

FORM APPROVED COUNTY COUNSEL 3/11/15
 BY: GREGORY P. PRIAMOS DATE
 Departmental Concurrence

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

705B



FROM: TLMA – Code Enforcement Department

SUBMITTAL DATE:
 April 15, 2015

SUBJECT: Abatement of Public Nuisance [Excess Outside Storage & Accumulated Rubbish]
 Case No: CV11-06134 [NIXON]
 Subject Property: 14791 Old Morongo Road, North Palm Springs;
 APN: 668-040-021
 District: 5 [\$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 14791 Old Morongo Road, North Palm Springs, Riverside County, California, APN: 668-040-021 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 and 541.
2. Suzanne K. Nixon, 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 real property within ninety (90) days.

(Continued)

GREG FLANNERY
 Code Enforcement Official

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

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Prev. Agn. Ref.: | **District: 5** | **Agenda Number:**

9-5

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

**FORM 11: Abatement of Public Nuisance [Excessive Outside Storage & Accumulated Rubbish]
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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. An inspection was made on the subject property by Code Enforcement Officer Cole on August 16, 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: furniture, boxes, bags, containers, household items, scrap wood, tires, mattresses, yard tools and miscellaneous items, in excess of 2,000 square feet.

2. There have been approximately 7 subsequent follow up inspections, with the last inspection occurring on January 21, 2015. The property continues to be in violation of Riverside County Ordinance Nos. 348 and 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 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

Additional Fiscal Information

N/A

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Contract History and Price Reasonableness

N/A

ATTACHMENTS

Declaration
Exhibits A-G