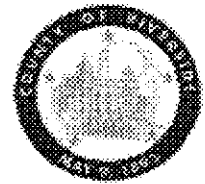


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

5338



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
December 8, 2008

SUBJECT: Abatement of Public Nuisance [Accumulation of Rubbish];
Case No.: CV 07-9253
Subject Property: 21630 Cypress Avenue, Perris; APN: 343-130-025
District Five

Departmental Concurrence

RECOMMENDED MOTION: Move that:

1. The accumulation of rubbish on the real property located at 21630 Cypress Avenue, Perris, Riverside County, California, APN: 343-130-025 be declared a public nuisance and a violation of Riverside County Ordinance No. 541 (Riverside County Code Chapter 8.120).
2. Esteban Aviles, the owner of the subject real property, is directed to abate the accumulation of rubbish on the property by removing the same from the real property within ninety (90) days.

[Signature]

JULIE A.K. JARVI, NORTH, Deputy County Counsel
for JOE S. RANK, County Counsel

(Continued)

FINANCIAL DATA	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:
	Annual Net County Cost:	\$ N/A	For Fiscal Year:

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: 5** | **Agenda Number:**

Abatement of Public Nuisances

9.6

3. If the owner 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, 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 accumulated 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 Riverside County Ordinance Nos. 541 and 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 and Order to Abate for approval by the Board.

JUSTIFICATION:

1. An initial inspection was made of the subject property by a Code Enforcement Officer on October 31, 2007.
2. The inspection revealed the accumulation of rubbish on the subject real property in violation of Riverside County Ordinance No. 541. The items included but were not limited to: scrap wood, metal, household items, brick, concrete, green waste, and other assorted trash. The accumulated rubbish was estimated to measure approximately between seven thousand seven hundred twenty-five (7725) and eight thousand six hundred ninety-two (8692) square feet.
3. Subsequent re-inspections of the above-described real property on April 24, 2008, July 21, 2008 and November 10, 2008 revealed that the property continued to be in violation of Riverside County Ordinance No. 541 (RCC Chapter 8.120).
4. The Code Enforcement Department and staff 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 accumulated rubbish.