

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

**L10B**



**FROM:** TLMA – Code Enforcement Department

**SUBMITTAL DATE:**  
May 16, 2014

**SUBJECT:** Abatement of Public Nuisance [Accumulated Rubbish]  
Case No: CV12-02778 [STOUT / MASLANIK]  
Subject Property: 28230 El Toro Rd., Lake Elsinore; APN:347-420-023  
District: 1/1 [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors move that:

1. The accumulation of rubbish on the real property located at 28230 El Toro Rd., Lake Elsinore, Riverside County, California, APN: 347-420-023 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. Jeff T. Stout and Cecilia Maslanik, 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.

GREG FLANNERY  
Code Enforcement Official

(Continued)

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	

**SOURCE OF FUNDS** \_\_\_\_\_ Budget Adjustment: \_\_\_\_\_  
For Fiscal Year: \_\_\_\_\_

**C.E.O. RECOMMENDATION:** APPROVE  
BY:   
Tina Grande  
County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

FORM APPROVED COUNTY COUNSEL  
BY:   
L. ALEXANDRA FONG  
DATE: 3/25/14

Departmental Concurrence

- A-30
- Positions Added
- 4/5 Vote
- Change Order

**Prev. Agn. Ref.:** \_\_\_\_\_ **District:** 1/1 **Agenda Number:** \_\_\_\_\_

**9-3**

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

**FORM 11: Abatement of Public Nuisance [Accumulated Rubbish]**

**Case No: CV12-02778 [STOUT / MASLANIK]**

**Subject Property: 28230 El Toro Rd., Lake Elsinore; APN: 347-420-023**

**District: 1/1**

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**PAGE:** 2 of 2

**RECOMMENDED MOTION (continued):**

3. If the owners or whoever has possession or control 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 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 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 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 on the subject property by Code Enforcement Officer John Game on April 30, 2012.

2. There have been approximately 8 subsequent follow up inspections, with the last inspection occurring on November 26, 2013. At each of these inspections accumulated rubbish was observed and consisted of but was not limited to: household trash, broken furniture, building materials, discarded wood and other miscellaneous items. Each of these inspections has revealed that the property has continued to be in violation of Riverside County Ordinance No. 541.

3. 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.

**Impact on Citizens and Businesses**

Failure to abate will have a negative impact on citizens or businesses due to health and safety hazards, nuisance, and potential impact on real estate values.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

N/A

**Contract History and Price Reasonableness**

N/A

**ATTACHMENTS**