

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



313B

FROM: County Counsel/TLMA
Department of Building & Safety

SUBMITTAL DATE: April 28, 2005

SUBJECT: Abatement of Public Nuisance [Substandard Structure and Excess Outside Storage];
B&S Case No. CV02-4276
Subject Property: 8712 Kim Lane, Riverside; APN: 169-323-006
District Two

RECOMMENDED MOTION: Move that:

- (1) The substandard structure (single family dwelling) on the real property located at 8712 Kim Lane, Riverside, Riverside County, California, APN: 169-323-006 be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) Robert N. Baumer and Deborah R. Baumer, 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 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

Jerry Stupis

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

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- (4) The unpermitted outside storage of materials on the real property located at 68250 Pinesmoke Road, Mountain Center, be declared a public nuisance and a violation of Riverside County Ordinance No. 348, Section 6.1 as codified in Riverside County Code Chapter 17.24 which does not permit the outside storage of materials in excess of two hundred square feet on the property
- (5) Robert N. Baumer and Deborah R. Baumer, the owners of the subject property, be directed to abate the excess storage on the property by removing and disposing of the same from the real property within ninety (90) days.
- (6) If the owners 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, receipt of a Court Order authorizing entry onto the real property, or other authorization as provided by law, shall abate the substandard structure and the excess outside storage 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 structure on the real property and the excess outside storage are declared to be in violation of Riverside County Ordinance Nos. 457 and 348 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 June 16, 2003.
2. The June 16, 2003 inspection revealed a substandard structure (single family dwelling) 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: deteriorated or ineffective weather proofing of exterior walls, roof or floors, including broken windows, doors, lack of paint and other approved wall covering; extensive fire damage to the structure; missing bathroom and kitchen fixtures; no plumbing or electrical service; pipes hanging from ceiling; back room of the structure is collapsed; dirt and subfloor exposed due to fire damage; holes in roof and ceiling; lack of walls, partitions or other vertical supports; lack of ceiling and roof supports or other horizontal members due to fire damage; public and attractive nuisance.
3. The inspection also revealed the outside storage of materials in excess of 200 square feet on the subject property in violation of Riverside County Ordinance No. 348. Excess outside storage of materials consisted of, but was not limited to the following materials: household items, clothing, boxes and miscellaneous trash and debris.
4. Subsequent inspections of the above-described real property on July 2, July 21, October 21, 2003 and February 10, May 4, 2004 and March 28, 2005 revealed the property continues to be in violation of Riverside County Ordinance Nos. 457 and 348.
5. 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 excessive outside storage.