

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

116 B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
January 12, 2007

SUBJECT: Abatement of Public Nuisance [Accumulation of Rubbish and Substandard Structures];
Case No.: CV 06-2660
Subject Property: 24180 Paloma Avenue, Ripley; APN: 872-242-014
District Four

RECOMMENDED MOTION: Move that:

- (1) The accumulation of rubbish and substandard structures (dwelling and storage shed) on the real property located at 24180 Paloma Avenue, Ripley, Riverside County, California, APN: 872-242-014 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 541 (Riverside County Code Chapter 8.120) and 457 (Riverside County Code Title 15).
- (2) Heloise C. Butler, Elvordia Rogers, John will Crane, and L.T. Crane, the owners of the subject real property, be directed to abate the accumulation of rubbish and substandard structures on the property by removing the same from the real property within ninety (90) days.

(Continued)

[Signature]

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

FINANCIAL
DATA

Current F.Y. Total Cost: \$ N/A
Current F.Y. Net County Cost: \$ N/A
Annual Net County Cost: \$ N/A

In Current Year Budget: N/A
Budget Adjustment: 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

[Signature]

Policy ☒ Policy ☒

Consent ☐ Consent ☐

Dep't Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.:

District: 4

Agenda Number:

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- (3) The owners be ordered to ascertain the existence or non-existence of asbestos containing materials in said structures by survey and materials sample testing through the Industrial Hygiene Specialist of the County Health Department, Division of Special Services; and, prior to the abatement ordered in paragraph number two (2) above, to secure the removal and disposal of all asbestos containing materials discovered through such survey and testing by contract with a duly certified and licensed contractor for the handling of such materials to avoid citations and/or fines imposed by the Mojave Desert Air Quality Management District (MDAQMD).
- (4) If the owner 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 an owner or receipt of a Court Order authorizing entry on to the real property when necessary under applicable law, shall abate the accumulation of rubbish and substandard structures by removing the same from the real property.
- (5) The reasonable cost of the 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 Ordinance No. 725
- (6) County Counsel be directed to prepare the necessary Findings of Fact and Conclusions of Law that the accumulation of rubbish and substandard structures on the real property are declared to be in violation of Riverside County Ordinance Nos. 541 and 457 and constitute 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 real property by the Code Enforcement Officer on April 26, 2006.
2. The inspection revealed the accumulation of rubbish and two substandard structures (dwelling and storage shed) on the subject real property in violation of Riverside County Ordinance No. 541 and 457. The items of accumulated rubbish included but were not limited to: discarded metal and wood, household trash, used tires and appliances. The conditions of the substandard structures included but were not limited to: faulty weather protection; general dilapidation or improper maintenance; and public and attractive nuisance.
3. Subsequent inspections of the above-described real property on July 12, 2006, August 10, 2006 and December 12, 2006 revealed that the property continues to be in violation of Riverside County Ordinance Nos. 457 and 541.
4. Staff and the Code Enforcement Department have complied with the notice requirements set forth in the appropriate laws of this jurisdiction pertaining to administrative abatement proceedings for the removal of accumulations of rubbish and substandard structures.