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
January 18, 2008

SUBJECT: Abatement of Public Nuisance [Accumulation of Rubbish];
Case No.: CV 07-4551
Subject Property: One Parcel East of 23872 Wells Place, Canyon Lake
APN: 350-285-024
District Three

RECOMMENDED MOTION: Move that:

- (1) The accumulation of rubbish on the real property located at One Parcel East of 23872 Wells Place, Canyon Lake, Riverside County, California, APN: 350-285-024, 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) David Morrell, owner 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]

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

Dept's Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.: | **District:** 3 | **Agenda Number:**

- (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 the Board's Order to Abate, then 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 Fact 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 the Code Enforcement Officer on June 14, 2007. The inspection revealed the accumulation of rubbish on the subject property in violation of Riverside County Ordinance No. 541. The rubbish consisted of, but was not limited to: remains of an old foundation, tree branches, plastic waste, scrap lumber, tires, paper waste and other miscellaneous items.
2. Subsequent inspections of the above-described real property on August 8, 2007, October 31, 2007, and January 2, 2008, revealed the property continues to be in violation of Riverside County Ordinance No. 541.
3. 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.