

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



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FROM: County Counsel/TLMA
Department of Building & Safety

SUBMITTAL DATE: June 3, 2003

SUBJECT: Abatement of Public Nuisance [Substandard Structures];
B&S Case No.: CV 00-3342
Subject Property: 21221 Oakwood Street, Perris; APN: 318-171-006
District One

RECOMMENDED MOTION: Move that:

- (1) The substandard structures (2 single-family dwellings) on the real property located at 21221 Oakwood Street, Perris, Riverside County, California, APN: 318-171-006, 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) Robert Lopez and Claudia Kano, the owners of the subject real property or whoever has possession or control of the premises, be directed to abate the substandard structures on the property by removing the same from the real property within ninety (90) days.
- (3) The owners 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.

(Continued)

Shirvan Sherma Acosta

 SHIRVAN SHERMA ACOSTA,
 Deputy County Counsel

C.E.O. RECOMMENDATION: APPROVE

County Executive Office Signature

James J. S. [Signature]

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

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- (4) If the owners or whoever has possession or control of the real property do 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 (RCC Title 1).
- (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 October 31, 2000.
2. The inspection revealed two (2) substandard structures (2 single-family dwellings) on the subject property in violation of Riverside County Ordinance No. 457. The substandard conditions of the structures included, but were not limited to the following: broken or missing lavatories, sinks, water fixtures, and plumbing fixtures; no running water, missing lighting fixtures, cracked, crumbling and deteriorated foundation, exposed or missing wires; exposed, dry, rotting cracked wood flooring; wood supports for the walls are dry, rotting, cracked and deteriorated; interior exposed to outside elements, warped supports and flooring from wet weather conditions; no exterior walls, doors, or outside protection; structure #2 is missing rear outside wall, exposing interior walls; exposed wood support, floor and roof have been dried and unprotected, structure #2 has no roof, walls, doors or windows; no barriers preventing access and has fire damage; general dilapidation; fire hazard, vacant, open to the public, public and attractive nuisance.
3. Follow-up inspections on December 6, 2000, January 11, February 15, June 12, October 3, 2002, February 13 and June 4, 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.