

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

411B



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

**SUBMITTAL DATE:**  
October 6 2010

**SUBJECT:** Order to Abate [Substandard Structure]  
Case No: CV 08-06941 (GRITTON, ET AL)  
Subject Property: 1 Parcel East of 27551 Peach Street, Perris  
APN: 349-100-045; District: 5

**RECOMMENDED MOTION:** Move that:

Departmental Concurrence

1. The Findings of Fact, Conclusions and Order to Abate in Case No. CV 08-06941 be approved;
2. The Chairman of the Board of Supervisors be authorized to execute the Findings of Fact, Conclusions and order to Abate in Case No. CV 08-06941; and
3. The Clerk of the Board of Supervisors be authorized to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV 08-06941.

(Continued)

*[Signature]*  
L. ALEXANDRA FONG, Deputy County Counsel  
for PAMELA J. WALLS, County Counsel

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	N/A

**SOURCE OF FUNDS:**

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

APPROVE

BY: *[Signature]*  
Tina Grande

**County Executive Office Signature**

<input type="checkbox"/> Policy	<input type="checkbox"/> Policy
<input checked="" type="checkbox"/> Consent	<input checked="" type="checkbox"/> Consent

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Buster, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley  
Nays: None  
Absent: None  
Date: October 19, 2010  
xc: Co.Co.(3); Recorder

Kecia Harper-Ihem  
Clerk of the Board  
By: *[Signature]*  
Deputy

Dept's Recomm.:  
Per Exec. Ofc.:

Abatement of Public Nuisance  
Case No. CV 08-06941; GRITTON ET AL  
1 Parcel East of 27551 Peach Street, Perris  
Page 2

**BACKGROUND:**

On September 14, 2010 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 (single family dwelling) located on the subject property to be a public nuisance. The Board ordered the property owner to abate the violative conditions on the property and directed County Counsel to prepare Findings of Fact, Conclusions and Order to Abate.

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

DOC # 2010-0512227  
10/26/2010

Customer Copy Label

The paper to which this label is  
affixed has not been compared  
with the recorded document

Larry W Ward

County of Riverside  
Assessor, County Clerk & Recorder

5 WHEN RECORDED PLEASE MAIL TO:  
6 L. Alexandra Fong, Deputy County Counsel  
7 County of Riverside  
8 OFFICE OF COUNTY COUNSEL  
3960 Orange Street, Fifth Floor (Stop #1350)  
Riverside, CA 92501

[EXEMPT'6103]

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

11 IN RE ABATEMENT OF PUBLIC NUISANCE: ) CASE NO. CV 08-06941  
12 [SUBSTANDARD STRUCTURE]; APN 349-100- )  
13 045, 1 PARCEL EAST OF 27551 PEACH ) FINDINGS OF FACT,  
14 STREET, PERRIS; RIVERSIDE COUNTY, ) CONCLUSIONS AND ORDER TO  
15 CALIFORNIA; NORM GRITTON, LYNN ) ABATE NUISANCE  
JAMES, OWNERS. ) [R.C.O. Nos. 457 (RCC Title 15) and  
725 (RCC Title 1)]

16 The above-captioned matter came on regularly for hearing on September 14, 2010, 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 1 Parcel East of 27551 Peach Street, Perris, Riverside County, Assessor's  
20 Parcel Number 349-100-045 and referred to hereinafter as "THE PROPERTY."

21 L. Alexandra Fong, Deputy County Counsel, appeared along with Brian Black, Supervising  
22 Code Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

23 No one appeared on behalf of owners.

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 Nos. 457 (Riverside County Code Title 15) and as a public nuisance.

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COPY

## SUMMARY OF EVIDENCE

1  
2 1. Documents of record in the Riverside County Recorder's Office identify the owners  
3 of THE PROPERTY as Norm Gritton, Lynn Gritton, Trustee of the Lynn R. Gritton and Ruth  
4 Gritton Trust Dated March 15, 1987 and the Estate of M.V. Duffy James ("OWNERS").

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

7 3. THE PROPERTY was inspected by Code Enforcement Officers on December 29,  
8 2009, March 17, 2010, April 22, 2010, June 18, 2010 and August 18, 2010.

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

18 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance  
19 No. 457 (RCC Title 15) by the Code Enforcement Officer.

20 6. A Notice of Noncompliance was recorded on March 27, 2009, as Document Number  
21 2009-0150383 in the Office of the County Recorder, County of Riverside.

22 7. On December 29, 2009, a Notice of Violation, Notice of Defects and a "Danger Do  
23 Not Enter" sign was posted on THE PROPERTY. On January 25, 2010, a Notice of Violation and  
24 Notice of Defects for the substandard structure were mailed to OWNERS by certified mail, return  
25 receipt requested.

26 8. On June 17, 2010, a "Notice to Correct County Ordinance Violations and Abate  
27 Public Nuisance" providing notice of the public hearing before the Board of Supervisors on  
28 September 14, 2010, was mailed by certified mail, return receipt requested, to OWNERS and was

1 posted on THE PROPERTY on June 18, 2010.

2 **FINDINGS AND CONCLUSIONS**

3 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
4 regular session assembled on September 14, 2010, finds and concludes that:

5 1. WHEREAS, the substandard structure (single family dwelling) on the real property  
6 located at 1 Parcel East of 27551 Peach Street, Perris, Riverside County, California, also identified as  
7 Assessor's Parcel Number 349-100-045 violates Riverside County Ordinance No. 457 (RCC Chapter  
8 15.12) and constitutes a public nuisance.

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

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

19 **ORDER TO ABATE NUISANCE**

20 IT IS THEREFORE ORDERED that the substandard structure (single family dwelling) on  
21 THE PROPERTY be abated by the OWNERS, Norm Gritton, Lynn Gritton, Trustee of the Lynn R.  
22 Gritton and Ruth Gritton Trust Dated March 15, 1987 and the Estate of M.V. Duffy James, or  
23 anyone having possession or control of THE PROPERTY, by razing and removing the substandard  
24 structure including the removal and disposal of all structural debris and materials, as well as the  
25 contents therein, or by reconstruction and rehabilitation of said structure provided such reconstruction  
26 and rehabilitation can be accomplished in strict accordance with all Riverside County Ordinances,  
27 including but not limited to Riverside County Ordinance No. 457 within ninety (90) days of the  
28 posting and mailing of this Order to Abate Nuisance.

1 IT IS FURTHER ORDERED that if the substandard structure is not razed, removed and  
2 disposed of, or reconstructed and rehabilitated in strict accordance with all Riverside County  
3 Ordinances, including but not limited to Riverside County Ordinance No. 457, within ninety (90) days  
4 of the posting and mailing of this Order to Abate Nuisance, the substandard structure, contents  
5 therein, and structural debris and materials, shall be abated by representatives of the Riverside County  
6 Code Enforcement Department, a contractor, or the Sheriff's Department upon receipt of the owner's  
7 consent or a Court Order, where necessary, under applicable law authorizing entry onto THE  
8 PROPERTY.

9 FURTHERMORE, THE OWNERS are ordered to ascertain the existence or non-existence of  
10 asbestos containing materials in said structures by survey and materials sample testing by a duly  
11 licensed and certified asbestos consultant; and, prior to the abatement ordered hereinabove, to secure  
12 the removal of all asbestos containing materials discovered through such survey and testing by  
13 contract with a duly certified and licensed contractor for the handling of such materials to avoid  
14 citations and/or fines by South Coast Air Quality Management District (SCAQMD).

15 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity  
16 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special  
17 assessment against THE PROPERTY pursuant to Government Code section 25845 and Riverside  
18 County Ordinance Nos. 457 (RCC Chapter 15.12), and 725 (RCC Chapter 1.16). Under Riverside  
19 County Ordinance No. 725, "abatement costs" means "any costs or expenses reasonably related to the  
20 abatement of conditions which violate County Land Use Ordinances, and shall include, but not be  
21 limited to, enforcement, investigation, collection and administrative costs, attorneys fees, and the  
22 costs associated with the removal or correction of the  
23 violation." Reasonable abatement costs accrued by the Code Enforcement Department will be

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FORM APPROVED COUNTY COUNSEL  
BY: [Signature] 10/5/10 DATE  
L. ALEXANDRA FONG

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

4 Dated: October 19, 2010

COUNTY OF RIVERSIDE

6 By [Signature: Marion Ashley]  
Marion Ashley  
Chairman, Board of Supervisors

8 ATTEST:

9 KECIA HARPER-IHEM

11 Clerk to the Board

12 By [Signature: K. Harper-Ihem]

14 Deputy

15 (SEAL)



**LARRY W. WARD  
COUNTY OF RIVERSIDE  
ASSESSOR-COUNTY CLERK-RECORDER**

**Recorder**  
P.O. Box 751  
Riverside, CA 92502-0751  
(951) 486-7000

<http://riverside.asrcrkrec.com>

**CERTIFICATION**

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

CLARIFICATION OF THE SEAL for the Riverside County Board of Supervisors  
(embossed on document)



Date:

10-19-10

Signature:

*Karen Barton*

Print Name:

Karen Barton, Board Assistant, Riverside County Clerk of the Board