

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

903B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
March 26, 2007

SUBJECT: Abatement of Public Nuisance [Substandard Structure and Accumulation of Rubbish]
Case No.: CV 06-4981; THOMPSON
Subject Property: 14370 Broadway, Blythe; APN: 869-090-028
District Four

RECOMMENDED MOTION: Move that:

- (1) The substandard structure (dwelling) and the accumulation of rubbish on the real property located at 14370 Broadway, Blythe, Riverside County, California, APN: 869-090-028, be declared a public nuisance and a violation of Riverside County Ordinance Nos. 457 and 541 which does not permit the substandard structure and accumulation of rubbish on the property.
- (2) Doyle R. Thompson, the owner of the subject real property, 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 therein, within ninety (90) days.

(Continued)

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

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

Prev. Agn. Ref.:

District: 4

Agenda Number:

9.4

ATTACHMENTS FILED

WITH THE CLERK OF THE BOARD

- (3) The owner 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) pursuant to MDAQMD Rule No. 1000.
- (4) The accumulation of rubbish on the real property located at 14370 Broadway, Blythe, 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) The owner or whoever has possession or control of the property, 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 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, then representatives of the Code Enforcement Department, 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 the 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 and the accumulation of rubbish are declared to be in violation of Riverside County Ordinance Nos. 457 and 541 and constitute 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 August 16, 2006.
2. The inspection revealed a substandard structure (dwelling) 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 walls, partitions or other vertical supports that sag, split or buckle due to defective material or deterioration; faulty weather protection; general dilapidation or improper maintenance; and attractive and public nuisance- abandoned and vacant. The inspection also revealed the accumulation of rubbish (approximately 980 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: wood, appliances, used car tires, discarded furniture, discarded kitchen cabinets, household trash and a washer.

3. Subsequent inspections of the above-described real property on October 24, 2006, November 29, 2006 and February 27, 2007 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 requirements set forth in the appropriate laws of this jurisdiction pertaining to the administrative abatement proceedings for substandard structures and accumulation of rubbish.