

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



406 B

FROM: County Counsel/TLMA
Department of Building & Safety

SUBMITTAL DATE: May 5, 2005

SUBJECT: Abatement of Public Nuisance [Substandard Structure];
B&S Case No.: CV 03-5096
Subject Property: 23130 Mountain Avenue, Perris; APN: 342-092-009
District Five

RECOMMENDED MOTION: Move that:

- (1) The substandard structure (single-family residence) on the real property located at 23130 Mountain Avenue, Perris, Riverside County, California, APN: 342-092-009 be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) Orbie D. Hampton and Charles Hampton, 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 or whoever has possession or control of the premises 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)

Monica R. Romero

MONICA R. ROMERO
Deputy County Counsel

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

Kenneth J. Blythe

Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

- (4) If the owners 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 structure by demolition, subsequently followed by the removal and disposal of the same from the real property.
- (5) 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.
- (6) County Counsel be directed to prepare the necessary Findings of Facts and Conclusions of Law that the substandard structure (cabin) on the real property is 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 real property by Code Enforcement Officer on November 17, 2003.
2. The inspection revealed one substandard structure (single-family residence) 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: broken or missing bathroom fixtures; lack of required electrical lighting; hazardous wiring; broken or missing lighting and electrical fixtures; exposed wires; extension cords used for permanent service throughout the property; lack of adequate heating facilities; defective or deteriorated flooring; portions of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration; holes in walls due to vandalism, disrepair or incomplete home repairs; members of ceilings, roof and roof support or other horizontal members which sag, split or buckle due to defective material or deterioration; holes in ceilings due to electrical cords and video cords being run to an external camera on the roof; dampness of habitable rooms; broken or missing glass windows and general dilapidation.
3. Subsequent inspections of the real property on April 5, July 21, November 17, December 7, 2004 and April 7, 2005 revealed 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 requirements set forth in the appropriate laws of this jurisdiction pertaining to the Administrative Abatement Proceedings for substandard structures.