

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

Letter B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
July 19, 2012

SUBJECT: Abatement of Public Nuisance [Substandard Structures, Excess Outside Storage & Accumulated Rubbish]
Case No.: CV10-09440 [ESTATE OF STOPHER]
Subject Property: 25140 Marion Ridge Drive, Idyllwild; APN: 559-164-007
District: 3/3

RECOMMENDED MOTION: Move that:

1. The two (2) substandard cabins on the real property located at 25140 Marion Ridge Drive, Idyllwild, Riverside County, California, APN: 559-164-007 be declared a public nuisance and a violation of Riverside County Ordinance No.457 which does not permit substandard structures on the property.
2. The Estate of Dorothy L. Stopher, 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]

PATRICIA MUNROE, 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: *[Signature]*
Tina Grande

County Executive Office Signature

- Policy
- Consent
- Policy
- Consent

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

9.1

Abatement of Public Nuisance
Case No. : CV10-09440 [ESTATE OF STOPHER]
Address: 25140 Marion Ridge Drive, Idyllwild
APN#559-164-007
District: 3/3
Page 2

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 excess outside storage and accumulation of rubbish on the real property located at 25140 Marion Ridge Drive, Idyllwild, be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 and 541 which do not permit the excess outside storage and accumulation of rubbish on the property.

5. The Estate of Dorothy L. Stopher, the owner of the subject property, be directed to abate the excess outside storage and accumulation of rubbish on the property by removing and disposing of 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 or receipt of a Court Order authorizing entry onto the real property when necessary under applicable law, may abate the substandard structures, excess outside storage and 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 substandard structure, excess outside storage of materials and accumulation of rubbish on the real property is declared to be in violation of Riverside County Ordinance Nos. 348, 457 and 541, and constitutes a public nuisance. Further, County Counsel shall prepare an Order to Abate for approval by the Board.

Abatement of Public Nuisance
Case No. : CV10-09440 [ESTATE OF STOPHER]
Address: 25140 Marion Ridge Drive, Idyllwild
APN#559-164-007
District: 3/3
Page 3

BACKGROUND:

1. An initial inspection was made of the subject property by the Code Enforcement Officer on December 2, 2010 and January 27, 2011.
2. The inspections revealed two (2) substandard cabins on the subject real property in violation of Riverside County Ordinance No. 457. The substandard conditions of the structures included, but were not limited to the following: lack of or improper water closet, lavatory, bathtub, shower or kitchen sink; lack of hot and cold running water to plumbing fixtures; hazardous plumbing; hazardous wiring; lack of adequate heating facilities; deteriorated or inadequate foundation; defective or deteriorated flooring or floor supports; members of walls, partitions, or other vertical supports that split, lean, list or buckle; 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; public and attractive nuisance – abandoned/vacant.
3. The inspection also revealed the excess outside storage and accumulation of rubbish (approximately 1,280 square feet) on the subject property in violation of Riverside County Ordinance No. 348 and 541. The excess outside storage and accumulation of rubbish consisted of, but was not limited to the following materials: pine needles, household trash, wire, building materials and other miscellaneous items.
4. Subsequent follow up inspections of the above-described real property on March 9, 2011, March 23, 2011, April 14, 2011, July 15, 2011, and June 6, 2012, revealed that the property continued to be in violation of Riverside County Ordinance Nos. 348, 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 substandard structures, excess outside storage and accumulated rubbish.