

FORM APPROVED COUNTY COUNSEL 9/16/14
 BY: GREGORY P. PRIAMOS DATE
 Departmental Concurrence

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

701B



FROM: TLMA – Code Enforcement Department

SUBMITTAL DATE:
 September 25, 2014

SUBJECT: Abatement of Public Nuisance [Accumulated Rubbish]
 Case No: CV13-01367 [BRISENO, TORRES, SOTO, HERNANDEZ, ET AL]
 Subject Property: 23179 Mountain Ave., Perris; APN: 342-170-005
 District: 1/1 [\$0]

RECOMMENDED MOTION: That the Board of Supervisors move that:

1. The accumulation of rubbish on the real property located at 23179 Mountain Ave., Perris, Riverside County, California, APN: 342-170-005 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. Luis Briseno, Alberto Soto, Anabel Hernandez, Maria Torres and Brenda Smith, 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.

[Signature]
 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: *[Signature]*
 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:**

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

FORM 11: Abatement of Public Nuisance [Accumulated Rubbish]

Case No: CV13-01367 [BRISENO, TORRES, SOTO, HERNANDEZ, ET AL]

Subject Property: 23179 Mountain Ave., Perris; APN: 342-170-005

District: 1/1

DATE: September 25, 2014

PAGE: 2 of 3

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 Lori Lyon on May 7, 2013. The Inspection revealed the accumulation of rubbish on the subject property in violation of Riverside County Ordinance 541. The rubbish consisted of, but was not limited to: discarded furniture and 5 gallon paint buckets.
2. Follow up inspections on the above-described real property on June 6, 2013, October 15, 2013, February 6, 2014 and June 17, 2014, revealed the property continues to be in violation of Riverside County Ordinance No. 541. On June 17, 2014, additional rubbish was observed on the property consisting of, but not limited to: 5 discarded couches, 1 chair, discarded dressers, 9 paint buckets, and miscellaneous household discarded items.
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

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

FORM 11: Abatement of Public Nuisance [Accumulated Rubbish]

Case No: CV13-01367 [BRISENO, TORRES, SOTO, HERNANDEZ, ET AL]

Subject Property: 23179 Mountain Ave., Perris; APN: 342-170-005

District: 1/1

DATE: September 25, 2014

PAGE: 3 of 3

ATTACHMENTS

Declaration

Exhibits A-G