

# Lompoc City Council Agenda Item



**City Council Meeting Date:** July 6, 2010

**TO:** Laurel Barcelona, City Administrator

**FROM:** Lucille T. Breese, AICP, Planning Manager

**Subject:** Approval of Resolution 5658(10) Declaring Intent to Conduct a Public Hearing to Declare a Public Nuisance (409 South C Street)

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## **RECOMMENDATION:**

That City Council:

- 1) Approve Resolution 5658(10) Declaring Intent to Conduct a Public Hearing to Declare a Public Nuisance; and
- 2) Authorizing Notice of a Public Hearing to be held on August 3, 2010.

## **BACKGROUND:**

This code enforcement case was first opened on June 5, 2009, as a result of a neighbor complaint. The property at issue is 409 South C Street, APN 085-294-001. City staff has made multiple attempts to contact the owner to obtain voluntary compliance with Lompoc Municipal Code Chapter 17.140 – Nuisance with little response. The weeds were trimmed once in approximately September 2009, but have since been allowed to regrow to excessive heights. Neighbors of the property have submitted written complaints requesting the City's intervention.

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, which harbor rats and vermin and constitute an unsightly appearance. A wooden fence at the rear of the property is deteriorating and dilapidated with sections completely fallen down. 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 initiating the abatement process with the adoption of Resolution 5658(10) and setting a public hearing for August 3, 2010, to be conducted at the regularly scheduled City Council meeting of that date.

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Lucille T. Breese, AICP  
Planning Manager

## **APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:**

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Laurel M. Barcelona, City Administrator

## **ATTACHMENTS:**

- Attachment 1: [Resolution 5658\(10\) Declaring Intent to Conduct a Public Hearing to Declare a Public Nuisance](#)
- Attachment 2: [Notice of Hearing to Determine Existence of Public Nuisance and to Abate in Whole or Part](#)