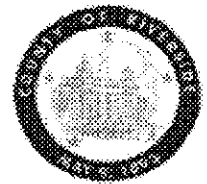


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

312 B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
April 13, 2009

SUBJECT: Abatement of Public Nuisance [Excess Outside Storage and Accumulation of Rubbish
Case No.: CV 07-4483
Subject Property: 25863 4th Street, Hemet; APN: 549-172-009
District Three

Departmental Concurrence

RECOMMENDED MOTION: Move that:

1. The excess outside storage of materials and accumulation of rubbish on the real property located at 25863 4th Street, Hemet, Riverside County, California, APN: 549-172-009 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 and 541 (Riverside County Code Chapters 17.16 and 8.120).
2. Vicki D. Bowman and Bryan Wishon, the owner of the subject real property, be directed to abate the excess outside storage and accumulation of rubbish on the property by removing the same from the real property within ninety (90) days.

(Continued)

Elena M. Boeva

ELENA M. BOEVA, Deputy County Counsel
for PAMELA J. WALLS, 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*
Tina Grande

County Executive Office Signature

- Consent
- Policy
- Consent
- Policy

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

Prev. Agn. Ref.:

District: 3

Agenda Number:

9.2

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 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 June 6, 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: scrap wood, tires, a lawn chair, concrete, tools, A metal tank, scrap metal, gate to chain link fence, plastic bins, auto parts, fire damaged appliances and furniture, debris from burned mobilehome, tool chest, iron fencing, chemicals, medical waste, broken glass, observed metal fence poles, ladders, metal racks, plaster board, paint cans, debris from a collapsed burned mobilehome, and other miscellaneous trash and debris. The amount of accumulated rubbish and excess outside storage was determined to be 2,360 square feet.
3. Subsequent re-inspections of the above-described real property on July 12, 2007, February 28, 2008, March 3, 2008, September 9, 2008 and April 3, 2009, revealed that the property continued to be in violation of Riverside County Ordinance Nos. 348 and 541.
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 and accumulation of rubbish.