

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



720B

FROM: County Counsel/TLMA
Department of Building & Safety

SUBMITTAL DATE: October 8, 2003

SUBJECT: Abatement of Public Nuisance [Substandard Structure and Accumulation of Rubbish];
B&S Case No. CV 02-4266;
Subject Property: 24950 Antelope Road, Romoland; APN: 327-340-001
District Five

RECOMMENDED MOTION: Move that:

- (1) The substandard structure (single family dwelling) on the real property located at 24950 Antelope Road, Romoland, Riverside County, California, APN: 327-340-001 be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structure on the property.
- (2) Darryl Bassani, the owner of the subject real property, be directed to abate the substandard structures 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

 SHIRVAN SHERMA ACOSTA
 Deputy County Counsel

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

Jennifer Bassani

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

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Prev. Agn. ref.

Dist. 5

AGENDA NO.

9.8

- (4) The accumulation of rubbish on the real property located at 24950 Antelope Road, Romoland, be declared a public nuisance and a violation of Riverside County Ordinance No. 541 which does not permit the accumulation of rubbish on the property.
- (5) Darryl Bassani, Owner, the owner of the subject property, be directed to abate the rubbish 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 accumulation of rubbish by removing and disposing of the same from the real property
- (7) The reasonable costs 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 accumulation of rubbish are declared to be in violation of Riverside County Ordinance Nos. 457 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 17, 2003.
2. The inspection revealed a substandard structure (single family dwelling) 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: out house set up for water closet/lavatory; water heater is sitting in the dirt and leaning over; exposed electrical wiring , no permit for new electrical panel; inoperable furnace; exterior porch support beams have no footings or support bracing; the basement floor support has no connection to foundation system, wood to earth contact, load bearing struts have moved off center of foundation, and foundation is eroding and sitting on ground; front porch floor is sagging and dips downward which is consistent also on the interior of the dwelling; attic bedroom ceiling and walls have holes in roof, dry rot, holes in walls, walls are wet/damaged; boarded windows and holes in exterior walls into kitchen for added plumbing with no permit; roofing has dilapidated composite tiles, exposed tar paper, wood rot, holes in exterior walls and attic ceiling/roof; general dilapidation and improper maintenance, animal and rodent accessibility to and dampness in crawl space and basement'; re-roof without permits; public, attractive and public nuisance. The inspection also revealed the accumulation of rubbish (approximately 4,060 square feet) on the subject property in violation of Riverside County Ordinance No. 541. The rubbish consisted of, but was not limited to the following materials: wood, particleboard, dressers, chairs, tables, plastic crates, appliances, discarded equipment, mattresses and miscellaneous debris.
3. Subsequent inspections of the above-described real property on June 16, June 24 and August 26, 2003 revealed the property continues to be in violation of Riverside County Ordinance Nos. 457 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 and accumulation of rubbish.