

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

517B



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


**SUBMITTAL DATE:**  
July 5, 2012

**SUBJECT:** Abatement of Public Nuisance [Substandard Structure]  
Case No. : CV08-03916 [ORTIZ]  
Subject Property: 21701 Nance Street, Perris; APN: 315-162-014  
District: 1/1

**RECOMMENDED MOTION:** Move that:

1. The substandard structures (dwelling and block wall) on the real property located at 21701 Nance Street, Perris, Riverside County, California, APN: 315-162-014 be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
2. Francisco Ortiz and Michael Ortiz, the owners of the subject real property or whoever has possession or control of the premises, be directed to abate the substandard structures on the property by removing the same from the real property within ninety (90) days.

(Continued)

  
PATRICIA MUNROE, Deputy County Counsel  
for PAMELA J. WALLS, 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:

  
Tina Grande

**County Executive Office Signature**

☐ Consent  
☒ Policy

☐ Consent  
☒ Policy

Dep't Recomm.:

Per Exec. Ofc.:

Prev. Agn. Ref.:

District: 1/1

Agenda Number:

9.3

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3. The owners 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. If the owners 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, may abate the substandard structures and contents therein, by removing the same from the real property.
5. 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.
6. County Counsel be directed to prepare the necessary Findings of Facts and Conclusions that the substandard structure on the real property is declared to be in violation of Riverside County Ordinance No. 457 and a public nuisance, and further, to prepare an Order to Abate for approval by the Board.

#### **BACKGROUND:**

1. An inspection was made of the subject property by the Code Enforcement Officer on October 19, 2010. The inspections revealed two (2) substandard structures (dwelling and block wall) on the subject property in violation of Riverside County Ordinance No. 457. The substandard conditions of the structures included, but was not limited to, the following: lack of hot and cold running water to plumbing fixtures; lack of required electrical lighting; members of walls, partitions, or other vertical supports that split, lean, list or buckle due to defective material or deterioration; faulty weather protection; general dilapidation or improper maintenance; public and attractive nuisance – abandoned/vacant and construction without the required permits.
2. Follow-up inspections on December 16, 2010, April 28, 2011, July 13, 2011, and April 4, 2012, revealed that the property continues to be in violation of Riverside County Ordinance No. 457.

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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.