

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

902B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
November 16, 2015

SUBJECT: Order to Abate [Substandard Structure]
Case No. CV09-06454 [WILDE]
Subject Property: 24360 Gunther Road, Romoland; APN: 327-110-013
District: 5 [\$0.00]

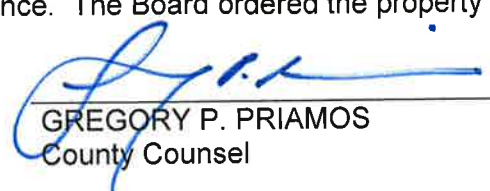
RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Findings of Fact, Conclusions and Order to Abate in Case No. CV09-06454;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV09-06454; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV09-06454.

BACKGROUND:

Summary

On October 6, 2015, this Board received the declaration of the Code Enforcement Officer in the above-referenced matter. At the conclusion of the hearing, this Board declared the substandard structure (school house) located on the subject property to be a public nuisance. The Board ordered the property (Continued)


GREGORY P. PRIAMOS
County Counsel

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

SOURCE OF FUNDS:

Budget Adjustment:

For Fiscal Year:

C.E.O. RECOMMENDATION:

APPROVE

BY:

County Executive Office Signature


Tina Grande

MINUTES OF THE BOARD OF SUPERVISORS

Positions Added
☐ Change Order

A-30
☐ 4/5 Vote

Prev. Agn. Ref.: 10/06/15; 9.3

District: 5

Agenda Number:

2-10

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Order to Abate [Substandard Structure]

Case No. CV09-06454 [WILDE]

Subject Property: 24360 Gunther Road, Romoland; APN: 327-110-013

District: 5 [\$0.00]

DATE: November 16, 2015

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

owner to abate the violative conditions on the property and directed County Counsel to prepare Findings of Fact, Conclusions and Order to Abate.

Impact on Citizens and Businesses

When property owners abate nuisances on their property, the surrounding neighborhood's safety, attractiveness and land values are potentially increased.

SUPPLEMENTAL:

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

ATTACHMENTS

Findings of Fact

1 RECORDING REQUESTED BY:
2 Kecia Harper-Ihem, Clerk of the
3 Board of Supervisors
4 (Stop #1010)

5 WHEN RECORDED PLEASE MAIL TO:
6 Michelle Cervantes, Senior Code Enforcement Officer
7 Regina Keyes, Senior Code Enforcement Officer
8 CODE ENFORCEMENT DEPARTMENT
4080 Lemon Street, Twelfth Floor (Stop #1012)
Riverside, CA 92501

[EXEMPT GC §§ 6103 and 27383]

9
10 **BOARD OF SUPERVISORS**
COUNTY OF RIVERSIDE

11 IN RE ABATEMENT OF PUBLIC NUISANCE:) CASE NO. CV 09-06454
12 [SUBSTANDARD STRUCTURE];)
13 APN 327-110-013, 24360 GUNTHER ROAD,) FINDINGS OF FACT,
14 ROMOLAND, RIVERSIDE COUNTY,) CONCLUSIONS AND ORDER TO
RANDY ALAN WILDE, OWNERS.) ABATE NUISANCE
15) [R.C.O. Nos. 457 and 725]

16 The above-captioned matter came on regularly for hearing on October 6, 2015, before the
17 Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor
18 Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real
19 property described as 24360 Gunther Road, Romoland, Riverside County, California, Assessor's
20 Parcel Number 327-110-013 and referred to hereinafter as "THE PROPERTY."

21 Sophia Choi, Deputy County Counsel, appeared along with Regina Keyes, Senior Code
22 Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

23 Owners did not appear.

24 The Board of Supervisors received the Declaration of the Code Enforcement Officer together
25 with attached Exhibits, evidencing the substandard structure on THE PROPERTY as violation of
26 Riverside County Ordinance ("RCO") No. 457 and as a public nuisance.

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1 **SUMMARY OF EVIDENCE**

2 1. Documents of record in the Riverside County Recorder's Office identify the owners
3 of THE PROPERTY as James Rodney Wilde and Randy Alan Wilde ("OWNERS").

4 2. Documents of title indicate that other parties may potentially hold a legal interest in
5 THE PROPERTY, to wit: Jay Eller and Betty Eller ("INTERESTED PARTIES").

6 3. THE PROPERTY was inspected by Code Enforcement Officers on March 27, 2014
7 and on seven subsequent inspections, with the last inspection being September 28, 2015.

8 4. During each inspection, a substandard structure (school house) was observed on THE
9 PROPERTY. The structure was observed to be dilapidated and contained numerous deficiencies,
10 including but not limited to: deteriorated or inadequate foundation; members of ceilings, roofs,
11 ceiling and roof supports or other horizontal members which sag, split, or buckle due to defective
12 material or deterioration; faulty weather protection; general dilapidation or improper maintenance;
13 public and attractive nuisance – abandoned/vacant.

14 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance
15 No. 457 by the Code Enforcement Officer.

16 6. A Notice of Pendency of Administrative Proceedings was recorded on January 6,
17 2014, as Document Number 2014-0004985 in the Office of the County Recorder, County of
18 Riverside.

19 7. On March 27, 2014, a Notice of Violation, Notice of Defects and a "Danger Do Not
20 Enter" sign were posted on THE PROPERTY. On March 27, 2014, a Notice of Violation and Notice
21 of Defects for the substandard structure were mailed to OWNERS by first class mail. On August 20,
22 2014, a Notice of Violation and Notice of Defects were mailed to OWNERS and INTERESTED
23 PARTIES by certified mail, return receipt requested.

24 8. A "Notice to Correct County Ordinance Violations and Abate Public Nuisance"
25 providing notice of the public hearing before the Board of Supervisors, was mailed to OWNERS and
26 INTERESTED PARTIES and was posted on THE PROPERTY.

27 **FINDINGS AND CONCLUSIONS**

28 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in

1 regular session assembled on October 6, 2015, finds and concludes that:

2 1. WHEREAS, the substandard structure (school house) on the real property located at
3 24360 Gunther Road, Romoland, Riverside County, California, also identified as Assessor's Parcel
4 Number 327-110-013 violates RCO No. 457 and constitutes a public nuisance.

5 2. WHEREAS, the OWNERS, occupants and any person having possession or control of
6 THE PROPERTY shall abate the substandard structure by razing, removing and disposing of the
7 substandard structure, including the removal and disposal of all structural debris and materials, and
8 contents therein or by reconstruction and rehabilitation of said structure provided that said
9 reconstruction or demolition can be accomplished in strict accordance with all Riverside County
10 Ordinances, including but not limited to RCO No. 457 within ninety (90) days.

11 3. WHEREAS, the OWNERS AND INTERESTED PARTIES ARE FURTHER
12 NOTICED that the time within which judicial review of the administrative determinations made
13 herein must be sought is ninety (90) days from the posting and mailing of the Findings of Fact,
14 Conclusions and Order To Abate Nuisance, and is governed by California Code of Civil Procedure
15 Section 1094.6,

16 **ORDER TO ABATE NUISANCE**

17 IT IS THEREFORE ORDERED that the substandard structure (school house) on THE
18 PROPERTY be abated by the OWNERS, or anyone having possession or control of THE
19 PROPERTY, by razing and removing the substandard structure including the removal and disposal
20 of all structural debris and materials, as well as the contents therein, or by reconstruction and
21 rehabilitation of said structure provided such reconstruction and rehabilitation can be accomplished
22 in strict accordance with all Riverside County Ordinances, including but not limited to RCO No.
23 457 within ninety (90) days of the posting and mailing of this Order to Abate Nuisance.

24 IT IS FURTHER ORDERED that if the substandard structure is not razed, removed and
25 disposed of, or reconstructed and rehabilitated in strict accordance with all Riverside County
26 Ordinances, including but not limited to RCO No. 457, within ninety (90) days of the posting and
27 mailing of this Order to Abate Nuisance, the substandard structure, contents therein, and structural
28 debris and materials, may be abated by representatives of the Riverside County Code Enforcement

1 Department, a contractor, or the Sheriff's Department upon receipt of the owner's consent or a Court
2 Order, where necessary, under applicable law authorizing entry onto THE PROPERTY.

3 FURTHERMORE, the OWNERS are ordered to ascertain the existence or non-existence of
4 asbestos containing materials in said structure by survey and materials sample testing by a duly
5 licensed and certified asbestos consultant; and, prior to the abatement ordered hereinabove, to secure
6 the removal of all asbestos containing materials discovered through such survey and testing by
7 contract with a duly certified and licensed contractor for the handling of such materials to avoid
8 citations and/or fines by South Coast Air Quality Management District (SCAQMD).

9 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity
10 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special
11 assessment against THE PROPERTY pursuant to Government Code section 25845 and Riverside
12 County Ordinance Nos. 457 and 725. Under Riverside County Ordinance No. 725, "abatement
13 costs" means "any costs or expenses reasonably related to the abatement of conditions which violate
14 County Land Use Ordinances, and shall include, but not be limited to, enforcement, investigation,
15 collection and administrative costs, attorneys fees, and the costs associated with the removal or
16 correction of the violation." Reasonable abatement costs accrued by the Code Enforcement

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1 Department will be recoverable from the OWNERS even if THE PROPERTY is brought into
2 compliance within ninety (90) days of the date of this Order to Abate Nuisance.

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4 Dated: _____

COUNTY OF RIVERSIDE

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By _____
Marion Ashley
Chairman, Board of Supervisors

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9 ATTEST:

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11 KECIA HARPER-IHEM

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13 Clerk to the Board

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16 By

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18 Deputy

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20 (SEAL)

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CV09-06454

24360 Gunther Road, Romoland APN: 327-110-013



Legend

- ☐ RCLIS Parcels
- ☐ TBM Page
- ☐ TBM Grid
- roadsanno
- highways
- HWY
- INTERCHANGE
- INTERSTATE
- OFFRAMP
- ONRAMP
- USHWY
- counties
- cities
- hydrographylines
- waterbodies
- Lakes
- Rivers

Notes

Thomas Bros, Page 808
Grid G5



IMPORTANT Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

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