

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



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

**SUBMITTAL DATE:** June 15, 2004

**SUBJECT:** Abatement of Public Nuisance [Substandard Structures, Excessive Outside Storage and Accumulation of Rubbish];  
B&S Case No.: CV 02-1855  
Subject Property: 10567 Cherry Avenue, Beaumont; APN: 403-102-014  
District Five

**RECOMMENDED MOTION:** Move that:

- (1) The substandard structures (detached garage and a shed) on the real property located at 10567 Cherry Avenue, Beaumont, Riverside County, California, APN: 403-102-014, be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) O. Theresa Salem, the owner of the subject real property, be directed to abate the substandard structures on the property by removing and disposing of the same from the real property within ninety (90) days.
- (3) The owner or whoever has possession or control of the premises 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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DALE ALLEN GARDNER  
Deputy County Counsel

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

**APPROVE**

County Executive Office Signature

Department Recommendation:  Policy  Policy  
 Consent  Consent  
Per Executive Office:

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- (4) The unpermitted outside storage of materials and accumulation of rubbish on the real property located at 10567 Cherry Avenue, Beaumont, 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 and accumulation of rubbish on the property.
- (5) O. Theresa Salem, 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 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 structure by removing and disposing of the structure and contents therein from the real property and shall further abate any outside storage and accumulation of rubbish by removing and disposing of the same from the real property.
- (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 structures, 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 May 9, 2002.
2. During inspections of the property code enforcement officers observed two substandard structures on the subject real property in violation of Riverside County Ordinance No. 457. The substandard conditions of the substandard shed consisted of, but were not limited to: no required electricity, hazardous wiring; inadequate foundation; defective flooring; members of walls, partitions or other vertical supports that split, lean, list or buckle; members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split, or buckle; faulty weather protection; general dilapidation or improper maintenance; fire hazard; abandoned, vacant, public and attractive nuisance. The substandard conditions of the substandard detached garage consisted of, but were not limited to: hazardous wiring; inadequate foundation; defective flooring; members of walls and vertical supports split, lean, list or buckle; members of ceiling, roof and horizontal members sag, split or buckle; faulty weather protection; general dilapidation; fire hazard; abandoned, vacant, public and attractive nuisance. Officers also observed the outside storage of materials and an accumulation of rubbish on the subject property in violation of Riverside County Ordinance Nos. 348 and 541. The materials consisted of, but were not limited to, metal, wood, discarded appliances, garden tools, dead vegetation, tree limbs, irrigation material, wheel barrels, carton boxes and auto parts.
3. Subsequent inspection of the above-described real property on August 12 and November 21, 2002; January 8, May 16 and October 2, 2003; April 22 and June 15, 2004, 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.