

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

606B



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


**SUBMITTAL DATE:**  
January 19, 2012

**SUBJECT:** Abatement of Public Nuisance [Accumulated Rubbish]  
Case No. : CV10-05796 [HALLER]  
Subject Property: 2 Parcels West of 52071 Esperanza Drive, Cabazon;  
APN: 528-122-038  
District: Five / District Five

**RECOMMENDED MOTION:** Move that:

1. The accumulation of rubbish on the real property located at 2 Parcels West of 52071 Esperanza Drive, Cabazon, Riverside County, California, APN: 528-122-038 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. John L. Haller and Sandra L. Haller, 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)

  
PATRICIA MUNROE, 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

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

9.2

Abatement of Public Nuisance  
Case Nos.: CV10-05796 [HALLER]  
2 Parcels west of 52071 Esperanza Drive, Cabazon  
APN#: 528-122-038  
District 5 / District 5  
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3. If the owner or whoever has possession or control 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 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 Technician on July 30, 2010. 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, two (2) trailers, automotive parts, green waste and household rubbish strewn about, which covers approximately seven thousand six hundred ninety-five (7,695) square feet.

2. Subsequent inspections of the above-described real property on August 11, 2010, September 24, 2010, October 13, 2010, November 16, 2010, December 16, 2010, January 27, 2011, February 16, 2011, March 11, 2011, April 19, 2011, May 20, 201, June 28, 2011, July 29, 2011, September 6, 2011 and January 3, 2012, 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.