

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

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FROM: County Counsel/TLMA
Department of Building & Safety

SUBMITTAL DATE:
June 30, 2006

SUBJECT: Abatement of Public Nuisance [Substandard Structure and Accumulation of Rubbish];
B&S Case Nos.: CV 05-5412 and CV05-5477
Subject Property: 9306 Jurupa Road, Riverside; APN: 167-231-002
District Two

RECOMMENDED MOTION: Move that:

- (1) The substandard structure (gas station with bay cover) on the real property located at 9306 Jurupa Road, Riverside, Riverside County, California, APN: 167-231-002 be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit a substandard structure on the property.
- (2) Lucy Toprakjian, the owner of the subject real property, or anyone having possession or control of the premises, be directed to abate the substandard structure on the property by rehabilitating, removing and/or demolishing the same from the real property, including the removal and disposal of all structural debris and materials, within ninety (90) days.
- (3) The owner or anyone having 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.

[Signature]
TIFFANY N. NORTH, Deputy County Counsel
For JOE S. RANK, 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 *Alex Lann*

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

Prev. Agn. Ref.:

District: 2

Agenda Number:

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- (4) The accumulation of rubbish on the real property, located at 9306 Jurupa Road, Riverside, be declared a public nuisance and a violation of Riverside County Ordinance No. 541 which does not permit the accumulation of rubbish on the property.
- (5) Lucy Toprakjian, the owner of the subject property, or anyone having possession or control of the premises, be directed to abate the accumulation of rubbish on the property by removing and disposing of the same from the real property within ninety (90) days.
- (6) If the owner of the real property, or anyone having possession or control of the premises, does not take the above described actions within ninety (90) days of the date of mailing and posting 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 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 Fact and Conclusions of Law that the substandard structure on the real property and the accumulation of rubbish on the real property are declared to be in violation of Riverside County Ordinance Nos. 457 and 541 and constitute a public nuisance. Further, County Counsel be directed to prepare an Order to Abate for approval by the Board of Supervisors.

JUSTIFICATION:

1. An initial inspection was made of the subject real property by the Code Enforcement Officer on November 3, 2005.
2. The inspection revealed a substandard structure (gas station with attached bay cover) 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: members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration; faulty weather protection; abandoned, vacant, attractive and public nuisance. The inspection also revealed the accumulation of rubbish (approximately 100 square feet) on the subject property in violation of Riverside County Ordinance No. 541. The accumulation of rubbish consisted of, but was not limited to the following materials: large pieces of furniture, chairs, couches, metal cabinet, trash, shopping carts, electronic components, metal, plastic and clothing.
3. Subsequent inspections of the above-described real property on December 28, 2005, March 31, 2006 and May 17, 2006 revealed the property continues to be in violation of Riverside County Ordinance Nos. 457 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 and accumulation of rubbish.