

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

7213



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
June 16, 2008

SUBJECT: Abatement of Public Nuisances [Excess Outside Storage; Accumulation of Rubbish; and Substandard Structures]
Case Nos.: CV 06-3123; CV 07-3849; and CV 07-3865
Subject Property: 25675 Spring Street, Perris; APN: 345-060-009
District Five

Departmental Concurrence

RECOMMENDED MOTION: Move that:

- (1) Two substandard structures (a 12x12 wood structure and a 10x20 half metal half wood structure) on the real property located at 25675 Spring Street, Perris, Riverside County, California, APN 345-060-009 be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) Boon Development LLC, 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.

(Continued)

[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:
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:
	Annual Net County Cost:	\$ N/A	For Fiscal Year:

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

County Executive Office Signature

- Policy
- Policy
- Consent
- Consent

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

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

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- (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) The outside storage of materials in excess of two hundred (200) square feet and all accumulated rubbish on the real property located at 25675 Spring Street, Perris, be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 and 541 which do not permit the outside storage of materials in excess of two hundred (200) square feet and the accumulation of rubbish on the property.
- (5) Boon Development, LLC, the owner of the subject property, be directed to abate the outside storage in excess of two hundred (200) square feet and all accumulated rubbish on the property by removing the same from the real property within ninety (90) days.
- (6) If the owner 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 owners, receipt of a Court Order authorizing entry onto the real property, or other authorization as provided by law, shall abate the substandard structure, the outside storage of materials in excess of two hundred (200) square feet and the accumulation of 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 Riverside County Ordinance No. 725.
- (8) County Counsel be directed to prepare the necessary Findings of Fact and Conclusions that the excess outside storage of materials, accumulation of rubbish, and substandard structures on the real property be declared in violation of Riverside County Ordinance Nos. 348, 457, and 541, public nuisances, and further, to prepare an Order to Abate for approval by the Board.

JUSTIFICATION:

1. An initial inspection was made of the subject property by a Code Enforcement Officer on May 10, 2006.
2. The inspection revealed two (2) substandard structures. One being a 12x12 wood structure, and the other a 10x20 half metal, half wood structure. The substandard conditions of the structures included, but were not limited to: lack of or improper water closet, lavatory, bathtub, shower and kitchen sink; lack of hot and cold running water; lack of required electrical fixtures; hazardous wiring, deteriorated/inadequate foundation, defective flooring or floor supports, members of walls, partitions or other vertical supports that split, lean, list 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, abandoned – vacant, public and attractive nuisance.

3. The inspection also revealed an accumulation of rubbish and excessive outside storage of materials on the subject property, in violation of Riverside County Ordinance Nos. 541 and 348. The items included, but were not limited to: air conditioners, wooden work benches, plastic and metal barrels, chicken wire, broken/discarded furniture, children's toys, clothing, vacuum cleaners, lawn mowers, weed eaters, assorted lawn care tools, wood, screen doors, screens, mattresses, box springs, strollers, playpens, antique heaters, various wiring, insulation, metal, plastic, glass and wood debris, appliances, vehicle parts, camper shells, rims, televisions, plastic and metal trash cans, planter pots, bricks, paint products, various chemicals, compressed gas and propane tanks, rubber and plastic tubing, ice coolers, engines, motors, air compressors, miscellaneous tools, dismantled off-road vehicles, chain links, wire pens, poison, doors, roof tiles, pallets, over one hundred and sixty-five (165) tires, inoperative vehicles, and miscellaneous trash and debris. The amount of accumulated rubbish and excess outside storage was determined to be 24,000 square feet.
4. Follow-up inspections of the above-described real property on July 17, 2006, February 5, 2007, May 17, 2007, August 30, 2007, August 31, 2007, November 15, 2007, March 3, 2008, and May 21, 2008, revealed the accumulation of rubbish, excess outside storage and substandard structures remained on the subject real property in violation of Riverside County Ordinance Nos. 541, 457 and 541.
5. 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 the removal of excess outside storage, accumulated rubbish and substandard structures.