

RESOLUTION NO. 6395(21)

**A Resolution of the City Council of the City of Lompoc,
County of Santa Barbara, State of California,
Declaring 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 of the Fire Department (Department) of the City of Lompoc (City) has filed a report with the City Council, showing weeds within the definition of Government Code subdivision 39560(b) that have, or will attain, such a large growth as to become a fire menace when dry, or that are otherwise noxious or dangerous, upon each and every parcel of land described in the 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 all of the properties described in Exhibit A are real properties upon which weeds, as defined in Government Code subdivision 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; and

WHEREAS, the City Council does hereby also find some or all of the properties described on Exhibit A have rubbish, debris and/or dirt (Debris) accumulation and abatement of the weeds will result in Debris on those properties.

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 the dangerous or noxious weeds growing and/or the accumulation of debris upon all the properties described in Exhibit A, and each parcel thereof, constitute a public nuisance, which must be abated by the removal of those weeds and/or debris from those parcels of property and they shall be removed and the nuisance abated by the City. After the order to abate has been issued, the cost of investigation, boundary determination, measurement, clerical and other related costs, including removal, shall be assessed upon the land from which the weeds and/or debris will have been removed, and such charges will constitute a lien upon the applicable properties until paid.

SECTION 2. May 18, 2021, at 6:30 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 Department, pursuant to Government Code section 39567.1, is directed to mail written notice of this Resolution to all persons owning properties described on attached Exhibit A, at least five days prior to May 18, 2021. The notice shall be in the form provided by Government Code section 39566, except the heading thereof need not comply with Government Code section 39565. That mailing is an alternative to the posting required by Government Code section 39564, and no posting shall be required.

SECTION 4. Pursuant to Government Code section 39562.1, the City Council finds and declares the weeds on the properties described in Exhibit A are seasonal and recurrent nuisances. Accordingly, any subsequent occurrence of such nuisance within this calendar year may be abated in accordance with Government Code section 39562.1, without further public hearing and with notice to the subject property owners by post card.

SECTION 5. This Resolution is effective immediately upon adoption.

Councilmember _____ proposed the above and foregoing Resolution, seconded by Councilmember _____, and was duly passed and adopted by the Council of the City of Lompoc at its regular meeting on April 20, 2021, by the following electronic vote:

AYES: Councilmember(s):

NOES: Councilmember(s):

ABSENT: Councilmember:

Jenelle Osborne, Mayor
City of Lompoc

ATTEST:

Stacey Haddon, City Clerk
City of Lompoc

Exhibit A: List of Properties