

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



7638

FROM: County Counsel/TLMA
Department of Building & Safety

SUBMITTAL DATE: March 9, 2004

SUBJECT: Abatement of Public Nuisance [Substandard Structure];
B&S Case No.: CV 03-3344
Subject Property: 33267 Baldwin Boulevard, Lake Elsinore; APN: 383-105-016
District One

RECOMMENDED MOTION: Move that:

- (1) The substandard structures (detached garage with unpermitted addition and mobilehome on a permanent foundation) on the real property located at 33267 Baldwin Boulevard, Lake Elsinore, Riverside County, California, APN: 383-105-016, be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) Norwest Mortgage, Inc., the owners of the subject real property or whoever has possession or control of the premises, 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.

DALE A GARDNER,
Deputy County Counsel

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

RECEIVED DISTRICT ONE
MAY 12 2004 10:31 AM

Department Recommendation: Policy Consent
Per Executive Office: Policy Consent

- (4) If the owner or whoever has possession or control 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 or receipt of a Court Order authorizing entry onto the real property when necessary under applicable law, shall abate the substandard structures and contents therein, by removing the same from the real property.
- (5) The reasonable costs 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.
- (6) County Counsel be directed to prepare the necessary Findings of Facts and Conclusions that the substandard structures on the real property are declared to be in violation of Riverside County Ordinance No. 457 and a public nuisance, and further, to prepare an Order to Abate for approval by the Board.

JUSTIFICATION:

1. An inspection was made of the subject property by the Code Enforcement Officer on August 1, 2003. The inspection revealed two substandard structures (detached garage with unpermitted addition and mobilehome on a permanent foundation) on the subject property in violation of Riverside County Ordinance No. 457 (RCC Title 15). The substandard conditions of the structures included, but were not limited to, the following: lack of or improper water closet, lavatory, bathtub, shower or kitchen sink, missing or broken fixtures; lack of hot and cold running water to plumbing fixtures – missing water heater; lack of required electrical lighting; hazardous and exposed wiring; lack of adequate heating facilities; deteriorated or inadequate foundation – top of foundation below grade; members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration – holes and excessive water damage to roof sheathing; members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration – holes in drywall; dampness of habitable rooms – water damage to exterior wood siding, windows uncovered, mold on bathroom walls; faulty weather protection – holes in roof, collapsed drywall ceiling, excessive water damage to structure and eaves, broken windows; general dilapidation – graffiti, vandalism, no permits for attachment to garage; improper occupancy – addition to garage has a toilet and sink and could be used as habitable space; abandoned, vacant, public and attractive nuisance.
2. Follow-up inspections on September 3 and November 14, 2003, and February 24, 2004, revealed that the property continues to be in violation of Riverside County Ordinance No. 457.
3. Staff and the Department of Building and Safety have complied with the notice requirements set forth in the appropriate laws of this jurisdiction pertaining to the Administrative Abatement Proceedings for substandard structures.