

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

904B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
March 17, 2011

SUBJECT: Abatement of Public Nuisance [Accumulated Rubbish]
Case No. : CV08-01978 (GUTIERREZ & PUGA)
Subject Property: 2 Parcels Southwest of Oleo Ranch Road, Perris;
District: 1; APN: 317-180-022

RECOMMENDED MOTION: Move that:

1. The accumulation of rubbish on the real property located at 2 Parcels Southwest of Oleo Ranch Road, Perris, Riverside County, California, APN: 317-180-022 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.

2. Benjamin Gutierrez and Mercedes Sotelo Puga, the owners of the subject real property, be directed to abate the accumulation of rubbish 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

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

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

Abatement of Public Nuisance

Case No. CV 08-01978 (GUTIERREZ & PUGA)

2 Parcels Southwest of Oleo Ranch Road, Perris

APN: 317-180-022

District: 1

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3. If the owners or whoever has possession or control 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 of the owner or receipt of a Court Order authorizing entry onto the real property, when necessary under applicable law, may abate the 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 accumulation of rubbish on the real property is declared to be in violation of Riverside County Ordinance No. 541, 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 real property by the Code Enforcement Officers on February 29, 2008. The inspection revealed the accumulation of rubbish on the subject property in violation of Riverside County Ordinance No. 541. The rubbish consisted of, but was not limited to: spent building materials, old clothes, broken furniture, empty metal drums, scrap wood, tires, and scrap metal.

2. Subsequent inspections of the above-described real property on March 25, 2008, May 29, 2009, August 28, 2009, February 22, 2010, March 23, 2010, April 29, 2010, May 27, 2010, August 11, 2010, September 17, 2010, October 19, 2010, November 10, 2010, December 1, 2010, December 15, 2010, December 27, 2010 and March 15, 2011, revealed the property continues to be in violation of Riverside County Ordinance No. 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 accumulated rubbish.