

RESOLUTION NO. 18-8630

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
DECLARING WEEDS TO BE A PUBLIC NUISANCE AND SETTING
A HEARING DATE FOR THE CITY COUNCIL TO HEAR PUBLIC
INPUT REGARDING THE PROPOSED DESTRUCTION OR
REMOVAL OF WEEDS**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, weeds are growing in the City of Santa Clara upon streets, alleys, sidewalks and upon private property; these weeds bear seeds of a wingy or downy nature or may grow and, when dry, become a fire menace or those weeds that are otherwise noxious and dangerous; and,

WHEREAS, Santa Clara City Code § 8.15.030 authorizes the City Council to pass a resolution declaring such weeds to be a public nuisance, and states that unless such a nuisance is abated, the work of abating the nuisance shall be done by the City, with the expenses assessed upon the lots from which the weeds are removed.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That these weeds constitute and will continue to constitute a public nuisance, and it is ordered that this public nuisance be abated in the manner provided in Title 8 [entitled "Weeds" - Section 8.15 et seq.] of Chapter 8 of "The Code of the City of Santa Clara, California" and the "Agreement for the Abatement of Weeds by County of Santa Clara for City of Santa Clara" (a copy is on file in the office of the City Clerk).
2. That these weeds constitute and will continue to constitute a public nuisance, and it is ordered that this public nuisance be abated in the manner provided in Title 8 [entitled "Weeds" - Section 8.15 et seq.] of Chapter 8 of "The Code of the City of Santa Clara, California" and the "Agreement for the Abatement of Weeds by County of Santa Clara for City of Santa Clara" (a copy is on file in the office of the City Clerk).

3. That on January 29, 2019 at 7:00 p.m., or as soon as the matter may be heard, in the Council Chambers of the City of Santa Clara, public input regarding the proposed destruction or removal of weeds shall be heard.

4. That the City Manager, or her designee, is hereby directed to cause notice of the adoption of this resolution and notice of this hearing to be given by posting and by publication in the manner and form provided in Section 8.15.040 of "The Code of the City of Santa Clara, California" and to cause notice to be published twice in the Santa Clara Weekly, a newspaper of general circulation which is published in the City of Santa Clara, at least ten (10) calendar days prior to the hearing.

5. That the Santa Clara County Agricultural Commissioner is also directed to give notice by mail to the owner or owners of each individual parcel of land upon which weeds will be abated by the City at least ten (10) calendar days prior to such abatement. Before the expiration of the ten-day period, any owner may voluntarily proceed to abate the nuisance. The notice may be given by mail, addressed to the owner at the last known address as shown on the last County Equalized Assessment Roll.

6. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 4th DAY OF DECEMBER, 2018, BY THE FOLLOWING VOTE:

AYES: COUNCILORS: Davis, Kolstad, O'Neill, and Watanabe and Mayor Gillmor

NOES: COUNCILORS: None

ABSENT: COUNCILORS: Mahan

ABSTAINED: COUNCILORS: None

ATTEST: 

NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference: None