

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

322B



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

**SUBMITTAL DATE:**  
May 12, 2008

**SUBJECT:** Abatement of Public Nuisance [Substandard Structures & Accumulation of Rubbish];  
Case No.: CV 07-7668  
Subject Property: 30180 Northwood Road, Desert Hot Springs; APN: 750-160-020  
District Four

**RECOMMENDED MOTION:** Move that:

Departmental Concurrence

- (1) The substandard structures (single story dwelling and shed) on the real property located at 30180 Northwood Road, Desert Hot Springs, Riverside County, California, APN 750-160-020 be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) Dagoberto Medina Vazquez, the owner of the subject real property, be directed to abate the substandard structures on the property by rehabilitating, removing and/or demolishing the same from the real property, including the removal and disposal of all structural debris and materials, within ninety (90) days.

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   
Tina Grande

**County Executive Office Signature**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Policy | <input checked="" type="checkbox"/> Policy |
| <input type="checkbox"/> Consent           | <input type="checkbox"/> Consent           |

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

Prev. Agn. Ref.:

District: 4

Agenda Number:

9.3

- (3) The owner 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) The accumulation of rubbish on the real property located at 30180 Northwood Road, Desert Hot Springs, 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) Dagoberto Medina Vazquez, the owner 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 owner 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, receipt of a Court Order authorizing entry onto the real property, or other authorization as provided by law, shall abate the substandard structures (dwelling and shed) and the accumulation of rubbish by removing and disposing of the same from the real property.
- (7) The reasonable cost of the 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 Fact and Conclusions of Law that the substandard structures and the accumulation of rubbish on the property are declared to be in violation of Riverside County Ordinance Nos. 457 and 541 and constitute a public nuisance. Further, County Counsel shall 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 Officer on September 13, 2007.
2. The inspection revealed two (2) substandard structures (single story dwelling and a shed) on the subject real property in violation of Riverside County Ordinance No. 457. The substandard conditions of the structures included, but were not limited to the following: defective or deteriorated flooring or floor supports – foundation of the shed appears to be aluminum sheets set over wood pallets; members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration, several walls are broken or damaged by fire; broken off and are located on the ground and one wall is leaning to the side; members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration,

severe fire damage to portions of the ceiling; faulty weather protection including missing broken walls and roof, broken windows; general dilapidation or improper maintenance; extensive fire damage; and abandoned, vacant, public and attractive nuisance. The inspection also revealed the accumulation of rubbish on the subject property in violation of Riverside County Ordinance No. 541. The accumulation of rubbish consisted of, but was not limited to the following materials: household trash, discarded clothing, toys, appliances, furniture, scrap metal, and wood. The accumulation of rubbish was estimated to measure approximately 4,300 square feet on the property.

3. Subsequent inspections of the above-described real property on March 17, 2008 and April 8, 2008, revealed that the property continues to be in violation of Riverside County Ordinance Nos. 457 and 541.
4. 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 and accumulated rubbish.