

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

723A



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

**SUBMITTAL DATE:**  
December 22, 2008

**SUBJECT:** Abatement of Public Nuisance [Excess Outside Storage & Accumulation of Rubbish];  
Case Nos.: CV 07-10703 and CV 07-10704  
Subject Property: 29489 Third Street. Lake Elsinore  
APN: 377-090-033  
District One

**RECOMMENDED MOTION:** Move that:

Departmental Concurrence

- (1) The excess outside storage and accumulation of rubbish on the real property located at 29489 Third Street, Lake Elsinore, Riverside County, California, APN: 377-090-033, be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 and 541 (Riverside County Code Chapters 17.32 and 8.120).
- (2) Owner Raul C. Gonzales, the owner of the subject real property, be directed to abate the excess outside storage and accumulation of rubbish on the property by removing and disposing of the same from the real property within ninety (90) days.

*[Signature]*  
\_\_\_\_\_  
JULIE A.K. JARVI, Deputy County Counsel  
for JOE S. RANK, County Counsel

(Continued)

|                           |                               |        |                         |     |
|---------------------------|-------------------------------|--------|-------------------------|-----|
| <b>FINANCIAL<br/>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> | <b>Positions To Be Deleted Per A-30</b> | <input type="checkbox"/> |
|                         | <b>Requires 4/5 Vote</b>                | <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:** 1 | **Agenda Number:**

9.2

- (3) If the owner or whoever has possession or control 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 of the owner 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 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 No. 725.
- (5) County Counsel be directed to prepare the necessary Findings of Facts 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 an Order to Abate for approval by the Board.

**JUSTIFICATION:**

1. An initial inspection was made of the subject real property by the Code Enforcement Officers on December 26, 2007. The inspection revealed the excess outside storage of materials and 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: green waste, weathered vehicle parts, tires, lumber, scrap metal, appliances and household trash.
2. Subsequent inspections of the above-described real property on February 8, 2008, March 12, 2008, April 9, 2008, June 11, 2008, October 15, 2008 and December 11, 2008 revealed the property continues to be in violation of Riverside County Ordinance Nos. 348 and 541.
3. Staff and the Code Enforcement Department have complied with the requirements set forth in the appropriate laws of this jurisdiction pertaining to the administrative abatement proceedings for the removal of excess outside storage and accumulated rubbish.

MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**9.4**

9:30 a.m. being the time set for public hearing on Abatement of Public Nuisance [Excess Outside Storage, and Accumulation of Rubbish] on Case Nos. CV 07-10703 and CV 07-10704, 29489 Third Street, Lake Elsinore, APN 377-090-033, 1<sup>st</sup> District, the Chairman called the matter for hearing.

Alexandra Fong, Deputy County Counsel, presented the matter.

On motion of Supervisor Buster, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is continued to Tuesday, February 10, 2009, at 9:30 a.m.

I hereby certify that the foregoing is a full true and correct copy of an order made and entered on January 6, 2009 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors

Dated: January 6, 2009  
Nancy Romero, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

(seal)

By: *Nancy Romero* Deputy

AGENDA NO.  
9.4

xc: Co.Co., CED, Prop. Owner, CQB

ATTACHMENTS FILED WITH  
THE CLERK OF THE BOARD