

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



717B

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


**SUBMITTAL DATE:** October 14, 2003

**SUBJECT:** Abatement of Public Nuisance [Substandard Structure, Excessive Outside Storage and Accumulation of Rubbish];  
B&S Case No.: CV 99-2551  
Subject Property: 44405 Ruellin Road, Hemet; APN: 569-170-015  
District Three

**RECOMMENDED MOTION:** Move that:

- (1) The substandard structure (two story barn) on the real property located at 44405 Ruellin Road, Hemet, Riverside County, California, APN: 569-170-015, be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) J. P. Morgan Chase Bank as Trustee of the Security National Mortgage Loan Trust 2001-3, 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:

3003 OCT 15 11:33  
 RECEIVED RIVERSIDE COUNTY

- (4) The unpermitted outside storage of materials and accumulation of rubbish on the real property located at 44405 Ruellin Road, Hemet, 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) The owner of the subject real property be directed to abate the excess outside storage and accumulation of rubbish 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 do not take the above described action within ninety (90) days of the posting and 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 structure by removing and disposing of the structure and contents therein from the real property and shall further abate any outside storage in excess of two hundred square feet and the 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 structure, 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 inspection was made of the subject real property by the Code Enforcement Officer on June 2, 2003.
2. The inspection revealed one substandard structure on the subject real property in violation of Riverside County Ordinance No. 457. The substandard conditions consisted of, but were not limited to: no water closet, lavatory, bathtub, shower or kitchen sink; no plumbing fixtures; no sewer system; wiring is exposed and hanging from the ceiling, wires are frayed at the edges and secured with tape and nails to the walls; wiring is wrapped around wood supporting posts, electrical panel is open and exposed, light bulb secured with chain hanging three feet from ceiling; light bulbs exposed; exposed wiring located by the generator, wiring used outside is rated for interior use only; holes punched in the walls of the barn to allow the interior wires to exit the barn, outdoor trees and shrubbery support the wires; hole punched through wall with venting pipe through it to a wood-burning stove, daylight visible around the venting pipe; sagging flooring; sun deck constructed with particleboard and tarpaper; faulty weather protection, dampness of habitable rooms; fire hazard 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. The outside storage of materials and accumulation of rubbish consisted of, but was not limited to, wood, metal, trash barrels, metal containers, glass, windows, metal frames, car parts, furniture, wires, tubing materials, hoses, plastic containers and miscellaneous debris. The amount of outside storage and accumulation of rubbish was determined to be five thousand seven-hundred (5,700) square feet.
3. Subsequent inspection of the above-described real property on July 31 and August 27, 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.