

224

CITY COUNCIL MEETING
SEPTEMBER 5, 1984

PROCEEDINGS RE
WEED ABATEMENT
(713 S.
SACRAMENTO ST.
LODI)

Council was apprised that the Fire Department has made every effort to have the owners of 713 South Sacramento Street, Lodi, (Assessors Parcel No. 045-240-07) remove the weeds from that parcel.

RES. NO. 84-133
ADOPTED

COUNCIL ADOPTED RESOLUTION NO. 84-133 - RESOLUTION DECLARING WEEDS A PUBLIC NUISANCE AND INITIATING ABATEMENT PROCEEDINGS 713 SOUTH SACRAMENTO STREET, LODI, AND SET THE MATTER FOR PUBLIC HEARING ON WEDNESDAY, OCTOBER 3, 1984 AT 7:30 P.M.

Page 344

COUNCIL COMMUNICATION

TO: THE CITY COUNCIL

DATE

NO.

FROM: THE CITY MANAGER'S OFFICE

August 31, 1984

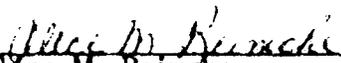
SUBJECT:

Proceedings re Weed Abatement (713 S. Sacramento Street,
Lodi)

We have been advised by the Fire Department that every effort has been made to have the owners of 713 South Sacramento Street, Lodi (Parcel No. 045-240-07) remove the weeds from that parcel and it is the Fire Department's recommendation that the City go forward with weed abatement proceedings on the subject parcel as provided under Government Code Section 39501 - 39588.

RECOMMENDED ACTION

Council is respectfully requested to adopt the attached Resolution setting the matter for Public Hearing on Wednesday, October 3, 1984 at 7:30 p.m.



Alice M. Reimche
City Clerk

6. The superintendent shall prepare notices as follows: The heading of the notice shall be "Notice to destroy weeds and remove rubbish, refuse and dirt" in letters not less than 1" in height. The notice shall be substantially in the following form:

**NOTICE TO DESTROY WEEDS AND REMOVE
RUBBISH, REFUSE AND DIRT**

Notice is hereby given that on the 5th day of September, 1984, the City Council of the City of Lodi passed a resolution declaring that noxious or dangerous weeds were growing upon or in front of the property on this street, and that rubbish, refuse and dirt were upon or in front of property on this street, and more particularly described in the resolution, and that they constitute a public nuisance which must be abated by the removal of the weeds, rubbish, refuse and dirt. Otherwise, they will be removed and the nuisance abated by the city and the cost of removal assessed upon the land from or in front of which the weeds, rubbish, refuse and dirt are removed and will constitute a lien upon such land until paid. Reference is hereby made to the resolution for further particulars. A copy of said resolution is on file in the office of the city clerk.

All property owners having any objections to the proposed removal of the weeds, rubbish, refuse and dirt are hereby notified to attend a meeting of the City Council of the City of Lodi to be held at the Lodi City Council Chambers, Lodi, California on July 5, 1984, at the hour of 7:30 o'clock p.m., when their objections will be heard and given due consideration.

Dated this 5th day of September, 1984.

Street Superintendent
Director of Public Works
City of Lodi

7. The superintendent is instructed to cause copies of the notice to be conspicuously posted on or in front of the property on or in front of which the nuisance exists. He shall post the notice at least 5 days before the time fixed for hearing objections by the council. He shall post 1 notice to each separately owned parcel of property of not over 50-foot frontage; not more than 2 notices to each separately owned parcel of property of between 50-foot frontage and 100-foot frontage; and notices at not more than 100 feet apart if the frontage of the parcel is greater than 100 feet.

8. In addition to posting, the city clerk shall mail written notice of the proposed abatement to all persons owning property described in paragraph 4 of this resolution. The notice shall be mailed to each person to whom the property is assessed as shown on the last equalized assessment roll. The clerk shall mail the notice at least 5 days before the time set for the hearing. The notice shall be in substantially the form described above which is posted on the property, except that the notice shall be signed by the city clerk and the notice need not contain the heading in 1" letters.

Adopted by the City Council of the City of Lodi the 5th Day of September, 1984 by the following vote:

Ayes: Council Members -
Noes: Council Members -
Absent: Council Members -

Alice M. Reimche
City Clerk

EXHIBIT "A"

Parcel No. 045-240-07
Owner - Angelantonio De Rubes
2755 Ordway N. W. 406
Washington, D.C. 20008

Situs Address
713 South Sacramento Street, Lodi

M/C
MAY 29 1984

LODI FIRE DEPARTMENT

Notice of Fire Hazard

No 3640

FINAL NOTICE: Non-Compliance
Will Result in a Citation.

Date 5-23, 1984

Name ANGEL ANTONIO DE RUIZ

Address 3755 ORDWAY ST. NW 406
WASHINGTON DC 20008

MAY 30 1984
CITING OFF

Inspection of the premises located at 713 S SACRAMENTO ST.
VACANT AREA - BUILDINGS reveals a fire hazard. You are hereby requested
to correct the following conditions on or before 5-23, 1984

REMOVE ALL WEED GROWTH FROM THE PREMISES
BY CUTTING AND REMOVING OR THOROUGHLY
DISCING UNDER. LODI FIRE CODE 11.201.9

For more information please call

Phone: 369-2737
333-6739

BUREAU OF FIRE PREVENTION

By A. J. Hankinson F.I.

City of Lodi
FIRE DEPARTMENT
HEADQUARTERS STATION
210 WEST ELM STREET
LODI, CALIFORNIA 95240

(209) 333-6739

May 31, 1984

Angelantonio De Rubes
2755 Ordway St. N.W. 406
Washington, D.C. 20008

Dear Sir:

Two Notices of Fire Hazard dated March 29, 1984 and May 9, 1984 have been issued to you in regards to weed abatement on your property located at 713 So. Sacramento St. Lodi Ca 95240

The City of Lodi Fire Code requires the weeds and grass on the premises be either cut and removed or disced under.

Prior court rulings make you legally libel for any damage should a fire occur in the interim until this problem is corrected.

If proper disposal of the weeds is not achieved in the next 7 days, the matter will be referred to the city attorney for legal action.

Sincerely,



Don Hawkinson, Fire Inspector

DH/lt

....Compliance for weed abatement will require the removal of all cut weed material from the premises.

N/C
6/2/84
DH

N/C
6/2/84
DH

RESOLUTION NO.

RESOLUTION DECLARING WEEDS A PUBLIC NUISANCE AND
INITIATING ABATEMENT PROCEEDINGS

RESOLVED, by the City Council of the City of Lodi that:

1. The Council elects to proceed under Government Code section 39501-39588 to declare as a public nuisance and abate

- a) all weeds growing upon streets, sidewalks and private property in the city and
- b) all rubbish, refuse and dirt upon parkways, sidewalks and private property in the city.

In this resolution and in all subsequent proceedings, weeds means weeds which when mature bear wingy or downy seeds which will attain such a large growth as to become a fire menace when dry, or which are otherwise noxious or dangerous, and includes sagebrush, chapparel, poison oak and poison ivy, when the conditions of growth are such as to constitute a menace to the public health, dry grass, stubble, brush, litter and all other flammable material which endangers the public safety by creating a fire hazard.

2. The council declares as a public nuisance:

- a) all weeds growing upon the streets, sidewalks and private property in the city and
- b) all rubbish, refuse and dirt upon parkways, sidewalks and private property in the city.

3. The property upon which or in front of which the nuisance declared in paragraph 2 exist are described in EXHIBIT "A" attached hereto and made a part of this reference. The council finds and declares that weeds on or in front of the parcels specified in EXHIBIT "A" are seasonal and recurrent in nature. In accordance with section 39562.1 the seasonal and recurrent nuisances shall be abated under sections 39501-39588 and upon the second and subsequent occurrence in the same calendar year, no further hearings will be held and notice shall be by mailing a post card as provided in section 39562.1.

4. The director of public works is the person designated to perform the duties imposed by Government Code sections 39560-39588 upon the superintendent, and all references in these proceedings to superintendent means that person.

5. Wednesday, October 3, 1984 at the hour of 7:30 o'clock p.m. at the Lodi City Council Chambers, California, is fixed as the time and place for hearing all objections to the proposed removal of weeds, rubbish, refuse and dirt.

RESOLUTION NO. 84-133

RESOLUTION DECLARING WEEDS A PUBLIC NUISANCE AND
INITIATING ABATEMENT PROCEEDINGS - 713 SOUTH
SACRAMENTO STREET, LODI, CALIFORNIA

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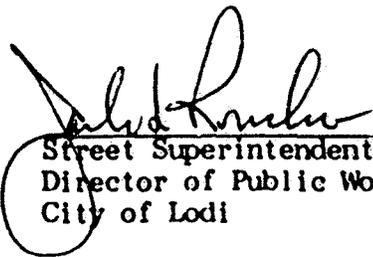
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Dated this 5th day of September, 1984.



Street Superintendent
Director of Public Works
City of Lodi

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Adopted by the City Council of the City of Lodi 5th day of September, 1984 by the following vote:

Ayes: Council Members - Hinchman, Reid, Olson
& Snider (Mayor)

Noes: Council Members - None

Absent: Council Members - Pinkerton


Alice M. Reimche
City Clerk

EXHIBIT "A"

Parcel No. 045-240-07
Owner - Angelantonio De Rubes
2755 Ordway, N.W. 406
Washington, D.C. 20008

Situs Address
713 South Sacramento Street, Lodi

CITY COUNCIL

JOHN R (Randy) SNIDER, Mayor
DAVID M HINCHMAN
Mayor Pro Tempore
EVELYN M OLSON
JAMES W PINKERTON, Jr
FRED M REID

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
POST OFFICE BOX 320
LODI, CALIFORNIA 95241
(209) 334-5634

HENRY A. GLAVES, Jr
City Manager
ALICE M REIMCHE
City Clerk
RONALD M STEIN
City Attorney

MEMORANDUM

TO: Jack Ronsko
Public Works Director

FROM: Alice M. Reimche
City Clerk

Enclosed herewith please find copy of Resolution No. 84-133 a Resolution Declaring Weeds a Public Nuisance and Initiating Abatement Proceedings - 713 South Sacramento Street, Lodi, California.

By motion action, at the regular meeting of September 5, 1984 the Council set this matter for Public Hearing on October 3, 1984. You will note under Section 6 of the subject Resolution that you have a responsibility of doing a posting. The format of the posting is included in the Resolution.

Should you have any questions regarding this matter, please do not hesitate to call.

Alice M. Reimche
Alice M. Reimche
City Clerk

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