

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

3218



**FROM:** County Counsel/TLMA  
Code Enforcement Department

**SUBMITTAL DATE:**  
December 10, 2007

**SUBJECT:** Abatement of Public Nuisance [Substandard Structure and Accumulation of Rubbish]  
Case Nos.: CV 07-2711 and CV 07-3100  
Subject Property: 10910 Seeley Avenue, Blythe; APN: 869-140-013  
District Four

**RECOMMENDED MOTION:** Move that:

- (1) The substandard structure (dwelling) on the real property located at 10910 Seeley Avenue, Blythe, Riverside County, California, APN: 869-140-013, be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) Henry Foster and Mary L. Foster, 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 rehabilitating or removing the same from the real property within ninety (90) days.

*[Handwritten Signature]*

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

(Continued)

<b>FINANCIAL DATA</b>	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

<b>SOURCE OF FUNDS:</b>	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

APPROVE

BY: *[Handwritten Signature]*  
Tina Grande

County Executive Office Signature

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

Prev. Agn. Ref.:

District: 4

Agenda Number:

9.4

- (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 Mojave Desert Air Quality Management District (MDAQMD) pursuant to MDAQMD Rule No. 1000.
- (4) The accumulation of rubbish on the real property located at 10910 Seeley Avenue, Blythe, 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) Henry Foster and Mary L. Foster, the owners of the subject 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 owners or whoever has possession or control of the real property does not take the above described actions 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 owners 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 and accumulated rubbish, by removing and disposing of the same from the real property.
- (7) 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.
- (8) County Counsel be directed to prepare the necessary Findings of Facts and Conclusions that the substandard structure and accumulated rubbish on the real property is declared to be in violation of Riverside County Ordinance Nos. 457 and 541 and a public nuisance, and further, to prepare an Order to Abate for approval by the Board.

**JUSTIFICATION:**

1. An inspection was made of the subject property by the Code Enforcement Officer on April 24, 2007. The inspection revealed a substandard structure (single story 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: defective or deteriorated flooring or floor supports; members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration; faulty weather protection; general dilapidation or improper maintenance; abandoned, vacant, public and attractive nuisance. The inspection also revealed the accumulation of rubbish (approximately 3,750 square feet) on the subject property in violation of Riverside County Ordinance No. 541. The accumulated rubbish included but was not limited to: appliances, dead vegetation, household trash, appliances, scrap metal, scrap wood, a discarded water heater, a microwave, and miscellaneous debris.

2. Follow-up inspections on June 19, 2007, August 2, 2007, August 29, 2007, October 16, 2007 and November 6, 2007, revealed that the property continues to be in violation of Riverside County Ordinance No. 457.
3. 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 and accumulated rubbish.