



SACRAMENTO FIRE DEPARTMENT
"An All-Risk Organization"

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March 7, 2005

City Council
Sacramento, California

Honorable Members in Session:

**SUBJECT: WEED ABATEMENT PUBLIC HEARING TO HEAR AND CONSIDER
OBJECTIONS TO THE PROPOSED REMOVAL OF WEEDS, RUBBISH
AND/OR DIRT FROM VARIOUS PARCELS OF PROPERTY WITHIN THE
CITY OF SACRAMENTO**

LOCATION AND COUNCIL DISTRICT: City-wide - All Districts

RECOMMENDATION:

It is recommended that the City Council receive the testimony of anyone with objections to the proposed abatement of nuisances, close the hearing and refer to staff for Finding of Fact which will be due April 5, 2005. In the event there are no objections, it is recommended that the City Council approve the attached Resolution regarding Finding of Fact concerning objections and order the abatement of weeds, rubbish, litter and/or dirt.

CONTACT PERSON: Gary Henslee, Fire Captain, Fire Prevention, 433-1622

FOR THE COUNCIL MEETING OF: March 22, 2005

SUMMARY:

This Public Hearing is an annual procedure as prescribed by Section 39500, Chapter 13 of the California Government Code, titled "Weed and Rubbish Abatement."

BACKGROUND INFORMATION:

On March 1, 2005, the City Council passed Resolution No. 2005-114, declaring that certain specified parcels in the City of Sacramento have noxious or dangerous weeds, rubbish, refuse, and/or dirt which constitute public nuisances, and setting March 22, 2005, for public

hearing to hear and consider any objections to the proposed abatement of the nuisances.

There are currently approximately 7,877 parcels, which are the subject of the Weed Abatement Program. Each property owner has been noticed of this hearing by mail.

FINANCIAL CONSIDERATIONS:

The City will abate approximately 2000 lots, which property owners fail to abate. The cost of these abatements, plus an administrative fee, is made the obligation of the property owner.

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.

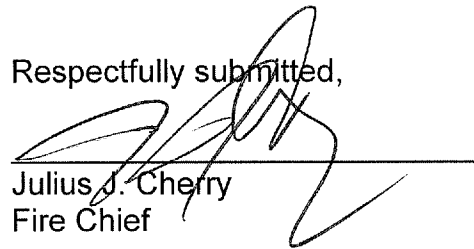
POLICY CONSIDERATIONS:

The declaration of aforementioned and described conditions and 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.

ESB CONSIDERATIONS:

There is no requirement for procurement of goods or services associated with this program.

Respectfully submitted,



Julius J. Cherry
Fire Chief

RECOMMENDATION APPROVED:



ROBERT P. THOMAS
City Manager

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RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

FINDING OF FACT AND RESOLUTION CONCERNING OBJECTIONS AND ORDERING ABATEMENT OF WEEDS, RUBBISH, LITTER AND/OR DIRT

WHEREAS, the City Council by Resolution No. 2005-114, set a Public Hearing for March 22, 2005, at 7:00 p.m., in the City Council Chambers to hear and consider all objections to the proposed removal of weeds, rubbish, refuse and dirt from various parcels of property situated within the City of Sacramento and more particularly described in Resolution No. 2005-114; and

WHEREAS, the notice of the time and place of the hearing was given in the manner provided by law; and

WHEREAS, there were no objections voiced toward the weed abatement notice at the hearing and no objections were received by mail; and

WHEREAS, the City Council, pursuant to Section 8.28.010 of the Sacramento City Code has by Resolution No. 75-616, provided the standards for solicitation and award of contracts for the abatement of nuisances of this type.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

1. No objections were received.
2. That the Fire Chief of the Department of Fire, City of Sacramento, is hereby ordered to proceed in the manner provided by the City Code, Resolution No. 2005-114; and Section 39500 et. seq., of the Government Code of the State of California, with the

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

abatement of the public nuisances created by weeds, rubbish, litter, and/or dirt.

3. That before the City's contractor arrives to perform weed and rubbish abatement work, any property owner may remove the weeds, rubbish, litter and/or dirt from their property at their own expense and avoid the cost of having the work performed by the City.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

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