

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

2028



SUBMITTAL DATE:
June 18, 2007

FROM: County Counsel/TLMA
Code Enforcement Department

SUBJECT: Order to Abate [Substandard Structure];
Case No.: CV 06-6547
Subject Property: One Lot West of 14979 Neighbors Blvd., Blythe; APN 866-260-006
District Four

RECOMMENDED MOTION: Move that

- (1) The Findings of Fact, Conclusions and Order to Abate in Case No. CV 06-6547 be approved;
- (2) The Chairman of the Board of Supervisors be authorized to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV 06-6547; and
- (3) The Clerk of the Board of Supervisors be authorized to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV 06-6547.

BACKGROUND:

On June 12, 2007, this Board received the Declaration of the Code Enforcement Officer in the above-referenced matter. At the conclusion of the hearing, this Board declared the substandard structure located on the subject property to be a public nuisance. The Board ordered the property owner to abate the violative conditions on the property and directed County Counsel to prepare the Findings of Fact, Conclusion and Order to Abate.

[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:	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

BY: *[Signature]*
Tina Grande

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

Prev. Agn. Ref.:

District: 4

Agenda Number:

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WHEN RECORDED PLEASE MAIL TO:
Tiffany N. North, Deputy County Counsel
County of Riverside
OFFICE OF COUNTY COUNSEL
3535 Tenth Street, Suite 300 (Stop #1350)
Riverside, CA 92501

[EXEMPT '6103]

**BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE**

IN RE ABATEMENT OF PUBLIC NUISANCE:)	CASE NO. CV 06-6547
[SUBSTANDARD STRUCTURE]; APN: 866-260-)	
006 ONE LOT WEST OF 14979 NEIGHBORS)	FINDINGS OF FACT,
BOULEVARD, BLYTHE, RIVERSIDE COUNTY,)	CONCLUSIONS AND ORDER TO
CALIFORNIA; WILLIAM G. RICE, OWNER.)	ABATE NUISANCE
)	
)	[R.C.O. Nos. 457 (RCC Title 15) and
)	725 (RCC Title 1)]

The above-captioned matter came on regularly for hearing on June 12, 2007, before the Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real property described as One Lot West of 14979 Neighbors Blvd., Blythe, Riverside County, California and further described as Assessor's Parcel Number 866-260-006, and referred to hereinafter as "THE PROPERTY."

Tiffany N. North, Deputy County Counsel, appeared along with Jim Monroe, Supervising Code Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

Julie Rice and Kari Sariano appeared on behalf of the owner and addressed the Board of Supervisors during the public hearing.

The Board of Supervisors received the Declaration of the Code Enforcement Officer together with the attached Exhibits, evidencing the substandard structure (detached shed) on THE PROPERTY as a public nuisance and violation of Riverside County Ordinance No. 457 as codified

1 in Riverside County Title 15.

2 **SUMMARY OF EVIDENCE**

3 1. Documents of record in the Riverside County Recorder's Office identify the owner
4 of THE PROPERTY as William G. Rice ("OWNER").

5 2. Documents of title indicate that no other party potentially holds a legal interest in
6 THE PROPERTY.

7 3. THE PROPERTY has been inspected by Code Enforcement Officers on October 26,
8 2006, December 21, 2006, February 1, 2007, May 9, 2007 and June 11, 2007.

9 4. During each inspection, a substandard structure (detached shed) was observed on
10 THE PROPERTY. The structure was described as abandoned, dilapidated and vacant. The structure
11 contained numerous deficiencies, including but not limited to: faulty weather protection – main door
12 is missing, interior and exterior walls lack insulation and/or other weather protection material;
13 general dilapidation or improper maintenance – walls covered with mold, interior filled with
14 discarded appliances, no flooring material, rodents' droppings and a beehive on the front wall; and a
15 public and attractive nuisance.

16 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance
17 No. 457 (RCC Title 15) by the Code Enforcement Officer.

18 6. A Notice of Noncompliance was recorded on November 17, 2006 as Document
19 Number 2006-0852029 in the Office of the County Recorder, County of Riverside.

20 7. On October 26, 2006, a Notice of Violation, Notice of Defects and "Danger Do Not
21 Enter" sign were posted on THE PROPERTY. On November 20, 2006, a Notice of Violation and
22 Notice of Defects were mailed by certified mail, return receipt requested to the OWNER and
23 Tenant/Occupants.

24 8. On May 1, 2007, a "Notice To Correct County Ordinance Violations and Abate
25 Public Nuisance" providing notice of the public hearing before the Board of Supervisors on June 12,
26 2007 was mailed by certified mail, return receipt requested, to OWNER, Julie Rice, and
27 tenant/occupants and was posted on THE PROPERTY on May 2, 2007.

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1 **FINDINGS AND CONCLUSIONS**

2 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in
3 regular session assembled on June 12, 2007 finds and concludes that:

4 1. WHEREAS, the substandard structure (detached shed) on the real property located at
5 One Parcel West of 14979 Neighbors Blvd., Blythe, Riverside County, California, also identified as
6 Assessor's Parcel Number 866-260-006 violates Riverside County Ordinance No. 457 (RCC Title
7 15) and constitutes a public nuisance and attractive nuisance.

8 2. WHEREAS, THE OWNER, occupants and any person having possession or control
9 of the premises should abate the substandard condition by razing, removing and disposing of the
10 substandard structure (detached shed) and contents therein or by reconstruction and rehabilitation of
11 said structure provided that said reconstruction or demolition can be accomplished in strict
12 accordance with all Riverside County Ordinances, including but not limited to Riverside County
13 Ordinance No. 457 within ninety (90) days.

14 3. WHEREAS, THE CODE ENFORCEMENT DEPARTMENT is directed to monitor
15 the progress of the abatement of the substandard structure and report back to the Board of
16 Supervisors on the progress of the abatement within ninety (90) days.

17 4. WHEREAS, THE OWNER AND INTERESTED PARTIES ARE HEREBY
18 FURTHER NOTICED that the time within which judicial review of the administrative
19 determinations made herein must be sought is ninety (90) days from the posting and mailing of the
20 Findings of Fact, Conclusions and Order To Abate Nuisance, and is governed by California Code of
21 Civil Procedure Section 1094.6.

22 **ORDER TO ABATE NUISANCE**

23 IT IS THEREFORE ORDERED that the substandard structure (detached shed) on THE
24 PROPERTY located at One Lot West of 14979 Neighbors Blvd., Blythe, Riverside County,
25 California, also identified as Assessor's Parcel Number 866-260-006 be abated by THE OWNER,
26 and anyone having possession or control of THE PROPERTY, by razing and removing the
27 substandard structure and contents therein or by reconstruction and rehabilitation of said structure
28 provided such reconstruction or demolition can be accomplished in strict accordance with all

1 Riverside County Ordinances, including but not limited to Riverside County Ordinance No. 457
2 within ninety (90) days of the posting and mailing of this Order to Abate Nuisance.

3 IT IS FURTHER ORDERED that if the substandard structure is not razed, removed and
4 disposed of, or reconstructed in strict accordance with all Riverside County Ordinances, including
5 but not limited to Riverside County Ordinance No. 457, within ninety (90) days of the posting and
6 mailing of this Order to Abate Nuisance, the substandard structure (detached shed) and contents
7 therein shall be abated by representatives of the Code Enforcement Department, a contractor or the
8 Sheriff's Department upon receipt of an owner's consent or a Court Order where necessary under
9 applicable law authorizing entry onto THE PROPERTY.

10 FURTHERMORE, THE OWNER is ordered to ascertain the existence or non-existence of
11 asbestos containing materials in said structure by survey and materials sample testing by a duly
12 licensed and certified asbestos consultant; and, prior to the abatement ordered hereinabove, to secure
13 the removal of all asbestos containing materials discovered through such survey and testing by
14 contract with a duly certified and licensed contractor for the handling of such materials to avoid
15 citations and/or fines by Mojave Desert Air Quality Management District (MDAQMD).

16 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity
17 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special
18 assessment against the property pursuant to Government Code section 25845 and Riverside County
19 Ordinance nos. 457 and 725. Under Riverside County Ordinance 725, "abatement costs" means "any
20 costs or expenses reasonably related to the abatement of conditions which violate County

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1 Land Use Ordinances, and shall include, but not be limited to, enforcement, investigation, collection
2 and administrative costs, attorneys fees, and the costs associated with the removal or correction of
3 the violation." Reasonable abatement costs accrued by the Code Enforcement Department will be
4 recoverable from the property owner(s) even if THE PROPERTY is brought into compliance within
5 ninety (90) days of the date of this Order to Abate Nuisance.

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7 Dated: _____

COUNTY OF RIVERSIDE

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9 By _____
John Tavaglione
Chairman, Board of Supervisors

10 ATTEST:
11 NANCY ROMERO
12 Clerk to the Board
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15 By
16 Deputy
17 (SEAL)
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