

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

224



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
January 08, 2013

SUBJECT: Abatement of Public Nuisance [Prohibited Outdoor Advertising Displays and Construction Without Permits - Billboard]
Case No.: CV10-01241 [GONZALES]
Subject Property: Vacant Lot on Highway 74, Perris; APN: 349-060-043
District: Five/One

RECOMMENDED MOTION: Move that:

1. The outdoor advertising display/billboard on the real property located at Vacant Lot on Highway 74, Perris, Riverside County, California, APN: 349-060-043 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 and 457 which does not permit outdoor advertising displays/billboards, in the Rural Residential zoning classification without Riverside County approvals and required permits.

(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

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

Prev. Agn. Ref.: | **District:** 5/1 | **Agenda Number:**

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

9 - 1
Jan. 15, 2013

Abatement of Public Nuisance
Case No. : CV10-01241 [GONZALES]
Address: Vacant lot on Highway 74, Perris
APN# 349-060-043
District: Five/One
Page 2

2. James A. Gonzales, the owner of the subject real property, be directed to abate the outdoor advertising display/billboard by removing and/or demolishing the same from the real property, including the removal and disposal of all debris and materials or obtain the required approvals from the Riverside County Planning Department and obtain the required permit(s) from the Riverside County Department of Building and Safety within ninety (90) days.
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 outdoor advertising display/billboard 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 outdoor advertising display/billboard on the real property is declared to be in violation of Riverside County Ordinance Nos. 348 and 457, and constitutes a public nuisance. Further, County Counsel shall prepare an Order to Abate for approval by the Board.

BACKGROUND:

1. Inspections were made of the subject property by the Code Enforcement Officers on March 30, 2010 and October 18, 2012.
2. The inspections revealed an unpermitted outdoor advertising display/billboard on the subject real property in violation of Riverside County Ordinance Nos. 348 and 457.
3. Since 2010 there has been an additional twenty-nine (29) follow up inspections, the last being November 15, 2012. During each inspection the outdoor advertising display/billboard remained on the subject real property in violation of Riverside County Ordinance Nos. 348 and 457. On November 26, 2012, Code Enforcement staff completed a request for records with the Department of Building and Safety. Riverside County records show no permits or approvals for the vacant unimproved parcel.

Abatement of Public Nuisance
Case No. : CV10-01241 [GONZALES]
Address: Vacant lot on Highway 74, Perris
APN# 349-060-043
District: Five/One
Page 3

4. The Code Enforcement Department has complied with the notice requirements set forth in the appropriate laws of this jurisdiction pertaining to the administrative abatement proceedings for the removal of the outdoor advertising display/billboard.