

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

401B



FROM: TLMA – Code Enforcement Department.

SUBMITTAL DATE:
February 5, 2014

SUBJECT: Abatement of Public Nuisance [Substandard Structures and Accumulated Rubbish]
Case No: CV12-03720 [MCPETERS]
Subject Property: 30885 Red Mountain Road, Hemet; APN: 569-140-006
District: 3/3 [\$0]

RECOMMENDED MOTION: That the Board of Supervisors move that:

1. The two substandard structures (shed, accessory structure) on the real property located at 30885 Red Mountain Road, Hemet, Riverside County, California, APN: 569-140-006 be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
2. Boyce W. and Sandra G. McPeters, the owners of the subject real property, be directed to abate the substandard structures on the property by rehabilitating or by demolishing and removing the same from the real property within ninety (90) days.

Greg Flannery

GREG FLANNERY
Interim Code Enforcement Official

(Continued)

FORM APPROVED COUNTY COUNSEL
BY: *Sophia H. Choi*
DATE: 12/31/2013
Departmental Concurrence
SOPHIA H. CHOI

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	
SOURCE OF FUNDS				Budget Adjustment:	
				For Fiscal Year:	

C.E.O. RECOMMENDATION:

APPROVE

BY: *Tina Grande*

Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.:

District: 3/3

Agenda Number:

9-3

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

**FORM 11: Abatement of Public Nuisance [Substandard Structures and Accumulated Rubbish]
Case No: 12-03720 [MCPETERS]
Subject Property: 30885 Red Mountain Road, Hemet; APN: 569-140-006
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RECOMMENDED MOTION (continued):

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 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 accumulation of rubbish on the real property located at 30885 Red Mountain Road, Hemet, be declared a public nuisance and a violation of Riverside County Ordinance No. 541 which does not permit the accumulation of rubbish on the property.
5. Boyce W. and Sandra G. McPeters, the owners of the property, be directed to abate the 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 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 or receipt of a Court Order authorizing entry onto the real property, when necessary under applicable law, may abate the 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 structures and accumulation of rubbish on the real property are declared to be in violation of Riverside County Ordinance Nos. 457 and 541, and further, to prepare an Order to Abate for approval by the Board.

BACKGROUND:

1. An initial inspection was made on the subject property by Code Enforcement Officer Roy Ryder on June 25, 2012. The Inspection revealed three (3) substandard structures on the subject real property in violation of Riverside County Ordinance No. 457. One of the substandard structures was subsequently removed. The substandard conditions on the 2 remaining structures included, but were not limited to the following: faulty weather protection, general dilapidation or improper maintenance, fire hazard and public and attractive nuisance – abandoned/vacant.
2. The inspection also revealed accumulation of rubbish on the subject property in violation of Riverside County Ordinance No. 541. The accumulation of rubbish consisted of, but was not limited to the following materials: scrap metal, scrap wood, house hold items, trash, furniture, tires, scrap wood structures and windows.

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3. There have been approximately 6 subsequent follow-up inspections, with the last inspection being October 30, 2013, which revealed that the property continues to be in violation of Riverside County Ordinance Nos. 457 and 541.

4. 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 and accumulation of rubbish.

Impact on Citizens and Businesses

Failure to abate will have a negative impact on citizens or business due to health and safety hazards, nuisance, and potential impact on real estate values.

SUPPLEMENTAL:

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

ATTACHMENTS