

RESOLUTION NO. 5335(06)

**A Resolution Of The Council Of The City Of Lompoc,
County of Santa Barbara, State of California,
Declaring A Public Nuisance By Virtue of
Weed Growth and/or the Accumulation
of Rubbish, Debris and/or Dirt on Private Property,
Pursuant to Government Code Sections 39560 - 39588.**

WHEREAS, the Fire Chief has filed a report with the City Council showing that weeds (within the definition of Government Code Section 39560 (b)) have or will attain such a large growth as to become a fire menace when dry, or which are otherwise noxious or dangerous, upon each and every parcel of land described in said report, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference as though set forth at length; and

WHEREAS, the City Council does hereby find and determine that all of the properties described in Exhibit "A" are real properties upon which weeds, as defined in Government Code Section 39560 (b), are now growing and which growth has become large and sufficiently dry to be a fire menace or which are otherwise noxious or dangerous or likely to become noxious or dangerous during the pending dry season.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMPOC, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Pursuant to Government Code Sections 39560-39588, the City Council hereby declares that the dangerous or noxious weeds growing upon all the properties described in Exhibit A, and each parcel thereof, constitute a public nuisance which must be abated by the removal of said weeds from said parcels of property and that they shall be removed and the nuisance abated by the City, and after the order to abate has been issued, the cost of investigation, boundary determination, measurement, clerical and other related costs, including removal be assessed upon the land from which the said weeds are removed, and such charges will constitute a lien upon said land until paid.

SECTION 2. June 20, 2006 at 7:00 p.m., at the meeting place of the City Council at 100 Civic Center Plaza, Lompoc, California, is hereby fixed as the time and place for hearing objections to the proposed removal of such weeds and the entry of the order to abate.

SECTION 3. The Fire Department, pursuant to Government Code Section 39567.1, is directed to mail written notice of the proposed Resolution No. 5335(06) abatement to all persons owning properties described on attached Exhibit "A", at least five days prior to June 20, 2006. Said notice shall be in the form provided by Government Code Section 39566 except that the heading thereof need not comply with Government Code Section 39565. This mailing is an alternative to the posting required by Government Code Section 39564, and no posting shall be required.

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SECTION 4. Pursuant to Government Code Section 39562.1, the City Council finds and declares that the weeds on the properties described in Exhibit "A" are seasonal and recurrent. Accordingly, any subsequent occurrence of such nuisance within this calendar year may be abated in accordance with Government Code Section 39562.1 and without further public hearing.

SECTION 5. This Resolution is effective immediately upon adoption.

The above and foregoing Resolution was proposed by Councilmember _____, seconded by Councilmember _____, and was duly passed and adopted by the Council of the City of Lompoc at its regular meeting on _____, 2005 by the following electronic vote:

AYES: Councilmember:

NOES: Councilmember:

ABSENT: Councilmember:

Dick DeWees, Mayor
City of Lompoc

ATTEST:

Donna Terrones
City Clerk, City of Lompoc

Attachments: Exhibit A.