

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



301B

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

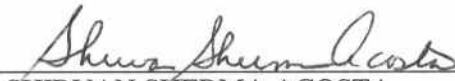
**SUBMITTAL DATE:** April 20, 2004

**SUBJECT:** Abatement of Public Nuisance [Substandard Structures and Accumulation of Rubbish];  
B&S Case No. CV 03-0095;  
Subject Property: 21300 Mosswood Circle, Perris; APN: 325-040-037  
District Five

**RECOMMENDED MOTION:** Move that:

- (1) The substandard structures (two sheds) on the real property located at 21300 Mosswood Circle, Perris, Riverside County, California, APN: 325-040-037 be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) Hector Badillo, Elsa Alicia Badillo and Socorro Luis, the owners 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)

  
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 SHIRVAN SHERMA ACOSTA  
 Deputy County Counsel

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

**APPROVE**

County Executive Office Signature

  
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Policy

Policy

Consent

Consent

Department Recommendation:

Per Executive Office:

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- (4) The accumulation of rubbish on the real property located at 21300 Mosswood Circle, Perris, 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) Hector Badillo, Elsa Alicia Badillo and Socorro Luis, the owners of the subject property, be directed to abate the accumulation of 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 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 Code Enforcement Officers on January 22, 2003.
2. The inspection revealed two substandard structures (two sheds) 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: lack of required electrical lighting; hazardous wiring; defective or deteriorated flooring or floor supports; members of walls, partitions or other vertical supports that lean, list, or buckle due to defective material or deterioration; faulty weather protection; abandoned, vacant, public and attractive nuisance; rotted walls, broken window, deteriorating floor and foundation; deteriorated or inadequate foundation. The inspection also revealed the accumulation of rubbish 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: wood debris, fallen trees and other trash and debris.
3. Subsequent inspections of the above-described real property on September 3 and November 21, 2003, and March 29, 2004 revealed that 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.