

RESOLUTION NO. 202464 APR 20 1971

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO
DECLARING THAT THERE ARE WEEDS, RUBBISH, REFUSE
AND DIRT EXISTING UPON CERTAIN STREETS, SIDEWALKS
AND PRIVATE PROPERTY IN THE CITY OF SAN DIEGO WHICH
CONSTITUTE A PUBLIC NUISANCE AND DECLARING THE
INTENTION OF THE COUNCIL TO ORDER THE ABATEMENT OF
THE SAME.

WHEREAS, California Government Code, Sections 39560 to
39588 inclusive, provide a comprehensive plan for weed and
litter abatement; and

WHEREAS, the Southeast San Diego Environmental Task Force
at its meeting of March 5, 1971 recommended to the Council of
The City of San Diego that the City Manager and City Attorney
be directed to prepare a weed and litter abatement program
utilizing said Government Code plan; and

WHEREAS, said recommendation was unanimously approved by
the Council of The City of San Diego at the Council conference
of March 9, 1971; and

WHEREAS, a weed and litter abatement program has been
prepared pursuant to said Government Code; and

WHEREAS, there are weeds, as defined by Section 39561.5 of
the California Government Code, growing or existing upon certain
private property hereinafter described and upon the streets and
sidewalks in front of said property; and

WHEREAS, there is rubbish, refuse and dirt upon said
property and upon the streets and sidewalks in front of said
property; and

WHEREAS, the presence of weeds, rubbish, refuse and dirt upon or in front of said property is a fire hazard and creates conditions which adversely affect the public health, safety and general welfare; and

WHEREAS, the private property together with the streets and sidewalks in front of same herein referred to is located in and about an area whose boundary is as follows: from 12th Avenue East along Russ Boulevard to 28th Street, then East along "A" Street to Wabash Freeway and Highway 94 Intersection, then East along the south side of Highway 94 to 47th Street, then South to the San Diego City Limits, then West to Harbor Drive, Northwest along Harbor Drive to 12th Avenue and then North to Russ Boulevard; and

WHEREAS, the private property together with the streets and sidewalks in front of same herein referred to is particularly described by individual parcel and by common street name and by lot and block number and by County Assessor's book, page and parcel number in Document No. 735654 on file in the office of the City Clerk of The City of San Diego which is incorporated by reference herein and made a part hereof as though set forth in full at this point; and

WHEREAS, the Sanitation Division of the Department of Public Works of The City of San Diego has requested that the above described conditions on the above described property be declared a public nuisance and abated as such; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego,
as follows:

1. That the weeds, rubbish, refuse and dirt upon or in front of the real property hereinbefore described constitute and are hereby declared to be a public nuisance which shall be abated.

2. That the Public Works Director of The City of San Diego is hereby designated to perform all the duties imposed upon the Superintendent as defined in the California Government Code, Sections 39560 to 39588 inclusive.

3. That the City Clerk of The City of San Diego is directed to mail written notice of the proposed abatement as required by Section 39567.1 of the California Government Code to all persons owning property described in this resolution and said notice shall be substantially in the following form, to wit:

NOTICE TO DESTROY WEEDS AND
REMOVE RUBBISH, REFUSE AND DIRT

Notice is hereby given that on _____, the City Council of The City of San Diego passed a resolution declaring that noxious or dangerous weeds were growing upon or in front of the property described in this notice, and/or that rubbish, refuse and dirt were upon or in front of said property on this street in the City of San Diego, County of San Diego, 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 of San Diego and the cost of removal assessed upon the land from or in front of which the weeds, rubbish, refuse, and dirt are removed, and such

cost will constitute a lien upon such lands until paid. Reference is hereby made to said Resolution for further particulars.

All property owners having any objections to the proposed removal of weeds, rubbish, refuse, and dirt are hereby notified that they may attend a meeting of the City Council of The City of San Diego to be held in the Council Chamber of said City at _____ (date, time and place) _____ when their objections will be heard and given due consideration. If the property owner does not want to present objections to the proposed removal of the weeds, rubbish, refuse, and dirt, he need not appear at the above mentioned hearing.

The City Clerk of The City of San Diego

4. That at 9:30 a.m. on May 13, 1971 in the Council Chamber, City Administration Building, 202 C Street, San Diego, California, the City Council will hear and give due consideration to any and all property owners having objections to the aforesaid proposed removal of weeds, rubbish, refuse and dirt. At said hearing property owners may show cause why same should not be removed in accordance with this Resolution. At the conclusion of said hearings the Council will allow or overrule any objections and order the superintendent to abate the nuisance by having the weeds, rubbish, refuse and dirt removed at the expense of the property owners.

5. The above detailed notice shall be mailed by the City Clerk of The City of San Diego at least five days prior to the protest hearing date.

APPROVED: JOHN W. WITT, City Attorney

By V. F. Biondo, Jr.
Vincent F. Biondo, Jr., Deputy

202464

VFB:srr
4/13/71

Passed and adopted by the Council of The City of San Diego on APR 20 1971
by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1971 APR 14 AM 11:13
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
Mayor of The City of San Diego, California.
EDWARD NIELSEN
City Clerk of The City of San Diego, California.

(Seal)

By Edna J. Hamel, Deputy

Office of the City Clerk, San Diego, California
Resolution Number 202464 Adopted APR 20 1971