

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

317B



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

**SUBMITTAL DATE:**  
April 14, 2011

**SUBJECT:** Abatement of Public Nuisance [Excess Outside Storage & Accumulated Rubbish]  
Case Nos.: CV 07-9440 [TREADWELL]  
Subject Property: 26363 Erwin Ct., Hemet; APN: 449-141-010  
District: Three

**RECOMMENDED MOTION:** Move that:

1. The excess outside storage of materials and accumulation of rubbish on the real property located at 26363 Erwin Ct., Hemet, Riverside County, California, APN: 449-141-010 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 and 541 (Riverside County Code Chapters 17.24 and 8.120).
2. Gregory Lance Treadwell, 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)

*Bruce G. Fordon*  
BRUCE G. FORDON, 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: *Alex Gann*  
Alex Gann

County Executive Office Signature

- Policy
- Consent
- Policy
- Consent

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

Prev. Agn. Ref.: | District: 3 | Agenda Number:

9.2

Departmental Concurrence

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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, may abate the excess outside storage and accumulation of rubbish 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 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.

**BACKGROUND:**

1. An initial inspection was made of the subject property by the Code Enforcement Officer on June 5, 2008.
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: building supplies, bricks, wood, doors, bicycles, ladders, buckets, tarps, electrical cords, household trash, wheel barrow, hand trucks, pallets, decking, fencing, furniture, gardening implements, cleaning objects/supplies, sand bags, personal water craft, plastics, pipes, tubing and other miscellaneous items.
3. Subsequent follow up inspections of the above-described real property on July 28, 2008, November 5, 2008, March 17, 2010, November 4, 2010, December 6, 2010, January 12, 2011, February 3, 2011 and April 7, 2011, revealed that the property continued to be in violation of Riverside County Ordinance Nos. 348 and 541.

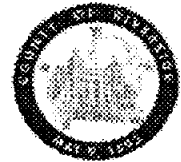
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4. Staff and the Code Enforcement Department have complied with the notice requirements set forth in the appropriate laws of this jurisdiction pertaining to the administrative abatement proceedings for the removal of excess outside storage and accumulated rubbish.

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505B



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

**SUBMITTAL DATE:**  
April 28, 2011

**SUBJECT:** Vacate Order to Abate Public Nuisance [Excess Outside Storage & Accumulated Rubbish]  
Case No.: CV 07-9440 [TREADWELL]  
Subject Property: 26363 Erwin Ct., Hemet; APN: 449-141-010  
District: Three

**RECOMMENDED MOTION:** Move that:

1. The Board vacate its order of April 26, 2011;
2. Re-open this matter and schedule the public hearing on the abatement of the public nuisance for excess outside storage and accumulated rubbish for May 24, 2011.

Departmental Concurrence

(Continued)

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:   
Tina Grande

**County Executive Office Signature**

- Policy
- Consent
- Policy
- Consent

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Buster, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and is set for public hearing May 24, 2011 at 9:30 a.m.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley  
Nays: None  
Absent: None  
Date: May 10, 2011  
xc: Co.Co.(3); Recorder CH #: 13

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

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

Prev. Agn. Ref.: 9.3, 4/26/11 | District: 3 | Agenda Number:

Vacate Order to Abate Public Nuisance  
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**JUSTIFICATION:**

1. On April 26, 2011, the Board of Supervisors approved Agenda Item 9.3, the public hearing on the abatement of a public nuisance for excess outside storage and accumulated rubbish and ordered County Counsel to prepare the Findings of Fact, Conclusions and Order to Abate Nuisance.
2. The property owner contacted Code Enforcement and informed the department that he received notice of the hearing date too late to attend the hearing.
3. Code Enforcement agrees to reschedule the hearing to May 24, 2011.
4. The Findings of Fact, Conclusions and Order to Abate Nuisance have not yet been prepared by County Counsel. Therefore, it is appropriate to vacate the order and reschedule the hearing.