

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



932 B

FROM: County Counsel/TLMA
Department of Building & Safety

SUBMITTAL DATE: August 24, 2004

SUBJECT: Abatement of Public Nuisance [Substandard Structure and Accumulation of Rubbish];
B&S Case No. CV 03-0651:
Subject Property: 22685 Cajalco Road, Perris; APN: 317-080-004
District One

RECOMMENDED MOTION: Move that:

- (1) The two substandard structures (2 sheds) on the real property located at 22685 Cajalco Road, Perris, Riverside County, California, APN: 317-080-004 be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) Leon Bruce Evans, Renee L. Shoopman Evans, Raymond D. Evans, and National Consumers Finance Co., 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 owners 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)



 DALE A. GARDNER
 Deputy County Counsel

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature



Policy

Consent

Department Recommendation:
Per Executive Office:

Prev. Agn. ref.

Dist. 1

AGENDA NO.

9.5

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- (4) The accumulation of rubbish on the real property located at 22685 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) Leon Bruce Evans, Renee L. Shoopman Evans, Raymond D. Evans, and National Consumers Finance Co., the owners of the subject property, be directed to abate the accumulated rubbish 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 actions 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 the Code Enforcement Officer on September 16, 2003.
2. The inspection revealed two substandard structures (2 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 or improper water closet, lavatory, bathtub, shower or kitchen sink – missing plumbing fixtures; lack of hot and cold running water; lack of required electrical lighting; hazardous wiring – exposed wiring; lack of adequate heating facilities; deteriorated or inadequate foundation; members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration; members of ceilings, roofs, ceiling or roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration; dampness of habitable rooms; faulty weather protection – missing doors and windows; general dilapidation or improper maintenance; fire hazard; abandoned, vacant, public and attractive nuisance. 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: household trash, furniture, appliances, pieces of the buildings, tires, buckets, tarps, and miscellaneous items. As of January 6, 2004 the rubbish measured seven hundred eighty-two square feet.
3. Subsequent inspections of the above-described real property on January 6, February 2, May 18 and July 21, 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 structures and accumulation of rubbish.