

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

703B



SUBMITTAL DATE:
May 14, 2007

FROM: County Counsel
Code Enforcement Department

SUBJECT: Abatement of Public Nuisance [Substandard Structure];
Code Enforcement Case No.: CV 06-2983
Subject Property: Southwest corner of Inyo Street and Diablo Road (13209 Lariat Lane), Desert Hot Springs; APN: 667-211-048
District Five

RECOMMENDED MOTION: Move that:

- (1) The substandard structure (dwelling) on the real property located at Southwest corner of Inyo Street and Diablo Road (13209 Lariat Lane) Desert Hot Springs, Riverside County, California, APN: 667-211-048, be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) Victor P. Lasic, Karolina V. Lasic and Victor V. Lasic, the owners of the subject real property or whoever has possession or control of the premises, be directed to abate the substandard structure on the property by removing the same from the real property within ninety (90) days.

Department of Concurrence

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

Tina Grande

Policy
 Consent
 Policy
 Consent
 Dept's Recomm.:
 Per Exec. Ofc.:

Prev. Agn. Ref.:

District: 5

Agenda Number:

**ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD**

9.3

- (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 South Coast Air Quality Management District (SCAQMD) pursuant to SCAQMD Rule No. 1403.
- (4) If the owners or whoever have possession or control of the real property, do 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 or receipt of a Court Order authorizing entry onto the real property, when necessary under applicable law, shall abate the substandard structure and contents therein, 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 Fact and Conclusions that the substandard structure on the real property is declared to be in violation of Riverside County Ordinance No. 457 and a public nuisance, and further, to prepare an Order to Abate for approval by the Board.

JUSTIFICATION:

1. An initial inspection of the subject property was made by the Code Enforcement Officers on May 18, 2006.
2. The inspection revealed a substandard structure (dwelling) on the subject property in violation of Riverside County Ordinance No. 457 (RCC Title 15). The substandard conditions of the structure 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; hazardous plumbing – broken fixtures; lack of required electrical lighting- exposed wires and not fixtures; lack of adequate heating facilities – open/no windows; defective or deteriorated flooring or floor supports; members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration- holes in walls due to deteriorations and dry rotted wood; members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration- sagging sections due to water and weather damage, exposed ceiling/rafters to the elements, dry rot; dampness of habitable rooms- exposed to the elements and weather damage; faulty weather protection-deteriorated or ineffective weather proofing of exterior walls, roof or floors including broken windows or doors, lack of paint or other approved wall covering; general dilapidation or improper maintenance- dry rot to the wood of the structure; fire hazard- very high fire hazard from all the dry rot wood; and public and attractive nuisance – abandoned/vacant, accessible to public.

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3. Subsequent inspections of the above-described real property on November 15, 2006, November 27, 2006, March 20, 2007, and April 18, 2007, revealed the property continues to be in violation of Riverside County Ordinance No.547.

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.