

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

201B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
September 15, 2011

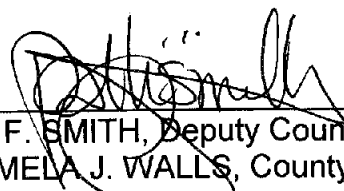
SUBJECT: Abatement of Public Nuisance [Substandard Mobilehome/Structure;
Land Use Violation; Illegal Residence Housing 2 or More Parolee/Probationers]
Case No.: CV10-08358 [POWERS]
Subject Property: 51834 Maxine Ave., Cabazon; APN: 528-032-031
District: Five

RECOMMENDED MOTION: Move that:

1. The substandard mobilehome/structure used as an illegal halfway house, group home, addiction recovery center and housing two or more parolees/probationers, on the real property located at 51834 Maxine Ave., Cabazon be declared a public nuisance and a violation of Ordinance Nos. 457, 348, 449 and the California Health and Safety Code §§113789, 113980, 114021 and 114381 which shall be immediately abated.

Departmental Concurrence

(Continued)


PATTI F. SMITH, Deputy County Counsel
for PAMELA J. WALLS, County Counsel

FINANCIAL DATA	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

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

Consent
 Policy
 Consent
 Policy

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

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

9.8

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD

Abatement of Public Nuisance
Case No.: CV10-08358 [POWERS]
Address: 51834 Maxine Ave., Cabazon
APN# 528-032-031
District: 5
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2. David N. and Lois M. Powers, Trustees of the David N. and Lois M. Powers Family Trust, owners of the real property, be directed to abate the public nuisance by rehabilitation or demolition of the substandard mobilehome/structure and remove and dispose of all structural debris and materials within ninety (90) days.
3. The owners be ordered to ascertain the existence or non-existence of asbestos in said structure by survey and materials sample testing through the Industrial Hygiene Specialist of the County Health Department; and, prior to the abatement, to remove and dispose of all asbestos containing materials by 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 pursuant to Rule No. 1403.
4. 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 County Ordinance No. 725.
5. County Counsel be directed to prepare the necessary Findings of Fact and Order to Abate the violations of County Ordinance Nos. 348, 457, 449, 757 and Health and Safety Code §§113789, 113980, 114021 and 114381 which constitute a public nuisance.

BACKGROUND:

1. An inspection of the property was conducted on July 20, 2011 by Code Enforcement, Environmental Health, the Fire Department and Riverside County Sheriff Office pursuant to a warrant issued by the Court.
2. The inspection revealed the following violations: (a) substandard mobilehome/structure in violation of Ordinance No. 457; (b) thirteen women occupying the residence as an illegal halfway house, group home, addiction recovery center, in violation of Ordinance No. 348; (c) residence houses two or more parolees/probationers in violation of Ordinance No. 449; (d) hazardous fire conditions in violation of Ordinance No. 757; and (e) public health and safety hazards in violation of Health and Safety Code §§113789, 113980, 114021 and 114381. (See Declarations of Senior Code Enforcement Officer Keyes, Supervising Environmental Health Officer Percival and Assistant Fire Marshal Brandes.
3. All notices have been given in compliance with Ordinance No. 725.