

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



763 B

FROM: County Counsel/TLMA
Department of Building & Safety

SUBMITTAL DATE: December 29, 2003

SUBJECT: Abatement of Public Nuisance [Substandard Structure and Accumulation of Rubbish];
B&S Case No. CV 03-1970;
Subject Property: 24680 Walker Street, Wildomar; APN: 361-181-011
District Three

RECOMMENDED MOTION: Move that:

- (1) The substandard structures (detached accessory structure/garage and room addition to mobilehome) on the real property located at 24680 Walker Street, Wildomar, Riverside County, California, APN: 361-181-011 be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) Art Zwe, 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 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)

DALE A. GARDNER
Deputy County Counsel

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

3008 7th St SW #118
RIVERSIDE, CA 92503
RIVERSIDE COUNTY

- (4) The accumulation of rubbish on the real property located at 24680 Walker Street, Wildomar, 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) Art Zwe, Owner, the owner of the subject property, be directed to abate the excess 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 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, receipt of a Court Order authorizing entry onto the real property, or other authorization as provided by law, shall abate the substandard structures and the accumulation of rubbish 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 structures 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 May 15, 2003.
2. The inspection revealed two substandard structures (detached accessory structure/garage and room addition to mobilehome) on the subject real property in violation of Riverside County Ordinance No. 457. The substandard conditions of the structures included, but were not limited to the following: no water closet, lavatory, bathtub, shower or sink, hot tub on ground; no running water or connection to sewage system; deteriorated, inadequate or no foundation, no flooring or floor supports; members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration; members of ceilings, roofs, supports and other horizontal members which sag, split or buckle due to defective material or deterioration, water damaged and deteriorated; holes at roof line, in walls and in floor; no weather protection, garage door removed exposing interior to elements, missing siding; no maintenance, materials water damaged and deteriorated; fire hazard; unauthorized addition to the rear of a substandard mobilehome, constructed with unprotected plywood and wood materials, floor of addition is at a lower level than the floor of the mobilehome and there is a gap between the units; no permit for addition; abandoned, vacant, public and attractive nuisance. This inspection also revealed the accumulation of rubbish (approximately 720 square feet) on the subject property in violation of Riverside County Ordinance No. 541. Accumulation of rubbish consisted of, but was not limited to the following materials: scrap metal, burned materials, trash, scrap wood, mattresses, household furnishings and miscellaneous items.
3. Subsequent inspections of the above-described real property on August 14, September 17, September 30, October 14, November 19, and December 1, 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 structure and accumulation of rubbish.