

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

423B



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

**SUBMITTAL DATE:**  
October 6, 2010

**SUBJECT:** Abatement of Public Nuisance [Shipping Container]  
Case No. : CV 09-12544; SHEEHAN  
Subject Property: 42597 Sabina Drive, Hemet; APN: 569-260-037  
District: 3

**RECOMMENDED MOTION:** Move that:

Departmental Concurrence

1. The shipping containers on the real property located at 42597 Sabina Drive, Hemet, Riverside County, California, APN: 569-260-037 be declared a public nuisance and a violation of Riverside County Ordinance No. 348 (Riverside County Code Chapter 17.288).
2. Lora L. Sheehan, Trustee of the Lora Sheehan Trust dated December 19, 2002, the owner of the subject real property, be directed to abate the shipping containers on the property by removing the same from the real property within ninety (90) days.

(Continued)

*[Signature]*  
L. ALEXANDRA FONG, Deputy County Counsel  
for PAMELA J. WALLS, County Counsel

<b>FINANCIAL 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>	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's Recomm.:  
Per Exec. Ofc.:

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 shipping containers by removing and disposing of 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 shipping containers on the real property are declared to be in violation of Riverside County Ordinance No. 348, and a public nuisance, and further, to prepare an Order to Abate for approval by the Board.

**BACKGROUND:**

1. An initial inspection was made of the subject property by the Code Enforcement Officer on January 7, 2010.
2. The inspection revealed two (2) shipping containers on the subject property in violation of Riverside County Ordinance No. 348.
3. Subsequent follow up inspections of the above-described real property on February 8, 2010, March 11, 2010, April 1, 2010, April 19, 2010, April 20, 2010, May 26, 2010 and September 13, 2010, 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 a shipping container.