

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



305 B

FROM: County Counsel/TLMA
Department of Building & Safety


SUBMITTAL DATE: May 20, 2003

SUBJECT: Abatement of Public Nuisance [Substandard Structures, Excessive Outside Storage and Accumulation of Rubbish];
B&S Case No.: CV 01-2717
Subject Property: 9330 Reche Canyon Road, Colton; APN: 471-220-011
District Five

RECOMMENDED MOTION: Move that:

- (1) The substandard structures (single family residence with attached garage, detached garage/carport, and chicken coop) on the real property located at 9330 Reche Canyon Road, Colton, Riverside County, California, APN: 471-220-011, be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) Andy and Jan Anderson, the owners of the subject real property, be directed to abate the substandard structure on the property by removing and disposing of the same from the real property within ninety (90) days.
- (3) The owners 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)



 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 and accumulation of rubbish on the real property located at 9330 Reche Canyon Road, Colton, be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 and 541 which does not permit the outside storage of materials in excess of two hundred square feet and accumulation of rubbish on the property.
- (5) Andy and Jan Anderson, the owners 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 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 by removing and disposing of the structures and contents therein from the real property and shall further abate any outside storage and accumulation of rubbish 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.
- (8) County Counsel be directed to prepare the necessary Findings of Facts and Conclusions of Law that the substandard structures, excessive outside storage and accumulation of rubbish on the real property are declared to be in violation of Riverside County Ordinance Nos. 457, 348 and 541 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 April 8, 2002.
2. The inspection revealed three substandard structures on the subject real property in violation of Riverside County Ordinance No. 457. The substandard conditions consisted of, but were not limited to: electrical meter deteriorated, not secured properly and has exposed wiring; cracks in interior walls, exterior chimney is splitting away from structure; walls are dilapidated and partially supported by aluminum metal pieces; members of walls, partitions and vertical supports split, lean, or buckle; members of ceiling, roof, and supports sag, split or buckle; ceiling/roof is dilapidated; deteriorated and dilapidated roofing, holes in interior ceiling; broken windows and holes in ceiling and roof; deteriorated roofing; deteriorating wood, broken windows, open to the elements; fire hazard, exposed wood and near dead weeds and brush; abandoned, vacant, general dilapidation, public and attractive nuisance. The inspection also revealed the outside storage of materials in excess of 200 square feet and the accumulation of rubbish on the subject property in violation of Riverside County Ordinance Nos. 348 and 541.
3. Subsequent inspection of the above-described real property on May 30, October 16, November 14, 2002, January 6, March 26, and May 7, 2003, revealed the property continues to be in violation of Riverside County Ordinance Nos. 457, 348 and 541.
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, excessive outside storage and accumulation of rubbish.