

Departmental Concurrence

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

110B



FROM: TLMA – Code Enforcement Department

SUBMITTAL DATE:
 May 19, 2015

SUBJECT: Abatement of Public Nuisance [Excess Outside Storage]
 Case No: CV12-02108 [EATHERTON]
 Subject Property: 28870 Lakeview Avenue; APN: 307-190-020 NUEVO
 District: 5 [\$0]

RECOMMENDED MOTION: That the Board of Supervisors move that:

1. The excess outside storage of materials on the real property located at 28870 Lakeview Avenue, Nuevo, Riverside County, California, APN: 307-190-020 be declared a public nuisance and a violation of Riverside County Ordinance No. 348.
2. Dan W. Eatherton and Carolle R. Eatherton, the owners of the subject real property, be directed to abate the excess outside storage of materials 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	
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:

9-6

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

FORM 11: Abatement of Public Nuisance [Excess Outside Storage]

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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 of the owner or receipt of a Court Order authorizing entry onto the real property when necessary under applicable law, may abate the excess outside storage 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 on the real property is declared to be in violation of Riverside County Ordinance No. 348, and a public nuisance. Further, County Counsel shall 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 James Pike on August 29, 2013. The inspection revealed the excess outside storage of materials on the subject property in violation of Riverside County Ordinance No. 348. The excess outside storage consisted of, but not limited to: irrigation piping, scrap wood, masonry supplies, construction supplies and equipment, in excess of 99,752 square feet.

2. There have been approximately 4 subsequent follow up inspections, with the last inspection occurring on March 23, 2015. The property continues to be in violation of Riverside County Ordinance No. 348.

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 excess outside storage.

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

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Contract History and Price Reasonableness

N/A

ATTACHMENTS

Declaration
Exhibits A-G