



# REPORT TO COUNCIL

## City of Sacramento

915 I Street, Sacramento, CA 95814-2604  
www.CityofSacramento.org

Consent  
March 6, 2007

Honorable Mayor and  
Members of the City Council

**Title:** Weed and Rubbish Abatement

**Location/Council District:** Citywide

**Recommendation:** Adopt a **Resolution** 1) declaring weeds, rubbish, refuse, and dirt to be a public nuisance, and 2) authorizing notification be sent to the owners of said real property having any objections to the proposed abatement of said nuisances in the manner prescribed by Government Code §§ 39567 and 39567.1 and Chapter 8.28 of the Sacramento City Code; and 3) setting a public hearing for March 20, 2007 for objections to be heard and given due consideration.

**Contact:** Russell VanVuren, Captain, (916) 808-1622

**Presenters:** Not applicable

**Department:** Fire

**Division:** Fire Prevention

**Organization No:** 2526

### **Description/Analysis**

**Issue:** This is a yearly procedure as prescribed in Government Code § 39561 et seq. This procedure provides that if the respective owners do not abate the nuisances, a City Contractor may abate them at a cost determined by competitive bidding from licensed City Contractors plus an administrative charge of \$110.00 as set by Council action. See Government Code § 39576.5.

**Policy Considerations:** Pursuant to Government Code § 39561 et seq. and Chapter 8.28 of the Sacramento City Code authorizes abatement thereof, weeds growing upon the streets, sidewalks, or private property in the City.





**Attachment 1**

**Background**

The weed abatement program was initiated on July 10, 1969, and has been in effect since the City of Sacramento first adopted the standards for weed and rubbish abatement. A data base was created comprised of the hereinafter described real property in the City of Sacramento that was covered by weeds, rubbish, refuse and dirt; and said weeds, rubbish refuse, and dirt that constituted a hazard to the health, safety, and well-being of the citizens of the City of Sacramento. Routine inspections made by the Fire Prevention Captain ensure that the described real property has been added to our data base and/or is eliminated from our database when the property no longer constitutes a potential hazard to the health, safety, and well-being of the citizens of the City of Sacramento.

Presently 7,556 weed and rubbish abatement notifications go out to parcel owners. Of those approximately 940 will require abatement by the City of Sacramento due to lack of abatement by parcel owner. The real property on which said nuisances exist is on file at the Sacramento Fire Department, 5770 Freeport Blvd., Suite 200, Sacramento, CA 95822, and the office of the City Clerk, 915 I St., fifth floor, Sacramento, CA 95814.

An invoice will be issued by the City of Sacramento for abatement at the completion of the weed abatement season. Non payment may result in the cost of the abatement being placed as a lien against the property.

**RESOLUTION NO. 2007-**

Adopted by the Sacramento City Council

**WEED AND RUBBISH ABATEMENT IN THE CITY OF SACRAMENTO**

**BACKGROUND**

- A. The hereinafter described real property in the City of Sacramento is covered by weeds, rubbish, refuse, and dirt; and said weeds, rubbish, refuse, and dirt constitutes a hazard to the health, safety, and well-being of the citizens of the City of Sacramento.
- B. Government Code §§ 39561 and 39562 and Chapter 8.28 of the Sacramento City Code authorizes the Sacramento City Council to declare by resolution as public nuisances, and order abatement thereof, weeds growing upon the streets, sidewalks, or private property in the City and all rubbish, refuse, and dirt upon parkways, sidewalks, or private property within the City; and the weeds growing on the hereinafter described real property are of a seasonal and recurrent nuisance.
- C. The real property on which said nuisances exists is on file at the Sacramento Fire Department, 5770 Freeport Blvd., Suite 200, Sacramento, CA 95822, and the office of the City Clerk, 915 I St., fifth floor, Sacramento, CA 95814.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

- Section 1. The weeds rubbish, refuse, and dirt upon the hereinafter described real property in the City of Sacramento are seasonal and recurrent and hereby declared to constitute public nuisances which may be abated by the City pursuant to the above cited sections of the Government Code and City Code.
- Section 2. Notices of the public hearing shall be mailed to all persons owning property described in this resolution in the manner provided by Section 39567.1 of the Government Code, or the property shall be posted as provided by the Section 39567 of the Government Code.
- Section 3. The owners of said real property who have any objections to the proposed abatement of nuisances by the City in the manner prescribed by the Government Code of the State of California and the Sacramento City Code are hereby notified to attend the meeting of the City Council to be held at 7:00 PM on March 20, 2007, in the Chambers of the Sacramento City Council, 915 I Street, first floor, Sacramento, California, when their objections will be heard and given due consideration.

