

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

3128



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
February 2, 2009

SUBJECT: Abatement of Public Nuisance [Accumulation of Rubbish and Excess Outside Storage]
Case No.: CV 08-04851
Subject Property: 42125 Calle Babette, Temecula, CA 92592
APN: 951-200-014
District Three

Departmental Concurrence

RECOMMENDED MOTION: Move that:

- The excess outside storage of materials on the real property located at 42125 Calle Babette, Temecula, Riverside County, California, APN: 951-200-014 be declared a public nuisance and a violation of Riverside County Ordinance No. 348 (Riverside County Code Chapter 17.32).

[Signature]

JULIE A. JARVI, Deputy County Counsel
for PAMELA J. WALLS, Interim County Counsel

(Continued)

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: *[Signature]*
Tina Grande

County Executive Office Signature

Consent
 Policy
 Consent
 Policy
 Dept'l Recomm.:
 Per Exec. Ofc.:

Prev. Agn. Ref.: _____ **District:** 3 **Agenda Number:** _____

9.5

Abatement of Public Nuisance [Accumulation of Rubbish and Excess Outside Storage]

Case No.: CV 08-04851

Subject Property: 42125 Calle Babette, Temecula, CA 92592

APN: 951-200-014

District Three

- (2) The owner, or whoever has possession and control 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.
- (3) The accumulation of rubbish on the real property located at 42125 Calle Babette, Temecula, Riverside County, California, APN: 951-200-014, be declared a public nuisance and a violation of Riverside County Ordinance No. 541, which does not permit the accumulation of rubbish on the property.
- (4) The owner, or whoever has possession and control of the subject real property, be directed to abate the accumulation of rubbish on the property by removing and disposing of the same from the real property within ninety (90) days.
- (5) If the owner, or whoever has possession or control of the real property, does not take the above described actions within ninety (90) days of the date of the Board's Order to Abate, the accumulated rubbish, excess outside storage and contents therein shall be abated and disposed of by representatives of the Riverside County Code Enforcement Department, a contractor or the Sheriff's Department upon receipt of an owner's consent, or a Court Order, where necessary under applicable law, authorizing entry onto The Property.
- (6) 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. 348, 541 and 725.
- (7) County Counsel be directed to prepare the necessary Findings of Facts and Conclusions that the accumulation of rubbish and excess outside storage on the real property are 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 and Order and Findings for approval by the Board.

JUSTIFICATION:

1. On June 5, 2008, Code Enforcement Officer Angela Frazier conducted an initial inspection of The Property. The inspection revealed excessive outside storage and an accumulation of rubbish in violation of Riverside County Ordinance Nos. 348 and 541. The outside storage and rubbish measured approximately 6,324 square feet and included, but were not limited to: green waste, steel beams, tires, PVC pipes and scrap metal.
2. Subsequent inspections of the above-described real property on July 21, 2008, November 20, 2008, and January 23, 2009 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 abatement of the accumulated rubbish and excessive outside storage.