

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

616B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
October 20, 2011

SUBJECT: Abatement of Public Nuisance [Accumulated Rubbish & Excess Outside Storage]
Case Nos.: CV 10-09939 (GUSTIN)
Subject Property: 21275 Rider Street, Perris; APN: 318-210-020
District: One

RECOMMENDED MOTION: Move that:

1. The accumulation of rubbish and excess outside storage of materials on the real property located at 21275 Rider Street, Perris, Riverside County, California, APN: 318-210-020 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 541 and 348 (Riverside County Code Titles 8 and 17).
2. Terry D. Gustin and Linda M. Gustin, the owners 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: 
Michael R. Shetler

County Executive Office Signature

- Policy
- Policy
- Consent
- Consent

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

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD
Departmental Concurrence

Abatement of Public Nuisance
Case No.: CV10-09939 [GUSTIN]
21275 Rider Street, Perris
APN #318-210-020
District: 1
Page 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, 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 December 14, 2010.
2. The inspection of a vacant lot after the abatement of the primary residence, 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 items included but were not limited to: discarded furniture, household trash, scrap wood, plastics and clothes and a small wooden shed.
3. Subsequent follow up inspections of the above-described real property on January 12, 2011, March 3, 2011, May 10, 2011, and October 5, 2011, revealed that the property continued to be in violation of Riverside County Ordinance Nos. 541 and 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 accumulated rubbish and excess outside storage.