

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

421 B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
April 23, 2007

SUBJECT: Abatement of Public Nuisance [Substandard Structures and Accumulation of Rubbish];
Case No.: CV 05-6445
Subject Property: 6662 Smith Avenue, Mira Loma; APN: 157-201-002
District Two

RECOMMENDED MOTION: Move that:

- (1) The substandard structures (dwelling and detached garage) and accumulation of rubbish on the real property located at 6662 Smith Avenue, Mira Loma, Riverside County, California, APN: 157-201-002 be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) Ruth L. Wright, the owner of the subject real property, be directed to abate the substandard structures 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.

[Signature]
TIFFANY N. NORTH, Deputy County Counsel
for JOE S. RANK, County Counsel

(Continued)

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 *[Signature]*

Policy
 Consent
 Policy
 Consent

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

Prev. Agn. Ref.: District: 2 Agenda Number:

- (3) The owner be ordered to ascertain the existence or non-existence of asbestos containing materials in said 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) The accumulation of rubbish on the real property located at 6662 Smith Avenue, Mira Loma, 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) Ruth L. Wright, the owner of the subject property, or whoever has possession or control of the real 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 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, 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 structures 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 structures on the real property 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 Code Enforcement Officers on December 20, 2005.
2. The inspection revealed two substandard structures (main dwelling and detached garage) on the subject real property in violation of Riverside County Ordinance No. 457. The substandard conditions of the main dwelling included, but were not limited to the following: lack of or improper water closet, lavatory, bathtub, shower or kitchen sink; lack of hot and cold running water to plumbing fixtures; members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration- holes in the walls and ceiling of several bedrooms; members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration; dampness of habitable rooms- several windows missing or broken; faulty weather protection; general dilapidation or improper maintenance; fire hazard- exposed wiring; and abandoned, vacant, attractive and public nuisance. The substandard conditions of the detached garage included, but were not limited to: missing garage door and entry door causing dampness and faulty weather protection; exposed electrical wiring; missing drywall exposing insulation and framing;

general dilapidation; and abandoned, vacant, attractive, and public nuisance. The inspection also revealed the accumulation of rubbish on the subject property in violation of Riverside County Ordinance No. 541. The accumulated rubbish consisted of, but was not limited to the following materials: vegetative waste, household waste, clothes, furniture, wood, lumber, appliances and miscellaneous debris.

3. Subsequent inspections of the above-described real property on April 25, 2006, May 1, 2006, August 22, 2006, September 18, 2006 and April 10, 2007 revealed the property continues to be in violation of Riverside County Ordinance Nos. 457 and 541.
4. Staff and Code Enforcement Department staff 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.