

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



906B

FROM: County Counsel/TLMA
Department of Building & Safety

SUBMITTAL DATE: January 20, 2004

SUBJECT: Abatement of Public Nuisance [Substandard Structure, Excessive Outside Storage and Accumulation of Rubbish];
B&S Case No.: CV 03-3385
Subject Property: 27964 Adams Avenue, Romoland; APN: 329-182-021
District Five

RECOMMENDED MOTION: Move that:

- (1) The substandard structure (single family dwelling) on the real property located at 27964 Adams Avenue, Romoland, Riverside County, California, APN: 329-182-021, be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) Brenda M. Gravett, the owner 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 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)

DALE A. GARDNER
Deputy County Counsel

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

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- (4) The unpermitted outside storage of materials and accumulation of rubbish on the real property located at 27964 Adams Avenue, Romoland, be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 and 541 which do not permit the outside storage of materials on property in the R-R (rural residential) zone for parcels that are less than one-half acre and which prohibit the accumulation of rubbish on the property.
- (5) Brenda M. Gravett, 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 does not take the above described actions within ninety (90) days of the date of mailing and posting 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 by removing said outside storage from the real property and disposing of same.
- (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 initial inspection was made of the subject real property by the Code Enforcement Officer on August 5, 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: lack of kitchen sink, bathtub, and toilet; no water heater or heating facility; sewage plumbing exposed in kitchen area and sewage line for toilet covered with debris; no lighting fixtures; low utility wires, exposed electrical box and cut wiring, exposed electrical sockets; no walls/framing exposed; no ceiling, rafters exposed; no front or rear door, no glass in windows, windows boarded with inappropriate plastic sheeting material; attic vent screening missing; peeling paint on exterior, bare and exposed wood siding, wood rot along roof trim, interior is filled with trash; fire hazard due to trash and dry brush and weeds around exterior of dwelling; abandoned, vacant, one block from an elementary school, public and attractive nuisance. The inspection also revealed the outside storage of materials and the accumulation of rubbish on the subject property in violation of Riverside County Ordinance Nos. 348 and 541.
3. Subsequent inspection of the above-described real property on October 14, November 17, and December 11, 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.