



Legislation Details (With Text)

File #: 20-1429 **Version:** 1
Type: Consent Calendar **Status:** Passed
File created: 2/11/2020 **In control:** City Council/Public Financing Authority
On agenda: 3/16/2020 **Final action:** 3/16/2020
Title: Adopt Resolution No. 2020-10 declaring Weeds and Rubbish a nuisance on specific properties and fixing April 20, 2020 at 6:00pm for hearing protests and objections to the abatement thereof
Attachments: 1. Att#1 Resolution No 2020-10

Date	Ver.	Action By	Action	Result
3/16/2020	1	City Council/Public Financing Authority	approved	Pass

REQUEST FOR CITY COUNCIL ACTION

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Oliver Chi, City Manager

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

Subject:

Adopt Resolution No. 2020-10 declaring Weeds and Rubbish a nuisance on specific properties and fixing April 20, 2020 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:

No funding is required for this action.

Recommended Action:

Adopt Resolution No. 2020-10, "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 adopt 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 20, 2020, 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:

The removal of weeds, refuse, and rubbish from undeveloped private properties is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(h), which exempts the maintenance of existing landscaping and native growth.

Strategic Plan Goal:

Non-Applicable - Administrative Item

Attachment(s):

1. Resolution No. 2020-10, “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: 2020 Weed Abatement - Vacant Parcels Private Ownership