

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

1128



SUBMITTAL DATE:
August 24, 2007

FROM: County Counsel
Code Enforcement Department
SUBJECT: Abatement of Public Nuisance [substandard structures];
Case No.: CV 05-1492; ADKINS
Subject Property: 19351 Consul Ave. Corona; APN 277-070-011
District Two

RECOMMENDED MOTION: Move that:

- (1) The substandard structures (dwelling and detached garage) on the real property located at 19351 Consul Ave. Corona, Riverside County, California, APN: 277-070-011, be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) Carl Adkins, the owner of the subject real property or whoever has possession or control of the premises, be directed to abate the substandard structures on the property by rehabilitating or removing the same from the real property within ninety (90) days.

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

BY: Tina Grande
Tina Grande

County Executive Office Signature

Dep't Recomm.:	<input checked="" type="checkbox"/>	Policy
Per Exec. Ofc.:	<input checked="" type="checkbox"/>	Policy
	<input type="checkbox"/>	Consent
	<input type="checkbox"/>	Consent

Prev. Agn. Ref.:

District: 2

Agenda Number:

9.2

- (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) If the owner or whoever has possession or control 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, that 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 accumulation of rubbish by removing the same from the real property.
- (5) The reasonable cost 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. 457.
- (6) County Counsel be directed to prepare the necessary Findings of Facts and Conclusions that the accumulation of rubbish 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 was made of the subject real property by the Code Enforcement Officers on December 14, 2005. An inspection on December 20, 2005 revealed the substandard structures on the subject property in violation of Riverside County Ordinance No. 457. The substandard conditions of the structures included, but were not limited to, the following: lack of proper lavatory; lack of hot and cold running water; lack of required electrical lighting; lack of adequate heating facilities; defective or deteriorated flooring or flooring support; members of walls, partitions, or other vertical supports that split, lean, lost or buckle due to defective material or deterioration; 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; faulty weather protection; public and attractive nuisance.
2. Subsequent inspections of the above-described real property on December 20, 2005, December 27, 2005, March 29, 2006, April 19, 2006, December 5, 2006, March 21, 2007 and July 24, 2007 revealed the property continues to be in violation of Riverside County Ordinance No. 457.
3. 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.