

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

716 B



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

**SUBMITTAL DATE:**  
January 18, 2008

**SUBJECT:** Abatement of Public Nuisance [Substandard Structures];  
Case No.: CV 06-6574  
Subject Property: 22635 Fisher Street, Perris; APN: 325-200-036  
District Five

**RECOMMENDED MOTION:** Move that:

Departmental Concurrence

- (1) The three (3) substandard structures (2 single family dwellings and a detached garage) on the real property located at 22635 Fisher Street, Perris, Riverside County, California, APN: 325-200-036, be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) The Estate Of Vitelsia Haggins Dedeaux; Elliot Haggins, John Rudolph Haggins, Marion Frank Haggins, Barbara Haggins Jenkins, Martin Haggins, Becknell Haggins Scott, Ellarie Haggins and Marcus Haggins, as the owners 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 removing or rehabilitating the same from the real property within ninety (90) days.

*[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:**

REVIEWED BY EXECUTIVE OFFICE

DATE *[Signature]*  
Tina Grande

**County Executive Office Signature**

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

Prev. Agn. Ref.: | District: 5 | Agenda Number:

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 has 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 structures and contents therein, by removing and disposing of 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 structures on the real property are declared to be in violation of Riverside County Ordinance No. 457 and public nuisances, 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 October 30, 2006. The inspection revealed three (3) substandard structures (2 single family dwellings and a detached garage) on the subject property in violation of Riverside County Ordinance No. 457 (RCC Title 15). The substandard conditions of the structures included, but were not limited to, the following: lack of or improper water closet, lavatory, bathtub, shower or kitchen; lack of hot and cold running water to plumbing fixtures; lack of connection to required sewage system; hazardous plumbing; lack of required electrical lighting; hazardous wiring; lack of adequate heating facilities; deteriorated or inadequate foundation; defective or deteriorated flooring and floor supports; 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; general dilapidation or improper maintenance; fire hazard; extensive fire damage; improper occupancy by vagrants; abandoned, vacant, public and attractive nuisances.
2. Follow-up inspections on December 28, 2006, April 30, 2007, August 6, 2007, October 11, 2007, and December 11, 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.