

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

3113



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
January 29, 2007

SUBJECT: Abatement of Public Nuisance [Excess Outside Storage and Accumulation of Rubbish];
Case No.: CV 05-5327
Subject Property: 3464 Novak Avenue, Riverside; APN: 174-320-003
District Two

RECOMMENDED MOTION: Move that:

1. The excess outside storage of materials and accumulation of rubbish on the real property located at 3464 Novak Avenue, Riverside, Riverside County, California, APN: 174-320-003 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 (Riverside County Code Chapter 17.120) and 541 (Riverside County Code Chapter 8.120).
2. Leanne Hall, the owner of the subject real property, be directed to abate the excess outside storage and accumulation of rubbish on the property by removing the same from the real property within ninety (90) days.

(Continued)

Tiffany N. North
TIFFANY, N. NORTH, Deputy County Counsel
for JOE S. RANK, County Counsel

FINANCIAL
DATA

Current F.Y. Total Cost:

\$ N/A

In Current Year Budget:

N/A

Current F.Y. Net County Cost:

\$ N/A

Budget Adjustment:

N/A

Annual Net County Cost:

\$ N/A

For Fiscal Year:

N/A

SOURCE OF FUNDS:

Positions To Be
Deleted Per A-30

☐

Requires 4/5 Vote

☐

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

Joe S. Rank

Dep't Recomm.:
☒ Policy

☐ Consent

Per Exec. Ofc.:
☒ Policy

☐ Consent

Prev. Agn. Ref.:

District: 2

Agenda Number:

9.1

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 posting and mailing of the Board's Order to Abate, 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, shall abate the excess outside storage and accumulation of rubbish by removing 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 are 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.

JUSTIFICATION:

1. An initial inspection was made of the subject property by Code Enforcement Officers on October 27, 2005.
2. The inspection revealed the excess outside storage of materials and accumulation of rubbish on the subject property in violation of Riverside County Ordinance Nos. 348 and 541. The items included but were not limited to: old furniture, bags of cans, boxes, bicycles, two truck trailers, plastic trash, toys, barrels, appliances, and other miscellaneous items.
3. Subsequent re-inspections of the above-described real property on March 23, 2006, March 29, 2006, April 14, 2006, May 16, 2006, July 10, 2006, September 25, 2006 and January 5, 2007 revealed that the property continued to be in violation of Riverside County Ordinance Nos. 348 and 541.
4. Staff and Code Enforcement Department staff 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 and accumulation of rubbish.