

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

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

**SUBMITTAL DATE:**  
July 7, 2008

**SUBJECT:** Order to Abate [Substandard Structure, Accumulation of Rubbish and  
Excess Outside Storage]  
Case Nos.: CV 06-2434; CV 06-2435 and CV 06-2868  
Subject Property: 61875 Crest Street, Desert Hot Springs  
APN: 667-211-043

**RECOMMENDED MOTION:** Move that

- (1) The Findings of Fact, Conclusions and Order to Abate in Case Nos. CV 06-2434; CV 06-2435 and CV 06-2868 be approved;
- (2) The Chairman of the Board of Supervisors be authorized to execute the Findings of Fact, Conclusions and Order to Abate in Case Nos. CV 06-2434; CV 06-2435 and CV 06-2868; and
- (3) The Clerk of the Board of Supervisors be authorized to record the Findings of Fact, Conclusions and Order to Abate in Case Nos. CV 06-2434; CV 06-2435 and CV 06-2868.

(Continued)

*[Signature]*  
TIFFANY N. NORTH, Deputy County Counsel  
for JOE S. RANK, County Counsel

<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: *Alex Gann*  
Alex Gann

**County Executive Office Signature**

- Policy
- Consent
- Policy
- Consent

Dept's Recomm.:  
Per Exec. Ofc.:

Order to Abate [Substandard Structure, Accumulation of Rubbish and Excess Outside Storage]  
Case Nos.: CV 06-2434; CV 06-2435 and CV 06-2868  
Subject Property: 61875 Crest Street, Desert Hot Springs  
APN: 667-211-043  
District Five

**BACKGROUND:**

On June 24, 2008 this Board received the declaration of the Code Enforcement Officer in the above-referenced matter. At the conclusion of the hearing, this Board declared the substandard structure (fire damaged single story structure), accumulation of rubbish and excess outside storage of materials on the subject property to be a public nuisance. The Board ordered the property owners to abate the violative conditions on the property and directed County Counsel to prepare the Findings of Fact, Conclusions and Order to Abate.

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WHEN RECORDED PLEASE MAIL TO:  
Tiffany N. North, Deputy County Counsel  
County of Riverside  
OFFICE OF COUNTY COUNSEL  
3535 Tenth Street, Suite 300 (Stop #1350)  
Riverside, CA 92501

EXEMPT'6103

**BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE**

IN RE ABATEMENT OF PUBLIC NUISANCE:	)	CASE NOS. CV 06-2434; CV 06-2435
[SUBSTANDARD STRUCTURE,	)	and CV 06-2868
ACCUMULATION OF RUBBISH AND EXCESS	)	
OUTSIDE STORAGE]; APN 667-211-043, 61875	)	FINDINGS OF FACT,
CREST STREET, DESERT HOT SPRINGS,	)	CONCLUSIONS AND ORDER TO
RIVERSIDE COUNTY, CALIFORNIA; EDDIE	)	ABATE NUISANCE
LEE ROACH AND CHARLES ROACH,	)	
OWNERS.	)	[R.C.O. Nos. 348 (RCC Title 17) 457
	)	(RCC Title 15), 541 (RCC Title 8), and
	)	725 (RCC Title 1)]

The above-captioned matter came on regularly for hearing on June 24, 2008 before the Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real property described 61875 Crest Street, Desert Hot Springs, Assessor's Parcel Number 667-211-043 and referred to hereinafter as "THE PROPERTY."

Tiffany N. North, Deputy County Counsel, appeared along with Jim Monroe, Code Enforcement Division Manager, on behalf of the Director of the Code Enforcement Department.

No one appeared on behalf of the property owners.

The Board of Supervisors received the Declaration of the Code Enforcement Officer together with attached Exhibits, evidencing the substandard structure (fire damaged single story structure), accumulation of rubbish and excessive outside storage of materials on THE PROPERTY as

1 violations of Riverside County Ordinance Nos. 348 (Riverside County Code Title 17.24), 457  
2 (Riverside County Code Chapter 15.16), and 541 (Riverside County Code Chapter 8.120), and as a  
3 public nuisance.

4 **SUMMARY OF EVIDENCE**

5 1. Documents of record in the Riverside County Recorder's Office identify the owners  
6 of THE PROPERTY as Eddie Lee Roach and Charles Roach ("OWNERS").

7 2. Documents of title indicate that no other parties potentially hold or allege a legal  
8 interest in THE PROPERTY.

9 3. THE PROPERTY was inspected by Code Enforcement Officers on May 11, 2006,  
10 August 16, 2006, November 14, 2006, April 17, 2007, June 28, 2007, July 6, 2007, August 2, 2007,  
11 August 23, 2007, September 27, 2007, October 24, 2007, December 5, 2007, December 12, 2007,  
12 May 21, 2008, May 29, 2008 and June 20, 2008.

13 4. During each inspection, a substandard structure (fire damaged single story structure)  
14 was observed on THE PROPERTY. The fire damaged structure was observed to be abandoned,  
15 dilapidated and vacant. The structure contained numerous deficiencies, including but not limited to:  
16 lack of or improper water closet, lavatory, bathtub, shower or kitchen sink; lack of hot and cold  
17 running water to plumbing fixtures; members of walls, partitions or other vertical supports that split,  
18 lean, list or buckle due to defective materials or deterioration; members of ceilings, roofs, ceiling and  
19 roof supports or other horizontal members which sag, split or buckle due to defective material or  
20 deterioration; dampness of habitable rooms; faulty weather protection; general dilapidation;  
21 extensive fire damage; and public and attractive nuisance.

22 5. During each inspection, an accumulation of rubbish and excess outside storage of  
23 materials was also observed throughout THE PROPERTY consisting of but not limited to:  
24 corrugated metal, wood, concrete, scrap metal, plastic bags, doors, swamp coolers, rusted pipes,  
25 wrought fencing, rubber, tires, rock, vegetative waste, plastic containers, appliances, furniture, air  
26 compressor, wheel barrel, wiring, chicken wire, large pieces of glass windows, vehicle parts,  
27 household trash, toys, cardboard, books, broken bathroom/kitchen sinks, carpet, window screens,  
28 wood pallets and miscellaneous debris. The excess outside storage of materials and accumulation of

1 rubbish was determined to be approximately fifty four thousand eight hundred eighty three (54,883)  
2 square feet.

3 6. THE PROPERTY was determined to be in violation of Riverside County Ordinance  
4 Nos. 348 (Riverside County Code ("RCC) Chapter 17.24), 457 (RCC Chapter 15.16) and 541 (RCC  
5 Chapter 8.120) by the Code Enforcement Officer.

6 7. A Notice of Noncompliance for the substandard structure, accumulation of rubbish  
7 and excess outside storage of materials was recorded on June 23, 2006 as Document Number 2006-  
8 0454264 in the Office of the County Recorder, County of Riverside.

9 8. On May 18, 2006 and August 23, 2007, Notice of Violations, Notice of Defects,  
10 "Danger Do Not Enter" and "Do Not Dump" signs were posted on THE PROPERTY. On June 13,  
11 2006 and August 27, 2007, Notices of Violation were mailed to OWNER by certified mail, return  
12 receipt requested. On June 30, 2006, a Notice of Violation for the accumulated rubbish was mailed  
13 by certified mail, return receipt requested to OWNERS. On July 6, 2006, a Notice of Violation and  
14 Notice of Defects for the substandard structure were mailed to OWNER by certified mail, return  
15 receipt requested. On July 7, 2006, a Notice of Violation for the excess outside storage was mailed  
16 by certified mail, return receipt requested to OWNERS.

17 9. On May 28, 2008, the "Notice To Correct County Ordinance Violations and Abate  
18 Public Nuisance" providing notice of the public hearing before the Board of Supervisors on June 24,  
19 2008 was mailed by certified mail, return receipt requested, to OWNERS and was posted on THE  
20 PROPERTY on May 29, 2008.

21 **FINDINGS AND CONCLUSIONS**

22 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
23 regular session assembled on June 24, 2008 finds and concludes that:

24 1. WHEREAS, the substandard structure (fire damaged single story structure),  
25 accumulation of rubbish and excess outside storage of materials on the real property located at 61875  
26 Crest Street, Desert Hot Springs, Riverside County, California, also identified as Assessor's Parcel  
27 Number 667-211-043 violates Riverside County Ordinance Nos. 348 (RCC Title 17.24), 457 (RCC  
28 Title 15) and 541 (RCC Chapter 8.120) and constitutes a public nuisance.



1 accordance with all Riverside County Ordinances, including but not limited to Riverside County  
2 Ordinance No. 457, within ninety (90) days of the posting and mailing of this Order to Abate  
3 Nuisance, the substandard structure, contents therein, and structural debris and materials, shall be  
4 abated and disposed of by representatives of the Riverside County Code Enforcement Department, a  
5 contractor, or the Sheriff's Department upon receipt of the owner's consent or a Court Order, where  
6 necessary, under applicable law authorizing entry onto THE PROPERTY.

7 FURTHERMORE, THE OWNERS are ordered to ascertain the existence or non-existence of  
8 asbestos containing materials in said structure by survey and materials sample testing by a duly  
9 licensed and certified asbestos consultant; and, prior to the abatement ordered hereinabove, to secure  
10 the removal of all asbestos containing materials discovered through such survey and testing by  
11 contract with a duly certified and licensed contractor for the handling of such materials to avoid  
12 citations and/or fines by South Coast Air Quality Management District (SCAQMD).

13 IT IS FURTHER ORDERED that the excess outside storage of materials and accumulation  
14 of rubbish on THE PROPERTY be abated by THE OWNERS or anyone having possession or  
15 control of THE PROPERTY by removing and disposing of all accumulated rubbish and removing of  
16 all outside storage of materials in excess of two hundred (200) square feet on THE PROPERTY in  
17 strict accordance with all Riverside County Ordinances, including but not limited to Riverside  
18 County Ordinance Nos. 541 (RCC Chapter 8.120) and 348 (RCC Chapter 17.24), within ninety (90)  
19 days of the posting and mailing of this Order to Abate Nuisance.

20 IT IS FURTHER ORDERED that if the accumulated rubbish or outside storage of materials  
21 in excess of two hundred (200) square feet are not removed and disposed of in strict accordance with  
22 all Riverside County Ordinances, including but not limited to Riverside County Ordinance Nos. 348  
23 (RCC Chapter 17.24) and 541 (RCC Chapter 8.120) within ninety (90) days of the date of this Order  
24 to Abate Nuisance, the accumulation of rubbish and excessive outside storage of materials shall be  
25 abated and disposed of by representatives of the Riverside County Code Enforcement Department, a  
26 contractor or the Sheriff's Department upon receipt of an owner's consent or a Court Order when  
27 necessary under applicable law.

28 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity

1 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special  
2 assessment against THE PROPERTY pursuant to Government Code section 25845 and Riverside  
3 County Ordinance Nos. 348 (RCC Title 17), 457 (RCC Title 15), 541 (RCC Title 8), and 725 (RCC  
4 Chapter 1.16). Under Riverside County Ordinance No. 725, "abatement costs" means "any costs or  
5 expenses reasonably related to the abatement of conditions which violate County Land Use  
6 Ordinances, and shall include, but not be limited to, enforcement, investigation, collection and  
7 administrative costs, attorneys fees, and the costs associated with the removal or correction of the  
8 violation." Reasonable abatement costs accrued by the Code Enforcement Department will be  
9 recoverable from THE OWNERS even if THE PROPERTY is brought into compliance within ninety  
10 (90) days of the date of this Order to Abate Nuisance.

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Dated: \_\_\_\_\_

COUNTY OF RIVERSIDE

By \_\_\_\_\_  
Roy Wilson  
Chairman, Board of Supervisors

ATTEST:  
NANCY ROMERO  
Clerk to the Board

By  
Deputy  
(SEAL)

FORM APPROVED COUNTY COUNSEL  
BY:  7/7/08  
TIFFANY N. NORTH DATE

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