

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

609B



FROM: County Counsel
Code Enforcement Department

SUBMITTAL DATE:
October 20, 2011

SUBJECT: Statement of Abatement Costs [Case Nos. CV04-1261 & CV99-0637]
Subject Property: 34728 Ortega Highway, Lake Elsinore; CHURCHILL
APN: 385-240-008
District One

RECOMMENDED MOTION: Move that the Board of Supervisors:

- 1) assess the reasonable costs of abatement of a public nuisance (second unit installation without permit, mobile home installation without permit and construction without permit) in the above-referenced matter to be **one thousand, three hundred sixty-five dollars and thirty cents (US \$1,365.30)**;
- (2) assess the costs of abatement against the above-described subject property;
- (3) authorize the recordation of a notice of abatement lien;
- (4) authorize the abatement costs to be added to the tax roll as a special assessment; and
- (5) authorize and direct the Code Enforcement Department to take any reasonable actions to collect the amount owed.

BACKGROUND: Government Code § 25845, Riverside County Ordinance Nos. 457 and 725 authorize the recovery of abatement costs in public nuisance cases, the recordation of a notice of abatement lien and inclusion of abatement costs on the tax roll as a special assessment upon approval of the Board of Supervisors.

[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: *Michael R. Shetler for Tina Grande*
Michael R. Shetler

County Executive Office Signature

Dept't Recomm.: Consent Policy Policy
Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.:

District: 1

Agenda Number:

9.4

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Multiple Notices of Violation were issued. Subsequently, on or about August 18, 2008, the cases were closed with the construction without permit violation still existing. To date, the property owners have failed to bring the property into compliance. Accordingly, the Riverside County Code Enforcement Department seeks to recover its outstanding fees and costs incurred to date associated this matter. However, the Riverside Code Enforcement Department does not waive its right to seek additional costs associated with any ongoing new case(s) regarding the subject property.

The Notice of Hearing re Statement of Abatement Costs has been posted on the property and mailed to the property owner and all interested parties, as required by law. Copies of all relevant notices issued in this matter together with proof of service and posting have been separately filed with the Clerk of the Board and are made a part of the record herein, pursuant to Riverside County Ordinance 725.

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**TABLE OF SUPPLEMENTAL DOCUMENTS
FILED WITH THE CLERK OF THE BOARD**

Hearing Date: NOVEMBER 1, 2011

| | |
|-------------------------------------------------------------------------------------------------------------------------|-----------|
| Notice of Hearing Re: Statement of Abatement Costs (including Proof(s) of Service and Affidavit(s) of Posting | Exhibit A |
| Summary Statement of Abatement Costs and Statement of Abatement Costs with Supporting Documents | Exhibit B |
| Assessment-Roll For The Year 10/11 And Geographic Information System, Oct. 5, 2011 | Exhibit C |
| Lot Book Report | Exhibit D |
| Demand for Payment Statement of Abatement Costs Notice of Special Tax Assessment | Exhibit E |
| Request for Hearing | Exhibit F |
