

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



5053

**FROM:** County Counsel/TLMA  
Code Enforcement Department

**SUBMITTAL DATE:**  
January 20, 2016

**SUBJECT:** Order to Abate [Substandard Structure]  
Case No. CV15-00462 [COAST ENTERPRISES]  
Subject Property: 17312 N. Indian Avenue, North Palm Springs; APN: 666-211-002  
District: 5

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

1. Approve the Findings of Fact, Conclusions and Order to Abate in Case No. CV15-00462;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV15-00462; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV15-00462.

**BACKGROUND:**

**Summary**

On December 15, 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 (accessory structure) located on the subject property to be a public nuisance. The Board ordered the (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:

Tina Grande

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

Positions Added  
☐

Change Order  
☐

A-30  
☐

4/5 Vote  
☐

Prev. Agn. Ref.: 12/15/15; 9.25

District: 5

Agenda Number:

2-9

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

**FORM 11:** Order to Abate [Substandard Structure]

Case No. CV15-00462 [COAST ENTERPRISES]

Subject Property: 17312 N. Indian Avenue, North Palm Springs; APN: 666-211-002

District: 5

**DATE:** January 19, 2016

**PAGE:** 2 of 2

**BACKGROUND:**

**Summary (continued)**

property 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



CV15-00462

17312 N. Indian Ave., Palm Springs

APN: 666-211-002



0

144

288 Feet



REPORT PRINTED ON: 8/19/2015 11:28:26 AM

© Riverside County TLM GIS



#### Legend

- TBM Page
- TBM Grid
- City Boundaries
- Cities
- roadsanno
- highways
- hwy
- INTERCHANGE
- INTERSTATE
- OFFRAMP
- ONRAMP
- USHWY
- counties
- cities
- hydrographylines
- waterbodies
- Lakes
- Rivers

#### Notes

Thomas Bros. Page 726  
Grid D2

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 15-00462  
12 [SUBSTANDARD STRUCTURE]; )  
13 APN 666-211-002, 17312 N. INDIAN AVENUE, ) FINDINGS OF FACT,  
14 NORTH PALM SPRINGS, RIVERSIDE ) CONCLUSIONS AND ORDER TO  
15 COUNTY, CALIFORNIA; COAST ) ABATE NUISANCE  
ENTERPRISES, OWNER. ) [R.C.O. Nos. 457 and 725]

16 The above-captioned matter came on regularly for hearing on December 15, 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 17312 N. Indian Avenue, North Palm Springs, Riverside County, California  
20 and more particularly described as Assessor's Parcel Number 666-211-002 and referred to  
21 hereinafter as "THE PROPERTY."

22 Sophia Choi, Deputy County Counsel, appeared along with Michelle Cervantes, Senior Code  
23 Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

24 Owner did not appear.

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

28 ///

## SUMMARY OF EVIDENCE

1  
2 1. Documents of record in the Riverside County Recorder's Office identify the owner of  
3 THE PROPERTY as Coast Enterprises ("OWNER").

4 2. Documents of title indicate that no other parties potentially hold a legal interest in  
5 THE PROPERTY.

6 3. THE PROPERTY was inspected by Code Enforcement Officers on February 5, 2015,  
7 and on six (6) subsequent follow up inspections, with the last being December 6, 2015.

8 4. During each inspection, a substandard structure (accessory structure) was observed on  
9 THE PROPERTY. The structure was observed to be dilapidated and contained numerous  
10 deficiencies, including but not limited to: lack of improper water closet, lavatory, bathtub, shower or  
11 kitchen sink; lack of hot and cold running water to plumbing fixtures; lack of connection to required  
12 sewage system; hazardous plumbing; hazardous wiring; lack of adequate heating facilities; members  
13 of walls, partitions, or other vertical supports that split, lean, list or buckle due to defective material  
14 or deterioration; members of ceilings, roofs, ceiling and roof supports or other horizontal members  
15 which sag, split, or buckle due to defective material or deterioration; dampness of habitable rooms;  
16 faulty weather protection; general dilapidation or improper maintenance; fire hazard; public and  
17 attractive nuisance – abandoned/vacant.

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

20 6. A Notice of Pendency of Administrative Proceedings was recorded on April 28, 2015,  
21 as Document Number 2015-0172381 in the Office of the County Recorder, County of Riverside.

22 7. On February 5, 2015, a Notice of Violation, Notice of Defects and a "Danger Do Not  
23 Enter" sign were posted on THE PROPERTY. On February 25, 2015, Notice of Violation and  
24 Notice of Defects were mailed to OWNER by first class mail and certified mail, return receipt  
25 requested.

26 8. A "Notice to Correct County Ordinance Violations and Abate Public Nuisance"  
27 providing notice of the public hearing before the Board of Supervisors was mailed to OWNER and  
28 was posted on THE PROPERTY.



1 **FINDINGS AND CONCLUSIONS**

2 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
3 regular session assembled on December 15, 2015, finds and concludes that:

4 1. WHEREAS, the substandard structure (accessory structure) on the real property  
5 located at 17312 N. Indian Avenue, North Palm Springs, Riverside County, California, also  
6 identified as Assessor's Parcel Number 666-211-002 violates RCO No. 457 and constitutes a public  
7 nuisance.

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

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

18 **ORDER TO ABATE NUISANCE**

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

26 IT IS FURTHER ORDERED that if the substandard structure is not razed, removed and  
27 disposed of, or reconstructed and rehabilitated in strict accordance with all Riverside County  
28 Ordinances, including but not limited to RCO No. 457, within ninety (90) days of the posting and

1 mailing of this Order to Abate Nuisance, the substandard structure, contents therein, and structural  
2 debris and materials, may be abated by representatives of the Riverside County Code Enforcement  
3 Department, a contractor, or the Sheriff's Department upon receipt of the owner's consent or a Court  
4 Order, where necessary, under applicable law authorizing entry onto THE PROPERTY.

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

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

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

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

3

4 Dated: \_\_\_\_\_

COUNTY OF RIVERSIDE

5

6

By \_\_\_\_\_  
Marion Ashley  
Chairman, Board of Supervisors

7

8

9 ATTEST:

10

KECIA HARPER-IHEM

11

Clerk to the Board

12

13

By

14

Deputy

15

(SEAL)

16

17

18

19

20

21

22

23

24

25

26

27

28