

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

506B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
October 13, 2011

SUBJECT: Abatement of Public Nuisance [Accumulated Rubbish & Excess Outside Storage]
Case Nos.: CV 08-09058 (VERDUGO)
Subject Property: 18220 Decker Road, Perris; APN: 314-040-002
District: One

RECOMMENDED MOTION: Move that:

1. The accumulation of rubbish and excess outside storage of materials (three commercial vehicles and three trailers) on the real property located at 18220 Decker Road, Perris, Riverside County, California, APN: 314-040-002 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 541 and 348 (Riverside County Code Titles 8 and 17).
2. Robert M. Verduo, Trustee of Robert M. Verdugo Living Trust dated July 2, 1999, owner of the subject real property, be directed to abate the accumulation of rubbish and excess outside storage on the property by removing the same from the real property within ninety (90) days.

(Continued)

PATRICIA MUNROE, 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

County Executive Office Signature

- Consent
- Policy
- Consent
- Policy

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

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD
Departmental Concurrence

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 accumulation of rubbish and excess outside storage 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 accumulation of rubbish and excess outside storage of materials on the real property is declared to be in violation of Riverside County Ordinance Nos. 541 and 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 October 6, 2009.
2. The inspection revealed the accumulation of rubbish and an excess outside storage of materials on the subject property in violation of Riverside County Ordinance Nos. 541 and 348. The accumulated rubbish items included but were not limited to: tires, scrap wood, scrap metal, plastics, discarded building material and household items such as furniture and appliances, which is approximately one thousand five hundred (1,500) square feet of the accumulated rubbish. The excess outside storage consisted of the three commercial vehicles and three trailers parked on THE PROPERTY, which is approximately five thousand (5,000) square feet of excess outside storage.
3. Subsequent follow up inspections of the above-described real property on December 8, 2009, February 5, 2010, March 8, 2010, April 20, 2010, May 20, 2010, June 29, 2010, July 29, 2010, October 8, 2010, November 12, 2010, December 30, 2010 and February 1, 2011, March 22, 2011 and September 29, 2011, revealed that the property continued to be in violation of Riverside County Ordinance Nos. 541 and 348.

Abatement of Public Nuisance
Case No.: CV 08-09058 [VERDUGO]
18220 Decker Road, Perris
APN #314-040-002
District: 1
Page 3

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 accumulated rubbish and excess outside storage.