

FORM APPROVED COUNTY COUNSEL 11/3/14
 BY: GREGORY P. PRIAMOS DATE

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

504B



FROM: TLMA – Code Enforcement Department

SUBMITTAL DATE:
 November 25, 2014

SUBJECT: Abatement of Public Nuisance [Substandard Structure, Excess Outside Storage and Accumulated Rubbish]
 Case No: CV12-02559 [MARAGNO]
 Subject Property: 24200 Juniper Springs Road, Homeland; APN: 455-210-030
 District: 5/5 [\$0]

RECOMMENDED MOTION: That the Board of Supervisors move that:

1. The substandard structure (accessory structure) on the real property located at 24200 Juniper Springs Road, Homeland, Riverside County, California, APN: 455-210-030 be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit a substandard structure on the property.
2. William Larry Maragno and Dawn L. Maragno, the owners of the subject real property, be directed to abate the substandard structure 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.

Greg Flannery
 GREG FLANNERY
 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

Positions Added
 Change Order

A-30
 4/5 Vote

Prev. Agn. Ref.:

District: 5/5

Agenda Number:

9-5

Departmental Concurrence

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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 structure 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 24200 Juniper Springs Road, Homeland, be declared a public nuisance and a violation of Riverside County Ordinance Nos. 348 and 541 which do not permit the excess outside storage of materials and accumulation of rubbish on the property.

5. William Larry Maragno and Dawn L. Maragno, the owners 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 owners of the real property do 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 structure, 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 and accumulation of rubbish on the real property are declared to be in violation of Riverside County Ordinance Nos. 348, 457 and 541, and constitute a public nuisance. Further, County Counsel shall prepare an Order to Abate for approval by the Board.

BACKGROUND:

1. Inspection Warrant MISC 2014-018 was executed on the property by Code Enforcement Officer Lane Padilla on March 11, 2014. The inspection revealed a substandard structure (accessory structure) on the subject property in violation of Riverside County Ordinance No. 457. The substandard conditions of the structure included, but were not limited to the following: hazardous wiring, dampness of habitable rooms, faulty weather protection, general dilapidation or improper maintenance, public and attractive nuisance – abandoned/vacant, fire damage.

2. The inspection also revealed excess outside storage and accumulation of rubbish on the subject property in violation of Riverside County Ordinance Nos. 348 and 541. The excess outside storage and accumulation of rubbish consisted of but was not limited to the following: broken concrete, wood, scrap metal, tires, green waste, steel beam, building materials, roofing tiles and concrete blocks.

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3. Follow up inspections of the above-described real property on June 10, 2014, July 15, 2014 and August 19, 2014, revealed that the property continues to be in violation of Riverside County Ordinance Nos. 348, 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 structure, excess outside storage 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

Declaration

A-G