

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



306 B

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 02-4297
Subject Property: 25632 Margarth Street, Perris; APN: 345-240-014
District Five

RECOMMENDED MOTION: Move that:

- (1) The substandard structures (well structure, dwelling with attached garage, two outhouses and one accessory structure) on the real property located at 25632 Margarth Street, Perris, Riverside County, California, APN: 345-240-014, be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) Gabriel and Jose Soledad, 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 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.

Shirvan Sherma Acosta

 SHIRVAN SHERMA ACOSTA,
 Deputy County Counsel

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

[Handwritten Signature]

Department Recommendation: Policy Consent

Per Executive Office: Policy Consent

- (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 structures 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 structures on the real property are 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 10, 2002.
2. The inspection revealed five substandard structures (well structure, dwelling with attached garage, two outhouses and one accessory structure) 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 proper water closet, lavatory, bathtub, shower or kitchen sink; no running water, sewage system, heating system or electricity; missing plumbing; hazardous plumbing, missing fixtures, broken and exposed pipes; missing, hazardous and exposed wiring; defective or missing flooring; deteriorated foundation, deteriorated walls, missing walls; deteriorated, sagging, fire damaged roof, missing support beams, holes in ceiling; dampness of habitable rooms; faulty weather protection; no roof, missing walls, broken or missing windows; general dilapidation, fire hazard; exposed rotting wood; open to the elements; shaft was partially covered with plywood, water was present at the bottom of the well; abandoned, vacant and public and attractive nuisance.
3. Follow-up inspections on January 10, March 3, and June 3, 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.

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MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



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10:00 a.m. being the time set for public hearing on the recommendation from County Counsel/Building & Safety regarding Abatement of Public Nuisance Case CV 02-4297, located at 25632 Margarth Street, Perris, 5th District, the Chairman called the matter for hearing.

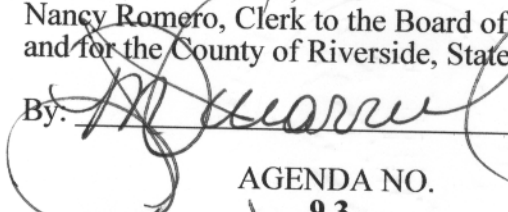
On motion of Supervisor Tavaglione, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is continued to Tuesday, July 15, 2003 at 10:00 a.m.

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on
June 17, 2003 _____ of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors

Dated: June 17, 2003

Nancy Romero, Clerk to the Board of Supervisors, in
and for the County of Riverside, State of California.

By:  Deputy

AGENDA NO.

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xc: Co.Co., Building & Safety, Property Owners, COB