

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

115B



**FROM:** County Counsel/TLMA  
Code Enforcement Department

**SUBMITTAL DATE:**  
January 12, 2007

**SUBJECT:** Abatement of Public Nuisance [Accumulation of Rubbish and Substandard Structure];  
Case No.: CV 06-3847  
Subject Property: 10330 Vernon Avenue, Blythe; APN: 869-090-037;  
District Four

**RECOMMENDED MOTION:** Move that:

1. The substandard structure (detached apartment) on the real property located at 10330 Vernon Avenue, Blythe, Riverside County, California, APN: 869-090-037, be declared a public nuisance and a violation of Riverside County Ordinance No. 457 (Riverside County Code Title 15) which does not permit substandard structures on the property.
2. Ronald E. Tollette and Fannie M. Tollette, 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.

Departmental Concurrence

(Continued)

TIFFANY N. NORTH, Deputy County Counsel  
for JOE S. RANK, Count Counsel

<b>FINANCIAL DATA</b>	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

<b>SOURCE OF FUNDS:</b>	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  
 Dept't Recomm.:  
 Policy  
 Consent  
 Per Exec. Ofc.:

5003 744 12 14 8: 10  
 RECEIVED RIVERSIDE COUNTY

**Prev. Agn. Ref.:**

**District: 4**

**Agenda Number:**

9.5

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 Mojave Desert Air Quality Management District (MDAQMD).
4. The accumulation of rubbish on the real property located at 10330 Vernon Avenue, Blythe, be declared a public nuisance and a violation of Riverside County Ordinance No. 541 (RCC Chapter 8.120) which does not permit the accumulation of rubbish on the property.
5. Ronald E. Tollette and Fannie M. Tollette, the owners of the subject real property, be directed to abate the accumulated rubbish on the property by removing and disposing of the same from the real property within ninety (90) days.
6. If the owners or whoever has possession or control of the real property does 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 of an owner or receipt of a Court Order authorizing entry onto the real property, when necessary under applicable 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 that the substandard structure and accumulation of rubbish on the real property are declared to be in violation of Riverside County Ordinance Nos. 457 and 541, and 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 30, 2006.
2. The inspection revealed a substandard structure (detached apartment) and the accumulation of rubbish on the subject property in violation of Riverside County Ordinance Nos. 457 and 541. The conditions of the substandard structure included but were not limited to: members of walls, partitions or other vertical supports that split, lean or buckle due to defective material or deterioration; faulty water protection; general dilapidation or improper maintenance and public and attractive nuisance. The items of accumulated rubbish included but were not limited to: metal, wood, appliances, mattresses, auto parts, used clothes, furniture, plastic, household trash, and green-waste.
3. Subsequent re-inspections of the above-described real property on July 12, 2006, August 10, 2006, September 21, 2006, and December 12, 2006, revealed the property continues to be in violation of Riverside County Ordinance Nos. 457 and 541.
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 substandard structures and accumulations of rubbish.