

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

304 B



SUBMITTAL DATE:
April 3, 2006

FROM: County Counsel/TLMA
Department of Building & Safety

SUBJECT: Abatement of Public Nuisance [Substandard Structure];
B&S Case No.: CV 03-3655
Subject Property: 19199 Clark Street, Perris; APN: 318-042-028
District One

RECOMMENDED MOTION: Move that:

Departmental Concurrence

- (1) The substandard structure (garage/shed with attached porch and carport) on the real property located at 19199 Clark Street, Perris, Riverside, Riverside County, California, APN: 318-042-028, be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) Wilmer E. Johnson and Velma R. Johnson, the owners of the subject real property or whoever has possession or control of the premises, be directed to abate the substandard structure on the property by rehabilitating, removing, and/ or disposing of the same from the real property within ninety (90) days.
- (3) The owner 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)

TIFFANY N. NORTH,
Deputy County Counsel

FINANCIAL DATA	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	N/A

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: **APPROVE**

County Executive Office Signature

Policy
 Consent
 Dep't Recomm.:
 Policy
 Consent
 Per Exec. Ofc.:

304-042-028 04/15/06
RECEIVED RIVERSIDE COUNTY

Prev. Agn. Ref.: | **District:** First | **Agenda Number:** 9.1

- (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 structure and contents therein, by removing and disposing of 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 structure 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 property by the Code Enforcement Officer on September 8, 2003
2. The inspection revealed a substandard structure (block building) on the subject property in violation of Riverside County Ordinance No. 457. The substandard conditions of the structure included, but were not limited to, the following: lack of or improper water closet, lavatory, bathtub, shower or kitchen sink, hot and cold running water to plumbing fixtures, electrical lighting, adequate heating facilities; hazardous plumbing; hazardous wiring; members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration; dampness of inhabitable rooms; faulty weather protection; general dilapidation of improper maintenance; fire hazard; public and attractive nuisance; and improper occupancy.
3. Follow-up inspections on December 4, 2003, December 11, 2003, November 30, 2005, and February 9, 2006 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.