



PASSED FOR
PUBLICATION
& CONTINUED
TO **07-25-89**

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DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

APPROVED
BY THE CITY COUNCIL
SACRAMENTO, CA

July 18, 1989

City Council
Sacramento, California

CITY MANAGER'S OFFICE
RECEIVED
JUL 11 1989

JUL 25 1989
ADMINISTRATION
ROOM 300
95814-2987
OFFICE OF THE
CITY CLERK

ECONOMIC DEVELOPMENT
ROOM 300
95814-2987
916-449-1223

Honorable Members in Session:

NUISANCE ABATEMENT
ROOM 301
95814-3982
916-449-5948

SUBJECT: Ordinance Amending Section 61.401 and Adding Article XIII, Sections 61.1300, 61.1301 and 61.1302 to Chapter 61 of the Sacramento City Code, Relating to the Securing of Vacant Unimproved Real Property

SUMMARY

Staff has developed an ordinance which will require a property owner to secure his/her unimproved real property when such property is determined to be a continuous Public Nuisance.

BACKGROUND

Many unimproved real properties in the City have been repeatedly utilized as dumping sites for litter, garbage and other types of junk and debris, in addition to vehicles and parts thereof. Existing enforcement procedures require City staff to repeatedly notify owners of such properties to clean them. If the order is not complied with the City has the authority to order the property be cleaned by a City contractor at the expense of the owner.

The attached ordinance allows the City to require owners of unimproved real properties to take more responsibility for the maintenance of their properties by securing them in a manner which will prevent or minimize access to the properties for the purpose of dumping.

Securing of the property as recommended by the City could be the erection of a perimeter fence, or the installation of a lockable gate at specific access points or barricading to City specifications.

The ordinance also provides that if the barriers are not erected by the property owner within a specified period of time after notification by the City, the owner will be notified to attend a Public Nuisance Hearing. If the Hearing Examiner determines that the property constitutes a Public Nuisance, the property owner will be ordered to secure same within a given period of time. Failure of the property owner to comply will be cause for the City to have a City contractor secure the property. The property owner will receive an invoice, which will include an administrative charge, for the cost of securement. Non-payment will result in a lien being placed against the property.

SECRET
This document contains information which is classified as SECRET because its disclosure would be injurious to the national defense. It is intended for the use of personnel only who are authorized to receive and handle such information. It is to be controlled, stored, and disposed of in accordance with the provisions of the Atomic Energy Act of 1954 and the Atomic Energy Regulations thereunder.

It is the policy of the United States Government to protect against unauthorized disclosure of information which is classified as SECRET. It is the responsibility of each individual to whom such information is disclosed to protect against unauthorized disclosure of such information.

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BACKGROUND

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SUMMARY

UNCLASSIFIED COPY
COPY RELATING TO THE SECURITY OF ASCENT
OF 1300 TO CHAPTER 01 OF THE SECRETARIES CIA
ARTICLE III, SECTIONS 01, 1300, 01, 1301 AND
ARTICLE IV, SECTIONS 01 AND 02

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FINANCIAL DATA

Funds to be used for the cost of barriers are available in the FY 89-90 Nuisance Abatement budget.

POLICY CONSIDERATIONS

There are presently no City requirements for the securing of unimproved real properties. The proposed billing and lien process is consistent with existing procedures.

MBE/WBE EFFORTS

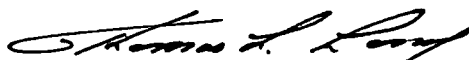
Every effort will be made to obtain MBE/WBE contractors when requesting bids for the securement of properties.

RECOMMENDATION

It is recommended that the Council adopt the attached ordinance relating to the securing of unimproved real property.

This matter was heard by the Law and Legislation Committee on June 15, 1989, at which time they recommended adoption of the proposed ordinance.

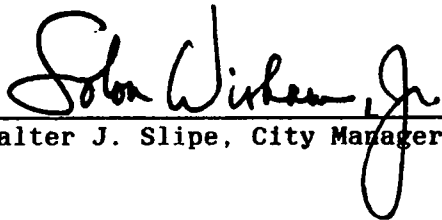
Respectfully submitted,



Thomas L. Long, Assistant
Neighborhood Services Manager

RECOMMENDATION APPROVED:

July 18, 1989
All Districts



Walter J. Slipe, City Manager

For.

Contact Person: Thomas L. Long
449-5948

FINANCIAL DATA

Financial data for the year ending 1963, showing a net profit of \$1,234,567, compared to \$1,123,456 in 1962. Total assets were \$5,678,901, and total liabilities were \$2,345,678.

POTENTIAL CONSIDERATIONS

Potential considerations include market fluctuations, changes in consumer behavior, and the impact of new technologies on the industry. Management is actively monitoring these factors to ensure long-term success.

MANAGEMENT REPORT

The management team is pleased with the performance of the company in 1963, particularly in the areas of sales and operational efficiency. We are committed to continued growth and innovation.

RECOMMENDATION

It is recommended that the company continue its current strategy, focusing on product development and market expansion. A budget for 1964 has been prepared and is attached for your review.

The board of directors is expected to meet on the 15th of the next month to discuss the 1964 budget and other matters. Your presence is highly valued.

Very truly yours,
John Doe, Chairman

CONFIDENTIAL

Approved by the Board of Directors
Date: 12/31/63

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ORDINANCE NO. 89-056

APPROVED
BY THE CITY COUNCIL

ADOPTED BY THE SACRAMENTO CITY COUNCIL

JUL 25 1989

ON DATE OF _____

OFFICE OF THE
CITY CLERK

**AN ORDINANCE AMENDING SECTION 61.401 AND ADDING
ARTICLE XIII, SECTIONS 61.1300, 61.1301 AND 61.1302
TO CHAPTER 61 OF THE SACRAMENTO CITY CODE, RELATING
TO THE SECURING OF VACANT UNIMPROVED REAL PROPERTY**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Subsection (m) is hereby added to Section 61.401 of the Sacramento City Code to read as follows:

- (m) Any unimproved real property which has become a dumping ground for litter, garbage, junk, debris, or discarded vehicles, vehicle parts and/or vehicle hulks, and which real property has been subject to abatement action on one or more occasions by the City.

SECTION 2.

Article XIII is hereby added to Chapter 61 of the Sacramento City Code to read as follows:

Article XIII. Securing of Unimproved Real Property.

§ 61.1300 Securing of Unimproved Real Property.

Whenever the department head or his/her authorized representative has found that any unimproved real property within the City has reoccurring dumping problems as defined in Section 61.401(m), the department head may order the property owner(s) to secure the property to prevent further dumping on the property by requiring the owner to:

- (a) erect a fence with gate(s) to City specifications;

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DATE ADOPTED: _____

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- (b) erect a lockable gate at specified access points; or
- (c) install barricading to City specifications to reduce or eliminate accessibility to the property.

§ 61.1301 Notice to Owner.

- (a) The owner(s) of any unimproved property which has been found by the department head to require securing shall be notified in writing by either certified mail, postage prepaid, return receipt, or personal service. If the owner, after several attempts, cannot be served by certified mail or personal service, then the department head may make service by publication in a Sacramento newspaper of general circulation.
- (b) Upon receipt of the Notice to Secure, or upon ten (10) days after publication of the Notice, the owner(s) shall have thirty (30) days in which to secure the property.

§ 61.1302 Failure to Obey Order to Secure.

Upon expiration of the time period as set forth in Section 61.1301, and upon failure of the owner(s) to secure, the department head or his/her authorized representative may issue a Hearing Notice pursuant to the procedures set forth in Section 61.502. Abatement and securement procedures of Articles V, VII and X of this Chapter shall apply.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

MAYOR

ATTEST:

ACTING CITY CLERK

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DATE ADOPTED: _____