

# City of Sacramento

## Legislation Details (With Text)

**File #:** 2020-00130    **Version:** 1  
**Type:** Public Hearing    **Status:** Agenda Ready  
**File created:** 1/23/2020    **In control:** City Council - 5PM  
**On agenda:** 3/24/2020    **Final action:** 12/31/2023  
**Title:** 2020 Weed and Rubbish Abatement (Noticed 02/25/2020)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
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**Title:**  
**2020 Weed and Rubbish Abatement (Noticed 02/25/2020)**

File ID: 2020-00130

**Location:** Citywide

**Recommendation:**

Conduct a public hearing to consider all objections to the proposed removal of weeds, rubbish, and dirt and upon conclusion, adopt a Resolution authorizing the Community Development Department Director to abate the nuisances by having the weeds, rubbish, refuse, and dirt removed from the parcels of the property constituting a public nuisance.

**Contact:** Jose Mendez, Code Enforcement Manager, (916) 808-5947, Community Development Department

**Presenter:** Jose Mendez, Code Enforcement Manager, (916) 808-5947, Community Development Department

**Attachments:**

- 1-Description/Analysis
- 2-Resolution
- 3-Exhibit A

## Description/Analysis

**Issue Detail:** The Community Development Department prepared a list of parcels of land within the city of Sacramento that have not been maintained free of weeds, rubbish, refuse, and dirt in accordance with Government Code §39561. On February 11, 2020, the City Council passed Resolution No. 2020-0051, declaring that certain specified parcels of property in the city have weeds, rubbish, refuse, and/or dirt which constitute public nuisances, and setting a public hearing to consider any objections to the proposed abatement of weeds, rubbish, refuse, and dirt. Property owners of parcels to be abated have been notified by mail of this public hearing. The comprehensive list of parcels was included in Exhibit A of Resolution No. 2020-0051. In accordance with Government Code §39567 and §39567.1, all property owners of affected parcels were mailed a notice on February 25, 2020, to inform them of the public hearing scheduled for March 24, 2020. Staff recommends that the City Council adopt the attached resolution authorizing the removal of weeds, rubbish, refuse, and/or dirt upon parcels identified in Resolution No. 2020-0051 to eliminate hazards to the health, safety, and well-being of the citizens of the city.

**Policy Considerations:** Government Code §39568 through §39571 authorizes the City Council to consider all objections to the proposed removal of weeds, rubbish, refuse, and/or dirt, allow or overrule any objections, and order the abatement of the nuisance by having the weeds, rubbish, refuse, and/or dirt removed.

**Economic Impacts:** Not applicable.

**Environmental Considerations:** This report concerns administrative activities and government fiscal activities that do not constitute a “project” as defined by the California Environmental Quality Act (CEQA) Guidelines Sections 15378(b)(2) and 15378(b)(4) and are not subject to the provisions of CEQA (CEQA Guidelines 15060(c)(3)).

**Sustainability:** Not applicable.

**Commission/Committee Action:** Not applicable.

**Rationale for Recommendation:** The Community Development Department requested a public hearing be held to consider objections to the proposed abatement of weeds, rubbish, refuse, and/or dirt from various parcels of land within the city pursuant to Government Code §39568, §39569, and §39570. Affected property owners can object to the proposed abatement on their properties via phone, email, and mail as well as during the scheduled public hearing.

**Financial Considerations:** Staff anticipates the need to abate weeds, rubbish, refuse, and/or dirt on approximately 800-1,200 parcels of property due to lack of abatement by owners of said parcels. Property owners will be responsible for abatement costs including an administrative fee of \$525. This program recovers costs through billing, penalties, and liens on real property.

**Local Business Enterprise (LBE):** Not applicable.

**Background:** The Weed Abatement Program was initiated on July 10, 1969 and has been in effect since the City of Sacramento first adopted the standards for weed and rubbish abatement. A database comprised of real property within the city that was covered by weeds, rubbish, refuse, and/or dirt was created. These properties were described in Exhibit A to Resolution No. 2020-0051, whereby City Council declared such weeds, rubbish, refuse, and/or dirt to be public nuisances. Routine inspections made by the Community Development Department ensure that the described real property has been added to the database and/or is eliminated from the database when the property no longer constitutes a hazard.

Presently over 4,500 weed and rubbish abatement notifications were mailed to parcel owners. Of those, approximately 800-1,200 will require abatement by the City due to lack of abatement by parcel owner.

An invoice will be issued by the City for abatement at the completion of the weed abatement season. Non-payment may result in the cost of the abatement being made as a special assessment against the property.