

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

1138



FROM: County Counsel/TLMA
Department of Building & Safety

SUBMITTAL DATE:
October 23, 2006

SUBJECT: Abatement of Public Nuisance [Substandard Structures, Excess Outside Storage, and Accumulation of Rubbish];
Case No.: CV 04-3611; ANDERSON
Subject Property: 19069 Grand Avenue, Lake Elsinore; APN: 371-240-016
District One

RECOMMENDED MOTION: Move that:

- (1) The substandard structures (mobilehome on permanent foundation and detached garage), excess outside storage of materials, and accumulation of rubbish on the real property located at 19069 Grand Avenue, Lake Elsinore, Riverside County, California, APN: 371-240-016, be declared a public nuisance and violations of Riverside County Ordinance Nos. 457 which does not permit substandard structures, RCO No. 348, which does not permit excess outside storage of materials on the property, and RCO No. 541, which does not permit accumulation of rubbish on the property.
- (2) Mary Anderson, the owner of the subject real property or whoever has possession or control of the premises, be directed to abate the substandard structures, excess outside storage, and accumulation of rubbish on the property by removing or rehabilitating the same from the real property within ninety (90) days.

(Continued)

[Handwritten 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

[Handwritten Signature]

Department Recommendation: Consent Policy
 Per Executive Office: Consent Policy

Prev. Agn. Ref.:

District: 1

Agenda Number:

9.6

- (3) The owner be ordered to ascertain the existence or non-existence of asbestos containing materials in said substandard 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.
- (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 Code Enforcement Department, 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 structures, including contents therein, excess outside storage and accumulation of rubbish by removing 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 structures, excess outside storage, and accumulation of rubbish on the real property is declared to be in violation of Riverside County Ordinance Nos. 457, 348, and 541 and a public nuisance, and further, to prepare an Order to Abate for approval by the Board.

JUSTIFICATION:

1. An inspection was made of the subject property by the Code Enforcement Officers on July 1, 2005. The inspection revealed one (1) substandard mobilehome on permanent foundation and one (1) substandard detached garage, as well as an excess outside storage of materials, and accumulation of rubbish on the subject property in violation of Riverside County Ordinance Nos. 457 (RCC Title 15), 348 (RCC Title 17), and 541 (Title 8). The substandard conditions of the structures included, but were not limited to, the following: lack of hot and cold running water to plumbing fixtures; lack of required electrical lighting – broken light fixture; members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration; members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration; general dilapidation or improper maintenance; and public and attractive nuisance.
2. Follow-up inspections on June 6, 2006 and September 11, 2006 revealed that the property continues to be in violation of Riverside County Ordinance Nos. 457, 348, and 541.
3. Staff and the Code Enforcement Department have complied with the notice requirements set forth in the appropriate laws of this jurisdiction pertaining to the Administrative Abatement Proceedings for substandard structures, excess outside storage, and accumulation of rubbish.