



REPORT TO COUNCIL

City of Sacramento

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

Consent Report
February 28, 2006

Honorable Mayor and
 Members of the City Council

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: Citywide - All Districts

RECOMMENDATION:

Staff recommends that 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 March 21, 2006 evening session in the Chambers of the City Council, Note: Council chambers has moved to 915 I Street, first floor, Sacramento, California, when their objections will be heard and given due consideration.

CONTACT PERSON: Russell VanVuren, Fire Captain, Fire Prevention, 433-1622

FOR COUNCIL MEETING OF: February 28, 2006

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 on file at the Sacramento Fire Department, 5770 Freeport Blvd, Suite 200, Sacramento, CA 95822, and the office of the City Clerk, Note: City Clerk has moved to 915 I St, fifth floor, Sacramento, CA 95814.

This procedure provides that if the respective owners do not abate the aforementioned

nuisances, 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 \$3,000. Funds are available in the program's FY 2005-06 budget.

ENVIRONMENTAL CONSIDERATIONS:

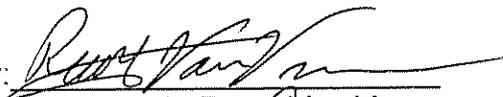
In the event the Weed Abatement Officer detects a potentially sensitive area, the condition will be reported to the Environmental Services Division for direction. Abatement will be suspended at that location until instruction is provided. This process is similar to the approach taken when potentially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

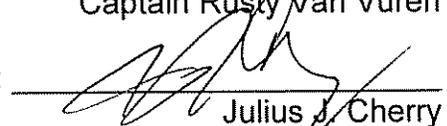
POLICY CONSIDERATIONS:

Mailing weed abatement notices and the abatement of weeds is consistent with City Council policy and direction. It is also consistent with the City Council goal of enhancing and preserving neighborhoods.

Emerging Small Business Development (ESBD):

No goods or services are being purchased.

Respectfully Submitted by: 
Captain Rusty Van Vuren

Approved by: 
Julius J. Cherry
Fire Chief

RECOMMENDATION APPROVED:


RAY KERRIDGE
Interim City Manager

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RESOLUTION NO. 2006-

Adopted by the Sacramento City Council

February 28, 2006

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

BACKGROUND

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 constitute a hazard to the health, safety, and well-being of the citizens of the City of Sacramento.

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 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.

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

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.
2. 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.
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 21, 2006, in the Chambers of the Sacramento City Council, Note: New Council chambers are located at 915 I Street, first floor, Sacramento, California, when their objections will be heard and given due consideration.
4. 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.