

Agenda Report Reviewed by:
City Manager: 

CITY OF SEBASTOPOL
CITY COUNCIL
AGENDA ITEM

Meeting Date: May 18, 2021
To: Honorable Mayor and Honorable City Councilmembers
From: Fire Chief Bill Braga
Subject: Resolution Declaring Weeds a Public Nuisance
Recommandation : Staff recommends adoption of the attached Resolution in order to proceed with the City's Weed Abatement Program.
Funding: Currently Budgeted: _____ Yes _____ No X N/A
Net General Fund Cost: None

Account Code/Costs authorized in City Approved Budget (if applicable) AK (verified by Administrative Services Department)

INTRODUCTION/PURPOSE: This item is to request City Council to approve the attached Resolution declaring weeds growing upon private properties within the City a fire hazard and a public nuisance and set a public hearing date on June 1, 2021 for those who object to the proposed removal of weeds from their lots.

BACKGROUND:

Every year a number of private properties are declared to be a fire hazard, therefore a public nuisance and in need of abatement. The resolution is passed and adopted and a date set for a public hearing for those owners who object to this resolution. The hearing date will provide us sufficient time to legally notice all of the affected property owners of the public hearing. This is an annual program for weed abatement in the City. City Ordinance #647 provides for an abatement procedure and hearings.

DISCUSSION:

The attached Resolution signifies the beginning of the City's annual weed abatement program. The Resolution declares weeds a public nuisance and sets a date for public hearing in order to provide property owners a means of protesting the removal of weeds on their property.

The parcels of land listed on Exhibit "A" (attached) have been inspected and, at that time of inspection, were found to have weeds thereon. These weeds have the potential to become a fire hazard in the very near future as summer weather patterns cause the weeds to become dry and combustible.

If the weeds on these parcels are not removed by June 1st, 2021, the City will abate the fire hazards and bill the property owners for the cost of abatement plus administrative costs.

PUBLIC COMMENT:

As of the writing of this staff report, the City has not received any public comment. However, public comment from interested parties following the publication and distribution of this staff report will be provided to the City Council as supplemental materials before or at the meeting. In addition, a consent calendar item may be requested to be removed from the consent calendar if a member of the Council or public requests to provide public comment on this item.

FISCAL IMPACT:

There is no fiscal impact with this item tonight; however, if the property owner fails to abate their lots, a contractor hired by the Fire Department will abate the lots and the property owner will be billed for the cost of abatement plus administrative costs.

RECOMMENDATION: That the City Council adopts the attached Resolution in order to proceed with the City's Weed Abatement Program.

Attachment(s):

Resolution

Exhibit "A"

RESOLUTION # _____

RESOLUTION DECLARING WEEDS ON PRIVATE PROPERTY TO BE A PUBLIC
NUISANCE IN ACCORDANCE WITH ORDINANCE #647

WHEREAS, the Fire Chief has reported that certain owners of properties have not abated and removed weeds and other fire hazards from their property, and

WHEREAS, Ordinance #647 provides for an abatement procedure and hearing,

NOW THEREFORE, BE IT RESOLVED that the weeds on properties listed on the attached Exhibit "A" are hereby declared to be a Public Nuisance, and

BE IT FURTHER RESOLVED that a hearing is hereby set for 6:00 p.m., June 1st, 2021 to hear any objections to the proposed destruction and removal of said Weeds and Fire Hazards; and that the expense thereof shall be assessed upon the lot or lands from which such weeds shall have been destroyed or removed.

The above and foregoing Resolution was duly passed, approved and adopted at a meeting by the City Council on the 18th day of May, 2021, by the following vote:

VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: _____
Mayor Una Glass

ATTEST: _____
Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM: _____
Larry McLaughlin, City Manager/Attorney

