

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



716 B

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

**SUBMITTAL DATE:** October 8, 2003

**SUBJECT:** Abatement of Public Nuisance [Substandard Structure and Excess Outside Storage];  
B&S Case No. CV 01-0656 & CV 03-1017;  
Subject Property: 18426 Grand Avenue, Lake Elsinore; APN: 371-160-025  
District One

**RECOMMENDED MOTION:** Move that:

- (1) The substandard structure (substandard ramada over unpermitted mobilehome with substandard addition) on the real property located at 18426 Grand Avenue, Lake Elsinore, Riverside County, California, APN: 371-160-025 be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) Daniel G. Noether, the owner of the subject real property, be directed to abate the substandard structure on the property by removing the same from the real property within ninety (90) days.
- (3) The owner 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*  
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 SHIRVAN SHERMA ACOSTA  
 Deputy County Counsel

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

**APPROVE**

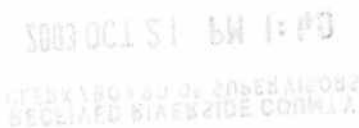
County Executive Office Signature

*James J. Buford*  
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Policy  
 Policy

Consent  
 Consent

Department Recommendation:  
Per Executive Office:



- (4) The unpermitted outside storage of materials on the real property located at 18426 Grand Avenue, Lake Elsinore, be declared a public nuisance and a violation of Riverside County Ordinance No. 348 which does not permit the outside storage of materials in excess of two hundred square feet on the property.
- (5) Daniel G. Noether, the owner of the subject property, be directed to abate the excess outside storage on the property by removing and disposing of the same from the real property within ninety (90) days.
- (6) If the owner of the real property does 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, receipt of a Court Order authorizing entry onto the real property, or other authorization as provided by law, shall abate the substandard structure and the excess outside storage by removing and disposing of the same from the real property
- (7) The reasonable cost of the 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 Fact and Conclusions of Law that the substandard structure on the real property and the excess outside storage 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 14, 2003.
2. The inspection revealed a substandard structure (substandard ramada over unpermitted mobilehome with substandard addition) on the subject real property in violation of Riverside County Ordinance No. 457. The substandard conditions of the structure included, but were not limited to the following: no permit, construction from at least March 13, 2001, no plumbing or septic lines or facilities installed; no electrical wiring, outlet boxes or lighting fixtures; pedestal unsecured leaving loose unprotected wiring; no heating unit, ducts, or vents installed; footings not inspected, ripple wall to support sub-floor lacks integrity; missing tile, vinyl, carpet or other floor covering; missing header over door, 2 x 4 undersized and sagging, missing cripples and trimmers; header for ramada undersized and over-spanned; no roofing material and exterior siding resulting in faulty weather protection, dampness and further deterioration from the elements re: addition; ramada and addition construction is incomplete from at least March 13, 2001 and deteriorating from the elements; framing for addition would not pass inspection because of multiple defects: top plate does not break over studs, studs over-spaced, missing fire blocks, missing vent blocks to attic, roof joist over-spanned and over-spaced, headers are under-sized, bearing wall cannot carry the weight, missing cripples to headers, roof sheathing does not break over roof joist, integrity of structure is suspect, missing hardware, straps and anchor bolts. The inspection also revealed the outside storage of materials in excess of 200 square feet on the subject property in violation of Riverside County Ordinance No. 348. Excess outside storage of materials consisted of, but was not limited to the following materials: scrap wood, construction materials, pet carriers, wire cages, metal fence material, cabinets, tires, furniture, appliances, scrap metal, bicycles and spas.
3. Subsequent inspections of the above-described real property on June 4 and August 28, 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.