

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



628B

SUBMITTAL DATE: February 10, 2003

FROM: County Counsel/TLMA
Department of Building & Safety

SUBJECT: Abatement of Public Nuisance [Substandard Structure];
B&S Case No.: CV 01-3525
Subject Property: 31975 Ortega Highway, Lake Elsinore; APN: 386-100-017
District One

RECOMMENDED MOTION: Move that:

- (1) The substandard structure (single family dwelling) on the real property located at 31975 Ortega Highway, Lake Elsinore, Riverside County, California, APN: 386-100-017, be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) Angela C. Sabella, the owner of the subject real property or whoever has possession or control of the premises, be directed to abate the substandard structure on the property by removing the same from the real property within ninety (90) days.
- (3) The owner be ordered to ascertain the existence or non-existence of asbestos containing materials in said structure 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.

Shirvan Sherma Acosta
SHIRVAN SHERMA ACOSTA,
Deputy County Counsel

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

Barbara Whitmore

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

Prev. Agn. ref.

Dist. 1

AGENDA NO.

9.6

- (4) 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 Department of Building & Safety, 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 structure and contents therein, by removing the same from the real property.
- (5) 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.
- (6) County Counsel be directed to prepare the necessary Findings of Facts and Conclusions that the substandard structure on the real property is declared to be in violation of Riverside County Ordinance No. 457 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 the Code Enforcement Officer on September 19, 2002.
2. The inspection revealed a substandard structure (single family dwelling) on the subject property in violation of Riverside County Ordinance No. 457 (RCC Title 15). The substandard conditions of the structure included, but were not limited to the following: bathtub lacked a solid connection to the overflow. The overflow flange was missing, thus the water could overflow behind the tub and into the walls and sub floor; shower was incomplete, the head was missing of the water line resulting in failure to conserve water; electrical conduit was not properly secret leaving the wiring unprotected; unprotected wiring and connections; electric meter was illegally bypassed and was missing the protective dead front; forced air unit was partially disconnected; deteriorating and sinking foundation, no compaction; unsecured and wedged supporting wood post on block wall' two layers of flooring deteriorated and torn, exposed wood flooring; plywood sheathing weathered due to no paint or stain covering; leaning wood post; severe water damage; missing roofing material, poor patch, leaking roof; mold at bottom of shower door; water damage with mold to wood trim in a corner area; door has a two inch gap at top; broken door to crawl space; inadequate roof, weathered, poor patch, roof leaks; missing windows; poor maintenance and dilapidation; public and attractive nuisance; stairs to dwelling are inadequate and broken; missing rungs on walkway railing; protective railings were dilapidated and rungs are too wide in between; protective railings missing from stairwell; flooring was uncovered in places where bare wood exposed.
3. Follow-up inspections on December 2, 2002 and January 13, 2003 revealed that the property continues to be in violation of Riverside County Ordinance No. 457.
4. Staff and the Department of Building and Safety have complied with the notice requirements set forth in the appropriate laws of this jurisdiction pertaining to the Administrative Abatement Proceedings for substandard structures.