

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



*ID#
1933*

FROM: TLMA Code Enforcement

SUBMITTAL DATE:
August 25, 2016

SUBJECT: Abatement of Public Nuisance [Accumulated Rubbish] Case No: CV16-00119
[PINTO] Subject Property: 14509 Lake Street, Lake Elsinore; APN: 391-170-011
District: 1 [\$0]

RECOMMENDED MOTION: That the Board of Supervisors move that:

1. The accumulation of rubbish on the real property located at 14509 Lake Street, Lake Elsinore, Riverside County, California, APN: 391-170-011 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. Walter A. Pinto and Emperatriz R. Pinto, the owners 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.
3. If the owners or whoever has possession or control 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 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, Conclusions and Order to Abate Nuisance for approval by the Board 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.

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Benoit and Ashley
Nays: None
Absent: Tavaglione and Washington
Date: September 20, 2016
xc: Co. Co./TLMA-CED, Sheriff

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

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BACKGROUND:

Summary

1. An inspection was made on the subject property by Code Enforcement Officer Thomas McMullen on January 11, 2016. The inspection revealed the accumulation of rubbish on the subject property in violation of Riverside County Ordinance No. 541. The rubbish consisted of, but was not limited to: drywall, tires, furniture, household items, spent building materials, scrap lumber and trash. During a subsequent follow up inspection on June 13, 2016, Officer Thomas McMullen observed additional accumulated rubbish on the subject property. Additional rubbish consisted of clothing, green waste, metal and car parts and measured approximately 37,840 square feet.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A
SOURCE OF FUNDS: N/A			Budget Adjustment:	N/A
			For Fiscal Year:	N/A

C.E.O. RECOMMENDATION:

BACKGROUND:

Summary (continued)

2. There have been approximately five (5) follow up inspections, with the last inspection being on June 13, 2016. 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 Residents 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.

Contract History and Price Reasonableness: N/A

ATTACHMENTS:

- Declaration
- Exhibits A-G