

1208
SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



FROM: County Counsel/TLMA
Department of Building & Safety

SUBMITTAL DATE: September 16, 2004

SUBJECT: Abatement of Public Nuisance [Substandard Structures];
B&S Case No.: CV 03-5496
Subject Property: 22601 Ellis Street, Perris; APN: 342-020-011
District Five

RECOMMENDED MOTION: Move that:

- (1) The substandard structures (single family dwelling and barn) on the real property located at 22601 Ellis Street, Perris, Riverside County, California, APN: 342-020-011, be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) Harry R. Harris, Thomas H. Harris, William S. Harris and Benjamin Alexander Del Rio, 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 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.

DALE A. GARDNER

DALE A. GARDNER,
Deputy County Counsel

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

James L. Bryant

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

EXHIBIT
EXHIBIT

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COUNTY OF RIVERSIDE

- (4) If the owners or whoever has possession or control 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 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 initial inspection was made of the subject property by the Code Enforcement Officer on December 12, 2003.
2. The inspection revealed two substandard structures (single family dwelling and barn) on the subject property in violation of Riverside County Ordinance No. 457. The substandard conditions of the structures included, but were not limited to, the following: the interior and roof of the single family dwelling has sustained extensive fire damage, a large portion of the roof is missing; broken and/or missing windows and doors; members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration, missing wall panels; members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to lack of maintenance; faulty weather protection; general dilapidation due to lack of maintenance; abandoned, vacant, open to the public, public and attractive nuisance.
3. Follow-up inspections on March 15, April 13, and August 10, 2004 revealed that the property continues to be in violation of Riverside County Ordinance No. 457.
4. 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.