

**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];
Case No.: CV 07-8268
Subject Property: One Parcel South of 17626 Brightman Avenue, Lake Elsinore;
APN: 381-248-029
District One

Departmental Concurrence

RECOMMENDED MOTION: Move that:

1. The excess outside storage of materials on the real property located at One Parcel South of 17626 Brightman Avenue, Lake Elsinore, Riverside County, California, APN: 381-248-029 be declared a public nuisance and a violation of Riverside County Ordinance No. 348 (Riverside County Code Chapter 17.44).
2. Randy W. Horton and Cynthia J. Horton, the owners of the subject real property, be directed to abate the excess outside storage of materials on the property by removing the same from the real property within ninety (90) days.

[Handwritten Signature]

(Continued)

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

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|---------------------------|-------------------------------|--------|-------------------------|-----|
| 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
Requires 4/5 Vote

C.E.O. RECOMMENDATION:

APPROVE

BY: *[Handwritten Signature]*
Tina Grande

County Executive Office Signature

Consent X Policy
 Consent Policy

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

Prev. Agn. Ref.:

District: 1

Agenda Number:

9.8

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 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 No. 348 (RCC Chapter 17.44), 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 October 1, 2007.
2. The property revealed the excess outside storage of materials on the subject property in violation of Riverside County Ordinance No. 348. The items included but were not limited to an un-installed, unpermitted mobile home. A subsequent search of County records revealed no mobile home installation permits on file.
3. Subsequent re-inspections of the above-described real property on March 11, 2008, April 21, 2008, and July 1, 2008 revealed that the property continued to be in violation of Riverside County Ordinance No. 348 (RCC Chapter 17.44).
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.