

CITY OF SEBASTOPOL CITY COUNCIL

AGENDA ITEM REPORT FOR MEETING OF: June 4, 2024

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To: Honorable Mayor and City Councilmembers
From: Division Chief Dave Bray
Subject: Weed Abatement Public Hearing

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RECOMMENDATIONS:

That the City Council conduct the public hearing regarding weed abatement and adopt the attached resolution.

EXECUTIVE SUMMARY:

The City’s weed abatement program exists to address safety issues pertaining to overgrown. Owners of vacant parcels are notified of their responsibility to remove overgrown weeds in a timely manner. This program plays a crucial role in maintaining the City’s health and safety by mitigating the spread of potential fires and by enhancing the community’s aesthetic appeal.

BACKGROUND AND DISCUSSION:

At the May 7, 2024 City Council Meeting, the Council adopted a Resolution declaring weeds a public nuisance and set a date for Public Hearing of June 4, 2024 in order to provide property owners a means of protesting the removal of weeds on their property.

If after hearing any and all objections from property owners identified for abatement, the City may conduct onsite assessment and remove any parcels it deems appropriate from the weed abatement program.

After those properties are removed, if any, then the attached Resolution may be acted upon. This Resolution empowers City Staff to enter upon identified properties and abate weeds/fire hazards and invoice the property owners for the cost of abatement plus administrative costs.

STAFF ANALYSIS:

With the ongoing threat of vegetation fires and pursuant to City Ordinance #647, staff recommend the continuation of the City’s Weed Abatement Program.

COMMUNITY OUTREACH:

This item has been noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to schedule meeting date. The property owners have been notified.

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.

OPTIONS:

None

ATTACHMENTS:

Resolution
Exhibit A

APPROVALS:

Department Head Approval: Approval Date: 5-29-2024

CEQA Determination (Planning): Approval Date: 5-29-2024

The proposed action is not a project under the California Environmental Quality Act (CEQA)

If it is a project – Planning will need to include language

Administrative Services (Financial) Approval Date:5-29-2024

Costs authorized in City Approved Budget: Yes No N/A

Account Code (f applicable) _____

City Attorney Approval: Approval Date: 5-29-2024

City Manager Approval: Approval Date: 5-29-2024

RESOLUTION # XXXX-2024

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

WHEREAS, The City Council of the City of Sebastopol did, by Resolution No. 6585-2024 adopted on May 7, 2024, declare that all weeds growing upon any private property or in any public street or alley, constitute a public nuisance; and

WHEREAS, Ordinance No. 647 of the City of Sebastopol provides for an abatement procedure and hearing, and due notice has been given to certain owners of properties upon which, or in front of which, such weeds are growing; and

WHEREAS, on June 4, 2024, a public hearing was held by the City Council of the City of Sebastopol to consider all protests to the proposed removal of weeds and such protests have been given due consideration; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sebastopol that all objections, if any, presented to said City Council at said public hearing are herewith overruled; and

BE IT FURTHER RESOLVED that the City Manager, Fire Chief, employees or agents, are hereby expressly authorized to enter upon private property and abate such nuisances by having all weeds referred to, which have not heretofore been removed, removed from said properties as set forth on Exhibit A attached hereto, provided, however, that the property owner shall have the right to destroy or remove at his own expense such weeds prior to the arrival of the City Manager or his authorized representatives; and

BE IT FURTHER RSOLVED, 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 4th day of June, 2024 by the following vote:

VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: _____
Mayor Diana Gardner Rich

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

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

