

Lompoc City Council Agenda Item



City Council Meeting Date: June 17, 2008

TO: Gary Keefe, City Administrator

FROM: Rick Curtze, Building Official/Fire Marshal
R_curtze@ci.lompoc.ca.us

SUBJECT: Hearing of Objections to Destroy Weeds and Remove Rubbish, Refuse, and Dirt

Recommendation: That the City Council:

- Hold a public hearing to receive comments and information from the public to show cause why nuisance conditions upon subject properties should not be abated; and,
- Adopt [Resolution 5481\(08\)](#) ordering the Fire Chief to abate said nuisances as declared on May 20, 2008, by Resolution 5470(08), in the time and manner provided by law.

Discussion: In accordance with Resolution 5470(08) that declared weeds on listed parcels to be public nuisances, the Fire Department or its agent mailed notices to owners of all parcels listed, informing them of the nuisance conditions and of the date, time and location of today's public hearing. Said notices also informed each owner that if they abated the aforementioned nuisances by June 13, 2008, the City would not impose administrative fees or special assessments authorized by Government Code Section 39573.

The Fire Marshal has inspected, or caused to be inspected, all of the nuisance parcels and has found nuisance conditions still existing on parcels on the attached list at Exhibit A (Revised). To proceed with the abatement of the public nuisances, it is necessary for the Council to hear any objections to the clearing of weeds. If good cause is shown why the weeds on a certain parcel should not be abated by the owner of record, Council may sustain the objection and remove that parcel from the list. If a property owner does not show good cause, Council may overrule that objection. After hearing all interested persons wishing to speak, Council is requested to overrule or sustain the objections presented, modify the property list if necessary, and direct abatement as ordered on May 20, 2008.

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Resolution 5481(08)

Adoption of Resolution 5481(08) will allow the Fire Department to cause the abatement of nuisance conditions on the listed parcels and will also allow the recovery of administrative costs incurred by the City for nuisance abatement. In accordance with Government Code Section 39574, the Building Official/Fire Marshal may keep an account of the cost of abatement, and administrative costs and submit to City Council for confirmation an itemized written report showing such costs. The City Clerk will be requested to post a copy of the report for at least three days prior to its submission to City Council with notice of the time of submission.

Rick Curtze, C.B.O., C.F.C.I.
Building Official/Fire Marshal

APPROVED FOR SUBMITTAL TO CITY ADMINISTRATOR:

Linual White, Fire Chief

APPROVED FOR SUBMITTAL TO CITY COUNCIL

Gary Keefe, City Administrator