

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

7263



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
December 22, 2008

SUBJECT: Abatement of Public Nuisance [Excess Outside Storage and
Accumulation of Rubbish];
Case Nos.: CV 07-10695 and CV 07-10698
Subject Property: 29467 Third Street, Lake Elsinore; APN: 377-090-032

Departmental Concurrence

RECOMMENDED MOTION: Move that:

1. The excess outside storage of materials and accumulation of rubbish on the real property located at 29467 Third Street, Lake Elsinore, Riverside County, California, APN: 377-090-032 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 and 541 (Riverside County Code Chapter 17.32 and 8.120).
2. Raul C. Gonzales, the owner of the subject real property, be directed to abate the excess outside storage on the property by removing the same from the real property within ninety (90) days.

(Continued)

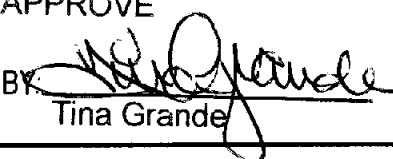


JULIE A.K. JARVI, Deputy County Counsel
for JOE S. RANK, County Counsel

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: 
Tina Grande

County Executive Office Signature

Consent X Policy
 Consent Policy

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

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

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 excess outside storage and accumulation of rubbish by removing 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 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 December 26, 2007.
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. The items included but were not limited to: household trash and debris, large wood poles, metal fencing, auto parts, plastic fencing, gas cylinders, appliances, household items, vehicle trailers and other miscellaneous items. The amount of outside storage was visually estimated to be seven hundred (700) to seven hundred fifty (750) square feet and the accumulated rubbish was estimated to be approximately two hundred (200) to four hundred (400) square feet.
3. Subsequent re-inspections of the above-described real property on February 8, 2008, April 9, 2008, June 11, 2008, July 24, 2008, October 15, 2008 and December 11, 2008 revealed that the property continued to be in violation of Riverside County Ordinance No. 348.
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.