

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



426 B

FROM: County Counsel/TLMA
Department of Building & Safety

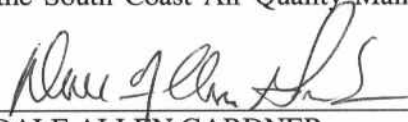
SUBMITTAL DATE: July 14, 2004

SUBJECT: Abatement of Public Nuisance [Substandard Structure and Accumulation of Rubbish];
B&S Case No. CV 02-2885
Subject Property: 17770 Cajalco Road, Perris; APN: 285-160-058
District One

RECOMMENDED MOTION: Move that:

- (1) The substandard structure (single family dwelling) on the real property located at 17770 Cajalco Road, Perris, Riverside County, California, APN: 285-160-058 be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) James C. Tsai, Chin-Naan Chen, Ching-Yun Wang, Chang-Kuang Lu, Peter Lee, Scott Yuing-Ting Yuan, Caroline Yang, the owners of the subject real property, be directed to abate the substandard structure on the property by removing the same from the real property within ninety (90) days.
- (3) The owners 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 ALLEN GARDNER
 Deputy County Counsel

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature



Policy

Policy

Consent

Consent

Department Recommendation:
Per Executive Office:

Prev. Agn. ref.

**ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD**

Dist. 1

AGENDA NO.

9.3

- (4) The accumulation of rubbish on the real property located at 17770 Cajalco Road, 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) James C. Tsai, Chin-Naan Chen, Ching-Yun Wang, Chang-Kuang Lu, Peter Lee, Scott Yuing-Ting Yuan, Caroline Yang, 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 owners of the real property do 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 structure 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 structure 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 inspection was made of the subject real property by Code Enforcement Officers on July 23, 2002.
2. An April 24, 2003 inspection of the property revealed the remains of a substandard structure (nearly demolished single family dwelling) on the subject real property in violation of Riverside County Ordinance No. 457. The substandard conditions of the structure included, but were not limited to the following: no water closet or bathroom; no running water or plumbing; no electrical fixtures; exposed electrical outlet; no heating facilities; foundation is exposed and deteriorating; flooring is exposed and deteriorating; walls are 98% demolished; no ceiling or roof; slab is exposed to the elements; no weather protection; debris is a fire hazard; abandoned, vacant, public and attractive nuisance. Inspection also revealed the accumulation of rubbish (in excess of 2,100 square feet) on the subject property in violation of Riverside County Ordinance No. 541. The accumulation of rubbish consisted of, but was not limited to the following materials: wood, household items, furniture, metal barrels, chain link fencing materials, broken concrete and tires.
3. Subsequent inspections of the above-described real property on December 2, 2002, April 24, September 18, November 19, 2003, January 7, April 23 and June 23, 2004 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.