



Council Agenda Report

From: Paul Patti, Battalion Chief/Fire Marshal

Subject: Approval of Resolution Confirming the Existence of Weeds or Noxious Growth Creating a Potential Fire Hazard and Ordering their Abatement

CEQA Determination: The City finds that this action is not a project under the California Environmental Quality Act p

Date: June 20, 2023

Facts

1. On June 6, 2023, the City Council approved [Resolution 23-067](#), declaring weeds or noxious growth on specific properties within the City to be a nuisance.
2. "Notice to Abate" letters were sent notifying each property owner of the condition and need to abate.
3. The property owners were notified of the public hearing scheduled for June 20, 2023, and invited to show cause why such condition should not be condemned as a nuisance, and why such nuisance should not be abated by the City.
4. Approximately 1070 properties were originally noticed.
5. As of June 1, 2023, 277 properties remain in violation. An update on any further progress will be provided to the Council at the meeting on June 20th.

Options

1. Take no action.
2. Declare a public nuisance relating to weed abatement and order the Fire Chief to abate the weeds and noxious growth on those properties that are non-compliant as of June 20, 2023.
3. Amend or modify the Resolution as submitted.
4. Provide alternative direction to staff.

Analysis and Conclusions

Through its delegated authority, Fire and Emergency Services works to eliminate community fire hazards created by dry vegetation (weeds). This work includes a public information campaign, letters to property owners found in violation, and administrative cautions.

Fire and Emergency Services has made reasonable attempts to achieve safety regulation compliance for those properties found in Exhibit A. These 277 properties nonetheless remain in violation. Elimination of the hazard necessitates that City Council declare these properties as nuisances, conduct a public hearing, and name the Fire Marshal as the enforcement superintendent prior to directing the work to be done.

Fiscal Impact

None for this action. Cost associated with the City ordered work will be recouped via direct invoice or through a special assessment lien on the negligent properties, if necessary. The charges for each of the unabated properties covers the full cost of the abatement, including administrative costs. The

administrative costs incurred by the City for properties that did abate after receiving notice, are not recouped.

CEQA

The City finds that this action is not a project under the California Environmental Quality Act pursuant to State Guidelines Section State CEQA Guidelines, §§ 15060, subd. (c)(2)-(3), 15378.

Recommendation

Approve Resolution 23-XXX, confirming the existence of public nuisances described in Exhibit A and ordering the abatement of weeds or noxious growth to abate the nuisance.

Attachments

1. Resolution 23-XXX
 - a. Exhibit A – Assessor's Parcel Number, address, and owner