

CITY OF CLOVERDALE

CITY COUNCIL

RESOLUTION NO. 46-2019

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVERDALE DECLARING ALL WEEDS GROWING WITHIN THE CITY TO BE A PUBLIC NUISANCE AND DECLARING ITS INTENTION TO REMOVE AND ABATE THE SAME UPON SPECIFIED PRIVATE PROPERTIES UNDER AND IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF CLOVERDALE MUNICIPAL CODE CHAPTER 8.16, ENTITLED WEED ABATEMENT

WHEREAS, Chapter 8.16 of the City of Cloverdale Municipal Code, states “weeds growing upon and adjacent to private property within the City, which are allowed by the owners thereof to flourish and grow in such a manner that they constitute a health, fire and safety menace to the citizens of the City which should be abated”; and

WHEREAS, Cloverdale Municipal Code section 8.16.030(B) provides that the City Council upon recommendation by the Fire Chief, recommend and order such nuisance to be abated by having the weeds removed through “rotovating, discing or mowing of weeds on certain properties”; and

WHEREAS, Jason Jenkins, Fire Chief of the Cloverdale Fire District submitted a letter to the City attached to and incorporated herein as Exhibit “A”, reporting that the Cloverdale Fire Protection District had conducted inspections and found that certain specified properties within the city limits were not in compliance with the City’s Weed Abatement code; and

WHEREAS, the certain properties within the City of Cloverdale identified in Exhibit “A” remain in violation of the weed abatement ordinance, constituting a public nuisance due to weed conditions in the front, rear and side yards and pose a risk to public safety by creating a fire hazard:

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Cloverdale finds that the weeds growing on the private properties identified in Exhibit “A”, constitute a public nuisance and pose a risk to public safety by creating a fire hazard and does hereby declare said conditions to be a public nuisance, and orders said nuisance conditions to be abated by the destruction or removal of the weeds; and,

BE IT FURTHER RESOLVED that, if the weeds are not abated by removal or destruction prior to June 26, 2019, they will be removed and the nuisance abated by the City.

BE IT FURTHER RESOLVED that a hearing on any objections to the proposed destruction or removal of such weeds by the City is hereby set for Wednesday, July 24, 2019, at or soon after 6:00 p.m. in the Cloverdale Performing Arts Center located at 209 N. Cloverdale Blvd., Cloverdale, California.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to mail a written Notice to Destroy Weeds in the form set forth in Cloverdale Municipal Code Section 8.16.050 to each of the assessed owners of record of the subject properties identified in Exhibit “A”, along with a copy of this resolution ordering the destruction or removal of the weeds and setting the date of Wednesday, July 24, 2019 at or soon after 6:00 p.m., for hearing all objections from the assessed owners as listed in this resolution.


BE IT FURTHER RESOLVED that the expense of destruction and/or removal of the weeds by the City, including administrative costs, shall constitute a lien on the respective properties and may be assessed on the lot or land where the weeds have been destroyed or removed.

The foregoing Resolution No. 46-2019 was duly introduced and legally adopted by the City Council of the City of Cloverdale at its regular meeting held on this 12th day of June 2019 by the following roll call vote:

Ayes: (4) Councilmember Brigham, Councilmember Turner, Vice Mayor Wolter and Mayor Bagby
Noes: (0) None
Absent: (1) Councilmember Cruz
Abstain: (0) None

Approved:

Attested:



Melanie Bagby, Mayor



Maria McArthur, Interim Deputy City Clerk

Exhibit "A" – List of properties in violation of the Weed Abatement Ordinance – Municipal Code Chapter 8.16



CLOVERDALE FIRE PROTECTION DISTRICT
SERVING OUR COMMUNITY WITH PRIDE

Date: 06/12/2019

City of Cloverdale

Attn: Asst. City Manager Kevin Thompson & honorable Mayor Melanie Bagby
124 N Cloverdale Blvd
Cloverdale, CA 95425

RE: WEED ABATEMENT

Dear Asst. City Manager Kevin Thompson and Mayor Melanie Bagby,

On April 8th, 2019, the Cloverdale Fire Protection District, pursuant to the California Fire Code, declared weeds a public nuisance in the Cloverdale City Limits. This declaration is made annually before we receive complaints and inspect properties for vegetation management compliance.

The Cloverdale Fire Protection District now requests that the City Council pass a Resolution declaring the following properties non compliant and a public nuisance and that the City Council approve removal of the weeds from these properties, including driveways and adjacent sidewalks as necessary. The request for Council action is deemed necessary due to failed attempts by the Fire Protection District to resolve the nuisance through violation notices as shown below that were sent on May 8th with a deadline of June 10th for completion:

134 Caldwell St. APN#001-083-007
129 Railroad Ave APN#001-103-041
11 Hillside Dr APN#116-430-026
224 Vista View APN#001-340-021
422 E. First St APN#001-192-026

Each of these properties was inspected by our fire district personnel prior to each notice of violation.

Sincerely,

Jason Jenkins
Fire Chief

CITY OF CLOVERDALE
RECEIVED

JUN 12 2019