

FORM APPROVED COUNTY COUNSEL 7/15/16
 BY: GREGORY P. PRIAMOS DATE

Departmental Concurrence

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

309B



FROM: TLMA – Code Enforcement Department

SUBMITTAL DATE:

AUGUST 11, 2016

SUBJECT: Abatement of Public Nuisance [Substandard Structure]
 Case No: CV14-02511 [MUGAR]
 Subject Property: 18815 Grand Avenue, Lake Elsinore; APN:371-240-001
 District: 1 [\$0]

RECOMMENDED MOTION: That the Board of Supervisors move that:

1. The substandard structure (Commercial Structure) on the real property located at 18815 Grand Avenue, Lake Elsinore, Riverside County, California, APN: 371-240-001 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. Ronald Thomas Mugar, the owner 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.

(Continued)

Hector Viray
 HECTOR VIRAY
 Interim 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: 1

Agenda Number:

9-3

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

FORM 11: Abatement of Public Nuisance [Substandard Structure]

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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 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. If the owner of the real property does 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 by removing and disposing of the same from the real property.

5. 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.

6. County Counsel be directed to prepare the necessary Findings of Fact, Conclusions and Order to Abate Nuisance for approval by the Board that the substandard structure on the real property is declared to be in violation of Riverside County Ordinance No. 457, and a public nuisance.

BACKGROUND:

1. An inspection was made on the subject property by Code Enforcement Officer Thomas McMullen on November 2, 2015. The inspection revealed a substandard structure (Commercial 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: lack of or improper water closet, lavatory, bathtub, shower or kitchen sink, lack of required electrical lighting, members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration, members of ceiling, roofs, ceiling and roof supports or other horizontal members which sag, split, or buckle due to defective material or deterioration, faulty weather protection, general dilapidation or improper maintenance, public and attractive nuisance – abandoned/vacant.

2. There have been approximately three (3) follow up inspections, with the last inspection being on June 29, 2016. The property continues to be in violation of Riverside County Ordinance 457.

3. 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.

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.

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SUPPLEMENTAL:

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

ATTACHMENTS

Declaration

Exhibits A-G