

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



129B

**FROM:** County Counsel/TLMA  
Department of Building & Safety

**SUBMITTAL DATE:** April 30, 2003

**SUBJECT:** Abatement of Public Nuisance [Substandard Structures and Excessive Outside Storage];  
B&S Case No.: CV 01-3354  
Subject Property: 4121 Mennes Avenue, Riverside; APN: 181-091-052  
District Two

**RECOMMENDED MOTION:** Move that:

- (1) The substandard structures (five apartment units and garage) on the real property located at 4121 Mennes Avenue, Riverside, Riverside County, California, APN: 181-091-052, be declared a public nuisance and a violation of Riverside County Ordinance No. 457 (RCC Title 15) which does not permit substandard structures on the property.
- (2) Social Investments Properties, Inc, a Nevada Corporation, the owner of the subject real property, be directed to abate the substandard structures on the property by rehabilitating or demolishing the same from the real property within ninety (90) days.
- (3) The owner or whoever has possession or control of the premises 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.

(Continued)

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SHIRVAN SHERMA ACOSTA  
Deputy County Counsel

**C.E.O. RECOMMENDATION:**

**APPROVE**

County Executive Office Signature

Policy  
 Policy

Consent  
 Consent

Department Recommendation:  
Per Executive Office:

- (4) The unpermitted outside storage of materials on the real property located at 4121 Mennes Avenue, Riverside, be declared a public nuisance and a violation of Riverside County Ordinance No. 348 (RCC Title 17.44) which does not permit the outside storage of materials in excess of two hundred square feet on the property.
- (5) Social Investments Properties, Inc., the owner of the subject real property, be directed to abate the excess outside storage on the property by removing the same from the real property within ninety (90) days.
- (6) 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 posting or mailing 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 structures by removing and disposing of the structures and contents therein from the real property and shall further abate any outside storage in excess of two hundred square feet by removing and disposing of the same from the real property.
- (7) The reasonable cost 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 (RCC Title 1).
- (8) County Counsel be directed to prepare the necessary Findings of Facts and Conclusions of Law that the substandard structure and excessive outside storage on the real property are declared to be in violation of Riverside County Ordinance Nos. 457 and 348 and constitute a public nuisance. Further, County Counsel shall 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 March 20, 2002.
2. The inspection revealed six substandard structures: apartment units #2, 3, 4, 5 and 6 and a garage on the subject real property in violation of Riverside County Ordinance No. 457. The substandard conditions consisted of, but were not limited to: rotted wooden flooring; dirt foundation visible; holes in siding, roofing and siding missing; windows covered with cardboard and newspapers, broken or missing glass; plumbing does not work, missing fixtures; hazardous wiring; members of the walls and vertical supports have holes; members of roof supports split or buckle; fire hazard; unit 3 has extreme water damage and mildew on the walls and ceiling in the living area; footing under the unit are deteriorated or missing in some areas and electric panel in poor condition with exposed wiring; the roof in the garage has large holes in it; walls were leaning inward; holes in floor approximately two feet deep. The structures are abandoned, vacant, public and attractive nuisance. The inspection also revealed the outside storage of materials in excess of 200 square feet (approximately 220 square feet) on the subject property in violation of Riverside County Ordinance No. 348.
3. Subsequent inspection of the above-described real property on March 21, April 1, May 2, May 8, June 17, August 22, September 25, 2002, January 24 and April 23, 2003, revealed the property continues to be in violation of Riverside County Ordinance Nos. 457 and 348.
4. Staff and the Department of Building and Safety have complied with the requirements set forth in the appropriate laws of this jurisdiction pertaining to the Administrative Abatement Proceedings for substandard structures and excessive outside storage.