

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

904 B



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

**SUBMITTAL DATE:**  
May 23, 2012

**SUBJECT:** Abatement of Public Nuisance [Accumulated Rubbish]  
Case No. : CV10-02884 [GONZALEZ]  
Subject Property: 49869 W. Carmen Avenue, Cabazon; APN: 519-424-001  
District: 5/5

**RECOMMENDED MOTION:** Move that:

1. The accumulation of rubbish on the real property located at 49869 W. Carmen Avenue, Cabazon, Riverside County, California, APN: 519-424-001 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. Gustavo B. Gonzalez and Lorna L. Gonzalez, 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.

Departmental Concurrence

(Continued)

  
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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**

- |                                  |  |
|----------------------------------|--|
| <input type="checkbox"/> Consent | <input checked="" type="checkbox"/> Policy |
| <input type="checkbox"/> Consent | <input checked="" type="checkbox"/> Policy |

Dept's Recomm.:  
Per Exec. Ofc.:

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

Prev. Agn. Ref.: | District: 5/5 | Agenda Number:

9.3

Abatement of Public Nuisance  
Case No.: CV 10-02884 [GONZALEZ]  
49869 W. Carmen Avenue, Cabazon  
APN#519-424-001  
District 5/5  
Page 2

3. If the owners 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 Officers on April 12, 2011. 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: numerous tires, sofa, wood, plastics, scrap metal and other miscellaneous debris.

2. Subsequent inspections of the above-described real property on July 11, 2011, August 30, 2011, October 19, 2011, December 12, 2011 and April 16, 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.