

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



312B

FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
January 29, 2007

SUBJECT: Abatement of Public Nuisance [Substandard Structures and Accumulation of Rubbish];
Case Nos.: CV 06-5881 and CV06-5742
Subject Property: 21638 Mountain Avenue, Perris; APN: 343-152-015
District Five

RECOMMENDED MOTION: Move that:

- (1) The substandard structures (10 X 17 Unsided Shed and 10 x 15 White Shed) on the real property located at 21638 Mountain Avenue, Perris, Riverside County, California, APN: 343-152-015, be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) The accumulation of rubbish on the real property located at 21638 Mountain Avenue, Perris, Riverside County, California, APN: 343-152-015, 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.

(Continued)

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

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C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

Policy
☒

Consent
☐

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

RECEIVED RIVERSIDE COUNTY
JAN 31 2007
COUNTY CLERK

Prev. Agn. Ref.:

District: 5

Agenda Number:

9.3

- (3) William Edward Chambers, the owner of the subject real property or whoever has possession or control of the premises, be directed to abate the substandard structures and accumulated rubbish on the property by removing the same from the real property within ninety (90) days.
- (4) The owner 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 South Coast Air Quality Management District (SCAQMD) pursuant to SCAQMD Rule No. 1403.
- (5) 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, shall abate the substandard structures including contents therein and accumulated rubbish by removing the same from the real property.
- (6) 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 Ordinance No. 725.
- (7) County Counsel be directed to prepare the necessary Findings of Facts and Conclusions that the substandard structures on the real property is declared to be in violation of Riverside County Ordinance Nos. 457 and 541 and a public nuisance, and further, to prepare an Order to Abate for approval by the Board.

JUSTIFICATION:

1. An inspection was made of the subject property by the Code Enforcement Officer on September 21, 2006. The inspection revealed two substandard structures (10 X 17 Unsided Shed and 10 x 15 White Shed) on the subject property in violation of Riverside County Ordinance No. 457 (RCC Title 15). The substandard conditions of the structures included, but were not limited to, the following: lack of or improper water closet, lavatory, bathtub or kitchen sink, lack of hot and cold running water, lack of connection to required sewer system, lack of adequate heating facilities; deteriorated or inadequate foundation; members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration, ceilings, roofs, ceiling and roof supports and other horizontal members that split, lean, list or buckle due to defective material or deterioration, dampness of habitable rooms, faulty weather protection, general dilapidation or improper maintenance, abandoned, vacant, public and attractive nuisance and improper occupancy. The accumulated rubbish included electrical wires, used tires, scrap wood, demolished and discarded furniture, household items, appliances, scrap metal, toys, cement, cardboard, and other trash and debris.
2. Follow-up inspections on November 22, 2006, December 6, 2006 and December 29, 2006 revealed that the property continues to be in violation of Riverside County Ordinance No. 457.
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 substandard structures.