

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

711B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
December 4, 2006

SUBJECT: Abatement of Public Nuisance [Accumulated Rubbish and Substandard Structure];
Case No.: CV 06-0094; AGUILASOCHO
Subject Property: 13901 Broadway Street, Ripley; APN: 872-283-007
District Four

RECOMMENDED MOTION: Move that:

1. The accumulation of rubbish and substandard structure (adobe structure) on the real property located at 13901 Broadway Street, Ripley, Riverside County, California, APN: 872-283-007 be declared a public nuisance and a violation of Riverside County Ordinance Nos. 541 (Riverside County Code Chapter 8.120) and 457 (Riverside County Code Title 15) which do not permit accumulated rubbish and substandard structures on the property.
2. The Estate of Felicito Aguilasocho, the owner of the subject real property, be directed to abate the accumulation of rubbish on the property by removing the same from the real property within ninety (90) days.
3. The Estate of Felicito Aguilasocho, the owner of the subject real property, be directed to abate the substandard structure on the property by rehabilitation or removing 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:
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:
	Annual Net County Cost:	\$ N/A	For Fiscal Year:

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]

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

500P DEC -2 AM 8:12

OFFICE OF THE COUNTY CLERK
RECEIVED RIVERSIDE COUNTY

Prev. Agn. Ref.: | **District:** 4 | **Agenda Number:**

9.2

4. 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 three (3) 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 Mojave Desert Air Quality Management District (MDAQMD) pursuant to MDAQMD Rule No. 306.
5. If the owners of the real property do not take the above described actions 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 or receipt of a Court Order authorizing entry onto the real property when necessary under applicable law, shall abate the accumulation of rubbish and substandard structure by removing the same from the real property.
6. 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 Riverside County Ordinance No. 725.
7. County Counsel be directed to prepare the necessary Findings of Fact and Conclusions that the accumulation of rubbish and substandard structure on the real property is declared to be in violation of Riverside County Ordinance Nos. 541 and 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 June 6, 2006.
2. The inspection revealed the accumulation of rubbish and substandard structure (adobe structure) on the subject property in violation of Riverside County Ordinance Nos. 541 and 457. The items of accumulated rubbish included but were not limited to: metal, wood, appliances, auto parts, discarded appliances, household trash, used car batteries, empty propane tanks, work tools, and used car tires. The conditions of the substandard structure included but were not limited to: members of ceiling and roof supports or other horizontal members sag, split, or buckle due to defective material or deterioration; faulty weather protection; general dilapidation or improper maintenance; and public and attractive nuisance.
3. Subsequent re-inspections of the above-described real property on August 10, September 21, and November 16, 2006 revealed that the property continued to be in violation of Riverside County Ordinance Nos. 541 and 457.
4. 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 the removal of accumulation of rubbish and substandard structures.