

FORM APPROVED COUNTY COUNSEL

BY: PATRICIA MUNROE

Departmental Concurrence

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

601B



FROM: TLMA – Code Enforcement Department

SUBMITTAL DATE:  
March 5, 2014

SUBJECT: Abatement of Public Nuisance [Accumulated Rubbish]  
Case No: CV10-09396 [PALM INV GROUP, LLC]  
Subject Property: 51909 Maxine Dr., Cabazon, APN: 528-033-011  
District: 5/5 [\$0]

RECOMMENDED MOTION: That the Board of Supervisors move that:

1. The accumulation of rubbish on the real property located at 51909 Maxine Dr., Cabazon, Riverside County, California, APN: 528-033-011 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. Palm Investment Group, 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  
*[Signature]*  
BY: Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Stone, Benoit and Ashley  
Nays: None  
Absent: Tavaglione  
Date: March 18, 2014  
xc: TLMA/CED, Sheriff

Kecia Harper-Ihem  
Clerk of the Board  
By: *[Signature]*  
Deputy

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

Prev. Agn. Ref.: District: 5/5 Agenda Number:

9-2

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

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

**Case No: CV10-09396 [PALM INV GROUP, LLC]**

**Subject Property: 51909 Maxine Dr., Cabazon; APN: 528-033-011**

**District: 5/5**

**DATE:** March 5, 2014

**PAGE:** 2 of 2

**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 Technician David Jurden on December 22, 2010. 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: household trash, spent building materials, green waste, automotive parts, and 4 tires.

2. There have been approximately 37 subsequent follow up inspections, with the last inspection being December 31, 2013, which revealed 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

**ATTACHMENTS**