

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



**FROM:** County Counsel/TLMA  
Code Enforcement Department

**SUBMITTAL DATE:**  
July 21, 2008

**SUBJECT:** Abatement of Public Nuisance [Excess Outside Storage and Accumulation of Rubbish  
Case No.: CV 04-1191; APN 315-110-028  
Subject Property: One Parcel South of 18029 Clark Street, Perris  
District One

Departmental Concurrence

**RECOMMENDED MOTION:** Move that:

1. The excess outside storage of materials and accumulation of rubbish on the real property located at One Parcel South of 18029 Clark Street, Perris, Riverside County, California, APN: 315-110-028 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 and 541 (Riverside County Code Chapters 17.120 and 8.120).
2. Gerardo and Ofelia Avila, owners 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.

(Continued)

TIFFANY N. NORTH, Deputy County Counsel  
for JOE S. RANK, County Counsel

<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:   
Tina Grande

County Executive Office Signature

- Consent
- Policy
- Consent
- Policy

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

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

9.2

Abatement of Public Nuisances

Case No. CV 04-1191

One Parcel South of 18029 Clark Street, Perris

Page 2

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 of materials and accumulation of 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 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 initial inspection was made of the subject property by the Code Enforcement Officer on May 17, 2004.
2. The inspection revealed the excess outside storage of materials and an accumulation of rubbish on the subject property in violation of Riverside County Ordinance Nos. 348 and 541.
3. Subsequent re-inspections of the above-described real property on May 20, 2004; July 28, 2004; September 1, 2004; October 6, 2004; April 19, 2005; January 26, 2007; May 7, 2007; July 10, 2007; August 16, 2007; September 5, 2007; November 13, 2007; February 13, 2008; April 1, 2008; May 27, 2008; and June 30, 2008 revealed that the property continued to be in violation of Riverside County Ordinance Nos. 348 and 541. The excess outside storage and accumulation of rubbish on the property consisted of but was not limited to firewood, cargo containers, building material, un-installed mobile home, mobile home frame, tires, bicycle parts, wood, cement pieces, plastic, and scrap metal.
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 outside storage and accumulation of rubbish.