

RESOLUTION NO. RES-2019-126

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA CONFIRMING THE ITEMIZED REPORT OF THE SANTA ROSA FIRE DEPARTMENT OF THE COST OF REMOVING WEEDS AND/OR RUBBISH FROM, UPON, OR IN FRONT OF CERTAIN LOTS OR PARCELS OF LAND WITHIN THE CITY OF SANTA ROSA

WHEREAS, pursuant to the provisions of Santa Rosa City Code Chapter 9-08 and Resolution RES-2017-028, all weeds which: a) bear seeds of a wingy or downy nature that have attained a natural growth in height in excess of four inches, or attain such a large growth as to become a fire menace when dry, or which are otherwise noxious or dangerous, and b) are on undeveloped parcels, on developed parcels over .5 acres with more than .5 acres of unimproved land, or on parcels located in a Wildland Urban Interface Fire Area within City limits were declared to be a public nuisance; and

WHEREAS, in substantial compliance with the provisions of Santa Rosa City Code section 9-08.030 and RES-2017-028, which was approved by Council on February 28, 2017, notice was given to affected property owners and the Santa Rosa Fire Department was authorized to abate such nuisances; and

WHEREAS, an account of the cost of abating such nuisance in front of or on each separate lot or parcel of land was kept by the Santa Rosa Fire Department and an itemized report thereof in writing has been submitted to this Council; and

WHEREAS, the City Council approved a fee recovery program to fund weed abatement services and an hourly fee of \$141.00 for FY 2018-19 is charged to properties who have not complied with requests for voluntary abatement; and

WHEREAS, pursuant to Santa Rosa City Code section 9-08.070, the Santa Rosa Fire Department posted a copy of the itemized report and the required notice; and

WHEREAS, the Council has received and considered the itemized report and has heard all objections thereto; and

WHEREAS, the Council has overruled all objections except those reflected by any modification made during the course of the hearing to the itemized report.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa has overruled all objections except those reflected by any modification made during the course of the hearing to the itemized report.

BE IT FURTHER RESOLVED that the Council confirms the itemized report, attached as Exhibit A to the Resolution.

BE IT FURTHER RESOLVED that the costs for abating nuisances set forth in the report shall constitute a special assessment and a lien upon the properties for the amounts set forth, said liens to be carried over to the next fiscal year.

BE IT FURTHER RESOLVED that the Santa Rosa Fire Department, County Assessor, and County Tax Collector are authorized and directed to proceed in accordance with the further provisions of Santa Rosa City Code section 9-08.090.

IN COUNCIL DULY PASSED this 13th day of August, 2019.

AYES: (5) Mayor Schwedhelm, Vice Mayor Rogers, Council Members Combs, Fleming, Olivares

NOES: (0)

ABSENT: (2) Council Members Sawyer, Tibbetts

ABSTAIN: (0)

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
Acting City Clerk Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

Exhibit A – Unpaid Weed Abatement AR going to Sonoma County Tax Roll