

FORM APPROVED COUNTY COUNSEL  
 BY: Patricia Munroe 1/24/14  
 DATE  
 PATRICIA MUNROE  
 Departmental Concurrence

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

703B



**FROM:** TLMA – Code Enforcement Department

**SUBMITTAL DATE:**  
 March 13, 2014

**SUBJECT:** Abatement of Public Nuisance [Substandard Structures and Accumulated Rubbish]  
 Case No: CV12-04741 [BRANSTON]  
 Subject Properties: 31775 and 31777 Lakeshore Dr., Redlands; APN: 413-132-043 and 413-132-044  
 District: 5/5 [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors move that:

1. The substandard structures (dwellings) on the real properties located at 31775 and 31777 Lakeshore Dr., Redlands, Riverside County, California, APN: 413-132-043 and 413-132-044 be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
2. Jonathan E. Branston, the owner of the subject real properties, be directed to abate the substandard structures on the properties by rehabilitating, removing, and/or demolishing the same from the real properties, including the removal and disposal of all structural debris and materials within ninety (90) days.

(Continued)

*Greg Flannery*  
 GREG FLANNERY  
 Code Enforcement Official

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: 5/5 Agenda Number: \_\_\_\_\_

9-4

**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: CV12-04741 [BRANSTON]  
Subject Properties: 31775 and 31777 Lakeshore Dr., Redlands; APN: 413-132-043 and  
413-132-044**

**District: 5/5**

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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. The accumulation of rubbish on the real properties located at 31775 and 31777 Lakeshore Dr., Redlands, be declared a public nuisance and a violation of Riverside County Ordinance No. 541 which does not permit the accumulation of rubbish on the properties.
5. Jonathan E. Branston, the owner of the subject properties, be directed to abate the accumulation of rubbish on the properties by removing and disposing of the same from the real properties within ninety (90) days.
6. If the owner of the real properties does not take the above described actions 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 properties when necessary under applicable law, may abate the substandard structures and accumulation of rubbish by removing and disposing of the same from the real properties.
7. The reasonable costs of abatement, after notice and an opportunity for hearing, shall be imposed as a lien on the real properties, which may be collected as a special assessment against the real properties 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 properties are declared to be in violation of Riverside County Ordinance Nos. 457 and 541, and constitute a public nuisance. Further, County Counsel shall prepare an Order to Abate for approval by the Board.

**BACKGROUND:**

1. An initial inspection was made on the subject properties by Senior Code Enforcement Officer James Palmer on September 26, 2012. The inspection revealed two substandard structures (dwellings) on the subject properties 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; lack of connection to required sewage system; lack of required lighting; 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 or buckle; members of ceiling, 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, fire hazard, public and attractive nuisance – abandoned/vacant.

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2. The inspection also revealed accumulation of rubbish (approximately 3,500 square feet) on the subject properties in violation of Riverside County Ordinance No. 541. The accumulation of rubbish consisted of but was not limited to the following materials: shrub, tree limbs, trimmings, twigs, leaves, scrap lumber, vegetative waste and demolition debris.

3. Follow up inspections of the above-described real property on December 10, 2012, January 8, 2013, June 12, 2013, August 29, 2013 and January 3, 2014, revealed the properties 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 substandard structures and accumulated 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**