

FORM APPROVED COUNTY COUNSEL
 BY: PATRICIA MUNROE 11/25/13
 DATE

Departmental Concurrence

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

407B



FROM: TLMA – Code Enforcement Department

SUBMITTAL DATE:
 February 5, 2014

SUBJECT: Abatement of Public Nuisance [Substandard Structures]
 Case No: CV12-04699 [ESTATE OF LUDIM TORRES]
 Subject Property: 1 Parcel East of 43823 D Street, Hemet; APN: 549-161-009
 District: 3/3 [\$0]

RECOMMENDED MOTION: That the Board of Supervisors move that:

1. The substandard structures, (pool house and pool) on the real property located at 1 Parcel East of 43823 D Street, Hemet, Riverside County, California, APN: 549-161-009 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 Ludim Torres, the owner of the subject real property, be directed to abate the substandard structures on the property by removing the same from the real property within ninety (90) days.

Greg Flannery

 GREG FLANNERY
 Interim Code Enforcement Official

(Continued)

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
- 4/5 Vote
- Positions Added
- Change Order

Prev. Agn. Ref.:

District: 3/3

Agenda Number:

9-5

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

FORM 11: Abatement of Public Nuisance [Substandard Structures]

Case No: 12-04699 [ESTATE OF LUDIM TORRES]

Subject Property: 1 Parcel East of 43823 D Street, Hemet; APN: 549-161-009

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RECOMMENDED MOTION (continued):

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. 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, 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 structures 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 initial inspection was made on the subject property by Code Enforcement Officer Carol Forrey on August 20, 2012. The inspection revealed substandard structures (pool house and pool) on the subject property in violation of Riverside County Ordinance No. 457. The substandard conditions of the structures included, but were not limited to, the following: Hazardous wiring, member of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration, members of the ceiling, roof, ceiling and roof supports or other horizontal members which sag, split, or buckle due to defective material or deterioration, dampness of habitable rooms, general dilapidation or improper maintenance, public and attractive nuisance - abandoned/vacant.

2. Follow up inspection of the above-described real property on March 7, 2013 and May 8, 2013, revealed the property continues to be in violation of Riverside County Ordinance No. 457.

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.

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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