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RESOLUTION 23-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES CONFIRMING EXISTENCE OF A PUBLIC NUISANCE, THEREFORE CREATING A POTENTIAL FIRE HAZARD ON VARIOUS PROPERTIES THROUGHOUT THE CITY AND ORDERING THE FIRE CHIEF TO ABATE THE NUISANCE

WHEREAS, the City Council of El Paso de Robles (“City”) on June 6, 2023 adopted Resolution No. 23-067 “A resolution of the City Council of El Paso de Robles Making Declaration Of Public Nuisances Relating To Weed Abatement Within The City And Setting Public Hearing For 2023 Weed Abatement” which set a hearing for June 20, 2023 to consider all objections to the abatement of the nuisance (herein “Declaration of Nuisance”); and

WHEREAS, the Declaration of Nuisance, among other things:

- Declared that weeds or noxious growth growing on certain properties within the City to be a nuisance.
- Directed the Fire Chief to give written Notice (herein “Notice to Abate”) to the property owners of each property, wherein the weeds and noxious growth were declared to be a nuisance, of a public hearing scheduled for June 20, 2023 at 6:30 p.m. for consideration of objections to the City’s Declaration of Nuisance; and

WHEREAS, the Fire Chief, provided the Notice to Abate in accordance with Paso Robles Municipal Code Chapter 16.10 and Council Resolution No. 23-067 and conducted an inspection of the affected properties to determine whether or not said property owners had abated the weeds and noxious growth pursuant to the Notice to Abate; and

WHEREAS, the Fire Chief has determined that the weeds and noxious growth on those properties identified in Exhibit A have not been abated and create a fire hazard; and

WHEREAS, the City Council held a public hearing on June 20, 2023 and considered all objections to the proposed abatement of weeds and noxious growth.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City Council hereby confirms the immediate existence of a public nuisance on those parcels listed in the attached Exhibit A (incorporated herein by reference) and pursuant to Paso Robles Municipal Code, Chapter 16.10, and Government Code Section 39571 orders the Fire Chief to abate the nuisance by having the weeds and noxious growth removed.

- a. Before the Fire Chief arrives, any property owner may remove the weeds and noxious growth at his/her own expense. In that case, the assessment and lien shall be limited to the costs incurred by the City in enforcing abatement upon the parcels, including investigation, boundary determination, measurement, clerical and other related costs.
- b. The Fire Chief may abate the nuisance(s) by City forces or hiring of contractors.
- c. The Fire Chief shall submit to the City for confirmation an itemized written report (“Report”) showing such costs.
- d. A copy of the Report shall be posted for at least three days prior to its submission to the City

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within the 24-hour City noticing board near the chamber doors of the City Council, with a notice of the time submission.

- e. Return to City Council for the levy of abatement costs and the placement of said costs as a property lien.

APPROVED by the City Council of the City of El Paso de Robles by the following vote on June 20, 2023.

AYES:

NOES:

ABSENT:

ABSTAIN:

Steven W. Martin, Mayor

ATTEST:

Melissa Boyer, City Clerk

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