

CITY OF SANTA ROSA  
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL  
FROM: PAUL LOWENTHAL, ASSISTANT FIRE MARSHAL  
FIRE DEPARTMENT

SUBJECT: RESOLUTION DECLARING WEEDS AND RUBBISH IN THE  
SANTA ROSA CITY LIMITS A PUBLIC NUISANCE

AGENDA ACTION: RESOLUTION

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RECOMMENDATION

It is recommended by the Fire Department that Council, by resolution, over rule any protests and authorize the Fire Department to abate the nuisances.

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EXECUTIVE SUMMARY

Approval of this resolution will ensure that City Ordinance 3681 is upheld during the declared fire season for the safety of our community.

BACKGROUND

1. On February 4, 2016, Council declared by resolution, weeds and rubbish as a public nuisance. The second procedure is to publish a notice for a public hearing, at which time a person or persons may voice an objection to the Weed and rubbish Abatement Program. After hearing any or all protests, the Council, by resolution, may grant or overrule any protest and authorize the Fire Department to abate the nuisances.
2. Chapter 9-08 of the Santa Rosa City Code requires a public hearing to hear all objections or protests to the proposed removal of weed and rubbish upon property that such a public nuisance has been declared to exist.
3. The City Council grants or overrules any such protests.
4. The City Council, then, by resolution, may authorize the Fire Department to abate all weeds and rubbish on or upon private property within the City of Santa Rosa.

## PRIOR CITY COUNCIL REVIEW

On February 24, 2015, the City Council, by Resolution No. 28608, approved Resolution declaring Weeds and Rubbish a Nuisance

On February 2, 2016, the City Council, by Resolution No. 28737, approved Resolution declaring Weeds and Rubbish a Nuisance

## ANALYSIS

1. Santa Rosa City Code Chapter 9-08 requires the abatement of weeds and rubbish as a public nuisance.
2. The Santa Rosa Fire Department, as directed by the City Council, abates weeds and rubbish on, upon or in front of private property within the Santa Rosa city limits subsequent to notifying property owners.
3. Approximately 1,225 notices were sent in 2015 and 251 parcels were abated by the Santa Rosa Fire Department (including City owned parcels).
4. Abatement enforcement begins with the declaration of the Fire Season by the Director of Cal Fire on or near May 1<sup>st</sup>, depending on the weather conditions, and shall continue until the end of the Fire Season as declared by the Director of Cal Fire.

## FISCAL IMPACT

There are no fiscal impacts associated with the Council resolution to declare weeds and rubbish in the Santa Rosa city limits a public nuisance.

## ENVIRONMENTAL IMPACT

This action is exempt from the California Environmental Quality Act (CEQA) because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guideline foreseeable indirect physical change in the environment, pursuant to CEQA Guideline section 15378.

## BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable

## NOTIFICATION

Not applicable

## ATTACHMENTS

- Attachment 1 – Resolution No. 28737

## CONTACT

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