

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

759B



SUBMITTAL DATE:
July 23, 2007

FROM: County Counsel/TLMA
Code Enforcement Department

SUBJECT: Order to Abate [substandard structure];
Case No.: CV 06-1689
Subject Property: 8355 Weirick Road, Corona; APN 282-090-014
District Two

RECOMMENDED MOTION: Move that

- (1) The Findings of Fact, Conclusions and Order to Abate in Case No. CV 06-1689 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 06-1689; 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 06-1689.

BACKGROUND:

On July 17, 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 (detached garage workshop) 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

[Signature]
BY: Tina Grande

County Executive Office Signature

Policy
 Consent

 Policy
 Consent

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

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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 06-1689
[SUBSTANDARD STRUCTURE]; APN: 282-090-)	
014, 8355 WEIRICK ROAD, CORONA,)	FINDINGS OF FACT,
RIVERSIDE COUNTY, CALIFORNIA; TERRY)	CONCLUSIONS AND ORDER TO
R. RAY, 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 July 17, 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 8355 Weirick Road, Corona, Riverside County, California, and further described as Assessor's Parcel Number 282-090-014, and referred to hereinafter as "THE PROPERTY."

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

Owner, Terry R. Ray, discussed the abatement process with Jim Monroe and Tiffany N. North before the hearing but did not address 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 garage/workshop) on THE

1 PROPERTY as a public nuisance and violation of Riverside County Ordinance No. 457 as codified
2 in Riverside County Code Title 15.

3 **SUMMARY OF EVIDENCE**

4 1. Documents of record in the Riverside County Recorder's Office identify the owner
5 of THE PROPERTY as Terry R. Ray ("OWNER").

6 2. Documents of title indicate that another party potentially holds a legal interest in THE
7 PROPERTY, to wit: Great Western Savings ("INTERESTED PARTY").

8 3. THE PROPERTY has been inspected by Code Enforcement Officers on April 27,
9 2006, August 15, 2006, September 19, 2006, January 30, 2007, March 26, 2007, June 18, 2007 and
10 July 16, 2007.

11 4. During each inspection, a substandard structure (detached garage/workshop) was
12 observed on THE PROPERTY. The structure was described as abandoned, dilapidated and vacant.
13 The structure contained numerous deficiencies, including but not limited to: hazardous wiring;
14 deteriorated or inadequate foundation; defective or deteriorated flooring and floor supports; members
15 of walls, partitions, or other vertical supports that split, lean, list or buckle due to defective material
16 or deterioration; members of ceilings, roofs, ceiling and roof supports or other horizontal members
17 which sag, split or buckle due to defective material or deterioration; dampness of habitable rooms;
18 faulty weather protection; general dilapidation or improper maintenance; and abandoned, vacant,
19 public and attractive nuisance.

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

22 6. A Notice of Noncompliance was recorded on June 1, 2006 as Document Number
23 2006-0400300 in the Office of the County Recorder, County of Riverside, State of California.

24 7. On April 27, 2006, a Notice of Violation, Notice of Defects and "Danger Do Not
25 Enter" sign were posted on THE PROPERTY. On May 10, 2006, a Notice of Violation and Notice
26 of Defects were mailed by certified mail, return receipt requested to OWNER. On February 6, 2007,
27 a Notice of Violation and Notice of Defects were mailed by certified mail, return receipt requested to
28 the OWNER and INTERESTED PARTY.

1 or demolition can be accomplished in strict accordance with all Riverside County Ordinances,
2 including but not limited to Riverside County Ordinance No. 457 within ninety (90) days of the
3 posting and mailing of this Order to Abate Nuisance.

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

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

18 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity
19 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special
20 assessment against the property pursuant to Government Code section 25845 and Riverside County
21 Ordinance nos. 457, and 725. Under Riverside County Ordinance 725, "abatement costs" means
22 "any 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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Dated: _____

COUNTY OF RIVERSIDE

By _____
John Tavaglione
Chairman, Board of Supervisors

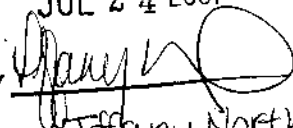
ATTEST:
NANCY ROMERO
Clerk to the Board

By
Deputy
(SEAL)

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FORM APPROVED
COUNTY COUNSEL

JUL 24 2007

BY 
Tiffany North