

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

905B



FROM: TLMA – Code Enforcement Department

SUBMITTAL DATE:
October 16, 2014

SUBJECT: Abatement of Public Nuisance [Excess Outside Storage & Accumulated Rubbish]
Case No: CV11-08508 [FOSTER]
Subject Property: Vacant lot on N/E Corner of Via Quito & Calle Cordova, Temecula;
APN: 915-190-010
District: 3/3 [\$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 described as Vacant lot on N/E Corner of Via Quito & Calle Cordova, Temecula, Riverside County, California, APN: 915-190-010 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 and 541.
2. Ronald Eugene Foster and Araceli Foster, the owners of the subject real property, be directed to abate the excess outside storage and accumulated rubbish on the property by removing the same from 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

FORM APPROVED COUNTY COUNSEL
 BY: *[Signature]* ANITA C. WILLIS
 DATE: 9-17-14
 Departmental Concurrence

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

Prev. Agn. Ref.:

District: 3/3

Agenda Number:

9-2

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

FORM 11: Abatement of Public Nuisance [Excessive Outside Storage & Accumulated Rubbish]
Case No: CV11-08508 [FOSTER]
Subject Property: N/E Corner of Via Quito & Calle Cordova, Temecula;
APN: 915-190-010
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PAGE: 2 of 3

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 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. An initial inspection was made on the subject property by Code Enforcement Officer Jeremy Wagner on July 11, 2012. The Inspection revealed the excess outside storage of materials and an accumulation of rubbish on the subject property in violation of Riverside County Ordinances Nos. 348 and 541. The items included but were not limited to: used tires, lumber, paper, broken furniture and other miscellaneous items.
2. On July 17, 2013, Officer Pollard conducted a follow up inspection which revealed additional excess outside storage of materials and accumulated rubbish on the subject property in violation of Riverside County Ordinance Nos. 348 and 541. The items included but were not limited to: cardboard, tires, furniture, cement, fiberglass boxes for in ground installations, fencing, wood, building supplies, tracks, large metal tank and miscellaneous items, in excess of 2,500 square feet.
3. There have been approximately 9 subsequent follow up inspections, with the last inspection being August 5, 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.

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PAGE: 3 of 3

SUPPLEMENTAL:

N/A

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

ATTACHMENTS

Declaration

Exhibits A-G