

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

824B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
June 23, 2008

SUBJECT: Abatement of Public Nuisance [Excess Outside Storage and Accumulated Rubbish];
Case Nos.: CV 06-0896 & CV 07-2717
Subject Property: 38500 Mesa Road, Temecula; APN: 924-270-008
District Three

Departmental Concurrence

RECOMMENDED MOTION: Move that:

1. The excess outside storage of materials and accumulated rubbish on the real property located at 38500 Mesa Road, Temecula, Riverside County, California, APN: 924-270-008 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. James L. Dixon and Rhonda A. Dixon, the owners of the subject real property, be directed to abate the excess outside storage and accumulated rubbish on the property by removing the same from the real property within ninety (90) days.

[Signature]

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 *[Signature]*
Tina Grande
County Executive Office Signature

- Consent
- Policy
- Consent
- Policy

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

Prev. Agn. Ref.: | District: 3 | Agenda Number: **9.4**

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 accumulated rubbish by removing and disposing of 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 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 initial inspection was made of the subject property by the Code Enforcement Officer on April 11, 2007.
2. The inspection revealed the excess outside storage of materials and accumulated rubbish on the subject property in violation of Riverside County Ordinance Nos. 348 and 541. The excess outside storage of materials and accumulated rubbish were intermingled and consisted of but were not limited to: green waste, construction materials, auto batteries, automotive engine parts, discarded household furniture, broken gardening tools and materials, a pile of wood, engines, batteries, miscellaneous household yard items, the remains of an above ground swimming pool, 3 sail boats on trailers, one fishing boat, hog wire, tires, chain link fence material and other miscellaneous items and debris.
3. Subsequent re-inspections of the above-described real property on July 24, 2007, September 6, 2007, October 5, 2007, November 27, 2007, February 20, 2008, April 22, 2008 and June 6, 2008 revealed that the property continued to be in violation of Riverside County Ordinance Nos. 348 and 541.
4. 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.