

Lompoc City Council Agenda Item



City Council Meeting Date: May 18, 2010

TO: Laurel Barcelona, City Administrator

FROM: Arleen T. Pelster, AICP, Community Development Director

Subject: Approval of Resolution 5636(10), A Resolution of the Council of the City of Lompoc, County of Santa Barbara, State of California, Declaring a Public Nuisance (1128 North A Street)

RECOMMENDATION:

That City Council:

- 1) Approve Resolution 5636(10), A Resolution of the Council of the City of Lompoc, County of Santa Barbara, State of California, Declaring a Public Nuisance; and
- 2) Authorize abatement of 1128 North A Street as follows:
 - (a) Replace all windows and doors that are currently boarded up with boards fitted to the opening and painted to match the surrounding structure;
 - (b) Replace all dilapidated fences with chain-link fences;
 - (c) Board-up all broken windows, doors, and other openings with boards fitted to the opening and painted to match the surrounding structure;
 - (d) Trim or remove all grass and weeds, including shrub-like plants, that are overgrown to an average height in excess of one foot from the ground level that are 1) likely to harbor rats or other vermin; 2) constitute an unsightly appearance; 3) dangerous to public safety and welfare; 4) detrimental to neighboring properties or property values;
 - (e) Remove all lumber, junk, trash, or debris upon the premises which is visible from a public street, alley, or adjoining property;
 - (f) Remove all accumulation of dirt, litter, or debris, in vestibules, doorways, adjoining walkways or pathways.

BACKGROUND:

On April 20, 2010, the City Council adopted Resolution 5628(10), declaring its intent to conduct a public hearing to declare a public nuisance with respect to the property located at 1128 N. A Street, Lompoc, CA. The owner and all other responsible parties

for the property were provided proper notice of the public hearing by mail and by posting on the premises.

The property is not being maintained in compliance with the Lompoc Municipal Code. The property's landscaping is not maintained, resulting in overgrown grass and weeds, including shrub-like plants, which harbor rats and vermin and constitute an unsightly appearance. A wooden fence at the rear of the property is deteriorating and dilapidated. The property has boarded or broken windows, which may constitute a hazardous condition and may invite trespassers to enter the property. Dirt, trash, and debris also exist on various portions of the property. Despite the City's many efforts to contact a responsible party to voluntarily abate the property, the condition of the property has not improved.

DISCUSSION

Lompoc Municipal Code Chapter 17.140 sets forth detailed procedures for declaring and abating a nuisance. The procedures are itemized below:

- 1) Resolution Declaring Intent to Conduct a Public Hearing to Declare a Public Nuisance (LMC §17.140.030)
- 2) Notice of Hearing to Abate – Posting on Premises (LMC §17.140.040)
- 3) Serving Notice By Mail (LMC §17.140.050)
- 4) Hearing by City Council (LMC §17.140.060)
- 5) Service on Owner of Resolution to Abate (LMC §17.140.070)
- 6) Abatement by City (LMC §17.140.080)
- 7) Statement of Cost for Abatement (LMC §17.140.090)
- 8) Report – Hearings and Proceedings (LMC §17.140.100)
- 9) Assessment of Costs Against Property Lien (LMC §17.140.110)

SUMMARY

Staff recommends adoption of Resolution 5636(10), A Resolution of the Council of the City of Lompoc, County of Santa Barbara, State of California, Declaring a Public Nuisance, and authorizing abatement of 1128 N. A Street as follows:

- 1) Replace all windows and doors that are currently boarded up with boards fitted to the opening and painted to match the surrounding structure;
- 2) Replace all dilapidated fences with chain-link fences;
- 3) Board-up all broken windows, doors, and other openings with boards fitted to the opening and painted to match the surrounding structure;
- 4) Trim or remove all grass and weeds, including shrub-like plants, that are overgrown to an average height in excess of one foot from the ground level that are 1) likely to harbor rats or other vermin; 2) constitute an unsightly appearance; 3) dangerous to public safety and welfare; 4) detrimental to neighboring properties or property values;

- 5) Remove all lumber, junk, trash, or debris upon the premises which is visible from a public street, alley, or adjoining property;
- 6) Remove all accumulation of dirt, litter, or debris, in vestibules, doorways, adjoining walkways or pathways.

Arleen T. Pelster, AICP
Community Development Director

APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:

Laurel M. Barcelona, City Administrator

ATTACHMENTS:

Attachment 1: [Resolution 5636\(10\), A Resolution of the Council of the City of Lompoc County of Santa Barbara, State of California, Declaring a Public Nuisance Declaring a Public Nuisance](#)