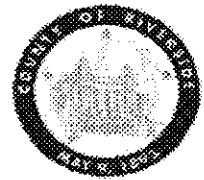


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

314B



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

**SUBMITTAL DATE:**  
April 13, 2009

**SUBJECT:** Abatement of Public Nuisance [Substandard Structure and Excess Outside Storage]  
Case No.: CV 08-00734, CV07-9005  
Subject Property: 26148 Cortrite Ave, Hemet; APN: 458-050-013  
District Five

**RECOMMENDED MOTION:** Move that:

Departmental Concurrence

- (1) The substandard structure (shed) on the real property located at 26148 Cortrite Ave, Hemet Riverside County, California, APN: 458-050-013, be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
- (2) Jan Svarc, the Owner 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 removing the same from the real property within ninety (90) days.

*Elena M. Boeva*

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ELENA M. BOEVA, Deputy County Counsel  
for PAMELA J. WALLS, Interim 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>	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

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

APPROVE

BY *Tina Grande*  
Tina Grande

County Executive Office Signature

Consent  
 Policy  
 Consent  
 Policy

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

Prev. Agn. Ref.: \_\_\_\_\_ District: 5 Agenda Number: \_\_\_\_\_

- (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 excess outside storage on the real property located at 26148 Cortrite Ave, Hemet, be declared a public nuisance and a violation of Riverside County Ordinance No. 348 which does not permit the excess outside storage on the property.
- (5) Jan Svarc, the owner of the subject property, be directed to abate the excess outside storage on the property by removing and disposing of the same from the real property within ninety (90) days.
- (6) If the owner or whoever has possession or control 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 owner or receipt of a Court Order authorizing entry onto the real property when necessary under applicable law, shall abate the substandard structure and the excess outside storage 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 excess outside storage on the real property is declared to be in violation of Riverside County Ordinance Nos. 457 and 348 and a public nuisance, and further, to prepare an Order to Abate for approval by the Board.

**JUSTIFICATION:**

1. An initial inspection was made of the property on November 16, 2007 by the Code Enforcement Officer. The Officer observed a long travel trailer parked in the middle of the property.
2. The January 23, 2008 inspection revealed a substandard structure (shed) and excess outside storage on the subject property in violation of Riverside County Ordinance Nos. 457 (RCC Title 15) and 348 (RCC Title 17.) The substandard conditions of the structure included, but were not limited to, the following: deteriorated or inadequate foundation; 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; and public and attractive nuisance. On January 23, 2008, the Code Enforcement Officer observed outside storage consisting of a pile of asphalt, pile of broken concrete, large ice chest, corner shelving, plastic containers, buckets, microwave, toaster oven, metal shed, chicken coops and other miscellaneous items.

2. Follow-up inspections on February 27, 2008, June 12, 2008, June 26, 2008, September 23, 2008, December 5, 2008 and March 31, 2009, revealed that the property continues to be in violation of Riverside County Ordinance Nos. 457 and 348.
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 excess outside storage.