

FORM APPROVED COUNTY COUNSEL  
 BY: GREGORY P. PRIAMOS  
 DATE: 1/20/15

Departmental Concurrence

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

310B



**FROM:** TLMA -- Code Enforcement Department

**SUBMITTAL DATE:**  
 March 12, 2015

**SUBJECT:** Abatement of Public Nuisance [Accumulated Rubbish]  
 Case No: CV11-00368 [T.H. CONSTRUCTION, LLC]  
 Subject Property: 3 Parcels North West of 64635 16<sup>th</sup> Avenue, Desert Hot Springs,  
 APN: 666-050-010  
 District: 5 [\$0]

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

1. The accumulation of rubbish on the real property located at 3 Parcels North West of 64635 16<sup>th</sup> Avenue, Desert Hot Springs, Riverside County, California, APN: 666-050-010 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. T.H. Construction, LLC, the owner 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
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.: \_\_\_\_\_ District: 5 Agenda Number: \_\_\_\_\_

9-4

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

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

**Case No: CV11-00368 [T.H. CONSTRUCTION, LLC]**

**Subject Property: 3 Parcels North West of 64635 16<sup>th</sup> Avenue, Desert Hot Springs;**

**APN: 666-050-010**

**District: 5'**

**DATE:** March 12, 2015

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**RECOMMENDED MOTION (continued):**

3. If the owner or whoever has possession or control 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 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 Jamison Cole on April 28, 2012. 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: tires, discarded furniture, discarded household items, scrap wood, a boat, green waste, and miscellaneous household items.

2. There have been approximately 14 subsequent follow up inspections, with the last inspection being November 6, 2014, which revealed that the property continues 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 business 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

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**PAGE:** 3 of 3

**ATTACHMENTS**

Declaration

Exhibits A-G