

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



505B

FROM: County Counsel/TLMA
Department of Building & Safety

SUBMITTAL DATE: September 2, 2004

SUBJECT: Abatement of Public Nuisance [Substandard Structures];
B&S Case No.: CV 03-4007
Subject Property: 15201 Broadway Street, Blythe; APN: 869-120-002
District Four

RECOMMENDED MOTION: Move that:

- (1) The substandard structures (single family dwelling, fire damaged garage, substandard garage) on the real property located at 15201 Broadway Street, Blythe, Riverside County, California, APN: 869-120-002, be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) Antonio Galvez, the owner 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 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.

DALE ALLEN GARDNER,
Deputy County Counsel

C.E.O. RECOMMENDATION:

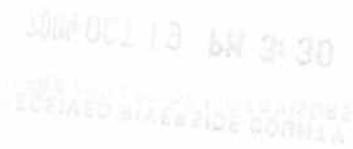
APPROVE

County Executive Office Signature

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:



- (4) 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 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 October 30, 2003.
2. The inspection revealed three substandard structures (single family dwelling, fire damaged garage, substandard garage) on the subject property in violation of Riverside County Ordinance No. 457 (RCC Title 15). The substandard conditions of the single family dwelling included, but were not limited to, the following: lack of sink, shower, plumbing fixtures and toilet; lack of connection to water utility and no hot water heater; hazardous plumbing, no hot water heater, plumbing fixtures missing; no light fixtures, exposed wires, exposed electrical panel; lack of adequate heating facility, missing furnace; ceiling which sag, split or buckle; faulty weather protection, missing windows, water marks; general dilapidation and improper maintenance; abandoned, vacant, and public and attractive nuisance. The substandard conditions of the fire damaged garage included, but were not limited to: Fire damage to structure; general dilapidation and improper maintenance; abandoned, vacant, public and attractive nuisance. The substandard conditions of the substandard garage included, but were not limited to: members of ceilings, roof which sag, split or buckle; faulty weather protection; general dilapidation or improper maintenance; abandoned, vacant, and public and attractive nuisance.
3. Follow-up inspections on March 18 and April 29 and September 28, 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.