



Legislation Details (With Text)

File #: 19-166
Type: Consent Calendar **Status:** Passed
File created: 2/4/2019 **In control:** City Council/Public Financing Authority
On agenda: 3/4/2019 **Final action:** 3/4/2019
Title: Adopt Resolution No. 2019-10 declaring Weeds and Rubbish a nuisance on specific properties and fixing April 15, 2019 at 6:00pm for hearing Protests and Objections to the Abatement thereof
Attachments: 1. Att#1 Resolution No 2019-10

Date	Ver.	Action By	Action	Result
3/4/2019	1	City Council/Public Financing Authority	approved	Pass

REQUEST FOR CITY COUNCIL ACTION

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Fred A. Wilson, City Manager

PREPARED BY: Travis K. Hopkins, PE, Director of Public Works

Subject:

Adopt Resolution No. 2019-10 declaring Weeds and Rubbish a nuisance on specific properties and fixing April 15, 2019 at 6:00pm for hearing Protests and Objections to the Abatement thereof

Statement of Issue:

In preparation for one-time abatement where necessary, Public Works annually identifies undeveloped land parcels in the city that have or will potentially accumulate weeds and/or rubbish. As the first step in the abatement process and following California code, the identified properties are declared by resolution to be a public nuisance.

Financial Impact:

Funds in the amount of \$15,000 are budgeted in Weed Abatement, Account No. 10085416.64620, for abatement of private properties. Costs for abatement of private properties will be charged to the property owners as a special assessment on the County’s property tax bill and reimbursed to the City.

Recommended Action:

Adopt Resolution No. 2019-10, “A Resolution of the City Council of the City of Huntington Beach Finding and Declaring That Certain Weeds Growing in the City, and Rubbish and Refuse Deposited on Public Ways and Private Property are a Public Nuisance; and Fixing the Time for Hearing Protests and Objections to the Abatement Thereof.”

Alternative Action(s):

Do not approve the resolution and direct staff to take a different course of action.

Analysis:

The California Government Code includes a provision allowing local governments to declare weeds and rubbish a public nuisance. Pursuant to this provision, the City of Huntington Beach has adopted Chapter 8.16 Weed Abatement into the Municipal Code. The chapter requires that “all persons owning any real property within the City keep said property free from weeds . . . or other flammable materials that endanger public safety by creating a fire hazard.” In accordance with Section 8.16.020 Nuisance Declared, the City Attorney’s office has prepared a resolution declaring that certain weeds, rubbish, and refuse deposited on specific properties are a public nuisance, with provisions for posting of notice and abatement of said nuisance. The resolution fixes April 15, 2019, at 6:00 p.m., as the date and time for the hearing of objections to the abatement of said nuisance. Exhibit A of the resolution identifies the privately owned, undeveloped properties that are currently or potentially in violation of the Municipal Code.

Environmental Status:

Categorically exempt.

Strategic Plan Goal:

Enhance and maintain public safety

Attachment(s):

1. Resolution No. 2019-10, “A Resolution of the City Council of the City of Huntington Beach Finding and Declaring that Certain Weeds Growing in the City, and Rubbish and Refuse Deposited on Public Ways and Private Property are a Public Nuisance; and Fixing the Time for Hearing Protests and Objections to the Abatement Thereof”, including Exhibit A: 2019 Weed Abatement - Vacant Parcels Private Ownership