

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

107B



**FROM:** TLMA – Code Enforcement Department

**SUBMITTAL DATE:**

June 4, 2014

**SUBJECT:** Abatement of Public Nuisance [Excess Outside Storage]  
Case No: CV13-03818 [BENIGNI]  
Subject Property: 28190 Sparacio Road, Romoland; APN: 327-330-047  
District: 5/5 [\$0]

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

1. The excess outside storage of materials on the real property located at 28190 Sparacio Road, Romoland, Riverside County, California, APN: 327-330-047 be declared a public nuisance and a violation of Riverside County Ordinance No. 348.
2. Primo Benigni and Bryan Benigni, the owners of the subject real property, be directed to abate the excess outside storage of materials on the property by removing the same from the real property within ninety (90) days.

*Greg Flannery*  
\_\_\_\_\_  
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*  
Tina Grande

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

FORM APPROVED COUNTY COUNSEL  
BY: *Alexandra Fong* DATE: 4/16/14  
ALEXANDRA FONG

Departmental Concurrence

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

Prev. Agn. Ref.:

District: 5/5

Agenda Number:

**9-10**

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

## FORM 11: Abatement of Public Nuisance [Excess Outside Storage]

Case No: CV13-03818 [BENIGN]

Subject Property: 28190 Sparacio Road, Romoland; APN: 337-330-047

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### RECOMMENDED MOTION (continued):

3. If the owners or whoever has possession 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 excess outside storage 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 excess outside storage of materials on the real property is declared to be in violation of Riverside County Ordinance No. 348, and a public nuisance. Further, County Counsel shall 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 Lane Padilla on September 23, 2013. The inspection revealed the excess outside storage of materials on the subject property in violation of Riverside County Ordinance No. 348. The excess outside storage consisted of furniture, yard sales items consisting of but not limited to the following: clothing, toys, appliances, exercise equipment and other miscellaneous items.

2. Follow up inspections on the above-described real property on December 24, 2013, March 6, 2014 and March 27, 2014, revealed the property continues to be in violation of Riverside County Ordinance No. 348.

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 excess outside storage.

### 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

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**Contract History and Price Reasonableness**

N/A

**ATTACHMENTS**