

FORM APPROVED COUNTY COUNSEL  
 BY: GREGORY P. PRIAMOS DATE: 9/25/14

Department Concurrence

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

702B



**FROM:** TLMA – Code Enforcement Department

**SUBMITTAL DATE:**  
September 25, 2014

**SUBJECT:** Abatement of Public Nuisance [Excess Outside Storage & Accumulated Rubbish]  
 Case No: CV11-01191 [FRANKE]  
 Subject Property: 33168 Gillette Street, Lake Elsinore; APN: 383-041-048  
 District: 1/1 [\$0]

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

1. The excess outside storage of materials and accumulation of rubbish on the real property located at 33168 Gillette Street, Lake Elsinore, Riverside County, California, APN: 383-041-048 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 and 541.
2. Christine F. Franke, the owner of the subject real property, be directed to abate the excess outside storage and accumulated 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	
<b>SOURCE OF FUNDS</b>				<b>Budget Adjustment:</b>	
				For Fiscal Year:	

**C.E.O. RECOMMENDATION:**

APPROVE

BY: Tina Grande  
Tina Grande

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

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

Prev. Agn. Ref.:

District: 1/1

Agenda Number:

9-1

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

**FORM 11: Abatement of Public Nuisance [Excess Outside Storage & Accumulated Rubbish]  
Case No: CV11-01191 [FRANKE]  
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**RECOMMENDED MOTION (continued):**

3. If the owner or whoever has possession 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 excess outside storage and 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 excess outside storage of materials and accumulation of rubbish on the real property is declared to be in violation of Riverside County Ordinance Nos. 348 and 541, and a public nuisance, and further, to prepare an Order to Abate for approval by the Board.

**BACKGROUND:**

1. This case has been open since 2011 when Code Enforcement initially observed accumulated rubbish and excess outside storage on THE PROPERTY. Code Enforcement has attempted to resolve the ongoing code violations with OWNER but has been unsuccessful. Due to these unsuccessful attempts, Code Enforcement obtained an inspection warrant (MISC 2014-048).

2. On May 14, 2014, Officer Black executed Inspection Warrant MISC2014-048 which revealed additional excess outside storage of materials and an accumulation of rubbish on the subject property in Violation of Riverside County Ordinance Nos. 348 and 541. The items included but were not limited to: refrigerators, auto parts, scrap metal, bottles, cartons, plastic, approximately 15 tires, wood, litter, household trash, boat, tractor and miscellaneous items, in excess of 2,700 square feet.

3. There have been approximately 13 subsequent follow up inspections, with the last inspection being July 9, 2014, which revealed that the property continues to be in violation of Riverside County Ordinance Nos. 348 and 541.

4. 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 the excess outside storage and 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:**

N/A

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**Additional Fiscal Information**

N/A

**Contract History and Price Reasonableness**

N/A

**ATTACHMENTS**