

APPROVED
BY THE CITY COUNCIL

MAR 2 1999

OFFICE OF THE
CITY CLERK



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DEPARTMENT OF
FIRE

GARY COSTAMAGNA
FIRE CHIEF

CITY OF SACRAMENTO
CALIFORNIA

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SUITE 401
SACRAMENTO, CA
95814-2979

February 1, 1999

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City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: RESOLUTION OF INTENT DECLARING THAT CERTAIN SPECIFIED PARCELS IN THE CITY OF SACRAMENTO HAVE NOXIOUS OR DANGEROUS WEEDS OF A SEASONAL AND RECURRENT NATURE, AND/OR RUBBISH, REFUSE AND DIRT

LOCATION AND COUNCIL DISTRICT: City-wide - All Districts

RECOMMENDATION:

It is recommended that, in the best interest of the City, the City Council adopt the attached resolution. That the owners of said real property who have any objections to the proposed abatement of said nuisances in the manner prescribed by the Government Code of the State of California and the Sacramento City Code be notified to attend the meeting of the City Council to be held at 7:00 PM on March 23, 1999, in the Chambers of the City Council, 915 "I" Street, Sacramento, California, when their objections will be heard and given due consideration.

CONTACT PERSON: Karen Giovanini, Administrative Analyst II, 264-7146

FOR COUNCIL MEETING OF: March 2, 1999

SUMMARY:

This is the yearly procedure as prescribed by Section 39500, Chapter 13 of the California Government Code, titled "Weed and Rubbish Abatement" which provides for the issuance of weed abatement notices to owners of property described in the subject of this report.

BACKGROUND INFORMATION:

This resolution initiates the yearly Weed Abatement Program. The real property on which nuisances exist is described in Exhibit "A" which is on file at the Sacramento Fire Department, 1231 I Street, Room 401, and the office of the City Clerk, 915 "I" Street, Room 304, Sacramento, California, and incorporated herein by reference.

This procedure provides that if the aforementioned nuisances are not abated by the respective owners, a City Contractor may abate them at a cost determined by competitive bidding from licensed City Contractors plus an administrative charge as set by Council action. The parcels are to be inspected by the Sacramento Fire Department before abatement is ordered. An invoice will be issued by the City of Sacramento for abatement. Nonpayment can result in the cost of the abatement being placed as a lien against the property.

FINANCIAL CONSIDERATIONS:

Council action in this matter will cause the annual weed abatement notices to be printed and mailed to owners of vacant parcels within the city. The estimated cost is \$1,500.00. Funds are available in the program's FY 1998-99 budget.

ENVIRONMENTAL CONSIDERATIONS:

In the event the Weed Abatement Officer detects a potentially sensitive area, the condition will be reported to the Environmental Services Division for direction. Abatement will be suspended at that location until instruction is provided. This process is similar to the approach taken when potentially hazardous materials are located at an abatement site.

POLICY CONSIDERATIONS:

Mailing weed abatement notices and the abatement of weeds is consistent with City Council policy and direction.

MBE/WBE EFFORTS:

There is no requirement for procurement of goods or services associated with this program.

Respectfully submitted,



Dennis Smith
Acting Fire Chief

RECOMMENDATION APPROVED:


WILLIAM H. EDGAR
City Manager

APPROVED
BY THE CITY COUNCIL

RESOLUTION NO. 99-084

MAR 2 1999

ADOPTED BY THE SACRAMENTO CITY COUNCIL

OFFICE OF THE
CITY CLERK

ON DATE OF _____

**A RESOLUTION DECLARING WEEDS, RUBBISH, REFUSE,
AND DIRT TO BE A PUBLIC NUISANCE AND ORDERING
AN ABATEMENT HEARING**

WHEREAS, the hereinafter described real property in the City of Sacramento is covered by weeds, rubbish, refuse and dirt; and

WHEREAS, said weeds, rubbish, refuse, and dirt constitute a hazard to the health, safety, and well-being of the citizens of the City of Sacramento; and

WHEREAS, Article II, Chapter 13, Part 2, Division 3, of Title IV of the Government Code of the State of California (SS39500 et. seq.) and Chapter 61 of the Sacramento City Code authorize the Council of the City of Sacramento 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

WHEREAS, the weeds growing on the hereinafter described real property are of a seasonal and recurrent nuisance.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

1. The weeds, rubbish, refuse, and dirt upon the hereinafter described real property in the City of Sacramento are 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.
2. The Council finds and declares that weeds growing on the hereinafter described real property are seasonal and recurrent nuisances.
3. The real property on which said nuisances exists is described in Exhibit "A" which is on file at the Sacramento Fire Department, 1231 I Street, Room 401, and the office of the City Clerk, 915 "I" Street, Room 304, Sacramento, California, and incorporated herein by reference.

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RESOLUTION NO.: _____

DATE ADOPTED: _____

4. 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 23, 1999, in the Chambers of the Sacramento City Council, 915 "I" Street, Sacramento, California, when their objections will be heard and given due consideration.

5. Notices of the 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 Government Code.

MAYOR

ATTEST:

CITY CLERK

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RESOLUTION NO.: _____

DATE ADOPTED: _____