

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



814B

FROM: County Counsel/TLMA
Department of Building & Safety

SUBMITTAL DATE: January 10, 2005

SUBJECT: Abatement of Public Nuisance [Substandard Structures, Excessive Outside Storage and Accumulation of Rubbish];
B&S Case No.: CV 03-4106
Subject Property: 27530 Jackson Avenue, Romoland; APN: 329-212-006
District Five

RECOMMENDED MOTION: Move that:

- (1) The substandard structures (what appears to be a former agricultural shop and machine shop warehouse) on the real property located at 27530 Jackson Avenue, Romoland, Riverside County, California, APN: 329-212-006, be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) Clyde and Bonnie Smith, the owners of the subject real property, be directed to abate the substandard structure on the property by removing and disposing of the same from the real property within ninety (90) days.
- (3) The owners 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)

Monica R. Romero

MONICA R. ROMERO
Deputy County Counsel

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

James L. Bryant

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

3002 744 18 4110: 2P
RECEIVED BUREAU OF COUNTY CLERK

- (4) The unpermitted outside storage of materials and accumulation of rubbish on the real property located at 27530 Jackson Avenue, Romoland, be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 and 541 which does not permit the outside storage of materials in excess of two hundred square feet and accumulation of rubbish on the property.
- (5) Clyde and Bonnie Smith, the owners of the subject real property, be directed to abate the excess outside storage on the property by removing the same from the real property within ninety (90) days.
- (6) 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 structure by removing and disposing of the structures 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 September 24, 2003.
2. The inspection revealed two substandard structures on the subject real property in violation of Riverside County Ordinance No. 457. The substandard conditions consisted of, but were not limited to: hazardous plumbing, damage to vents and drains; hazardous wiring, exposed and/or unprotected wiring, damage to sub-panel; members of walls, partitions, or other vertical supports that split, lean, list or buckle due to fire damage; dampness of habitable rooms, standing water on floor; faulty weather protection, missing windows, broken doors and stucco; extensive fire damage, smoke and structural damage; general dilapidation and attractive nuisance. The inspection also revealed the outside storage of materials in excess of 200 square feet and the accumulation of rubbish on the subject property in violation of Riverside County Ordinance Nos. 348 and 541.
3. Subsequent inspection of the above-described real property on November 5, December 9, 2003, March 4, April 27, May 10 and December 6, 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.