

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



116B

FORM APPROVED COUNTY COUNSEL  
BY: GREGORY P. PRIAMOS  
DATE: 5/5/15

**FROM:** TLMA – Code Enforcement Department

**SUBMITTAL DATE:**

May 19, 2015

**SUBJECT:** Abatement of Public Nuisance [Substandard Structures, Excess Outside Storage and Accumulated Rubbish]  
Case No: CV11-03620 [SCHWARTZ]  
Subject Property: 17211 Covey Street, North Palm Springs; APN:666-201-012  
District: 5 [\$0]

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

1. The substandard structures (dwelling and accessory structure) on the real property located at 17211 Covey Street, North Palm Springs, Riverside County, California, APN: 666-201-012 be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit substandard structures on the property.
2. Anne Marie Schwartz, the 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.

*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	

<b>SOURCE OF FUNDS</b>	<b>Budget Adjustment:</b>
	<b>For Fiscal Year:</b>

**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

Agenda Number:

9-5

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

**FORM 11: Abatement of Public Nuisance [Substandard Structures, Excess Outside Storage and Accumulated Rubbish]**

**Case No: CV11-03620 [SCHWARTZ]**

**Subject Property: 17211 Covey Street, North Palm Springs; APN: 666-201-012**

**District: 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 excess outside storage and accumulation of rubbish on the real property located at 17211 Covey Street, North Palm Springs, 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. Anne Marie Schwartz, 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 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 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 structures, 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. An inspection was made on the subject property by Code Enforcement Technician David Jurden on June 25, 2014. The inspection revealed substandard structures (dwelling and accessory structure) 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: lack of or improper water closet, lavatory, bathtub, shower or kitchen sink, lack of hot and cold running water to plumbing fixtures, hazardous wiring, lack of adequate heating facilities, 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, and public and attractive nuisance-abandoned/vacant.

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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 materials: household items, spent building material, household furniture, appliances, mattresses, green waste and approximately 100 tires, in excess of 2000 square feet.

3. There have been approximately five (5) subsequent follow-up inspections, with the last inspection being February 5, 2015. 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 structures, excess outside storage and accumulated rubbish.

**Impact on Citizens and Businesses**

Failure to abate will have a negative impact on citizens or businesses 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  
Exhibits A-G