

RESOLUTION NO. ~~207584~~ MAR 22 1973

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 abate-
ment; 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, The City of San Diego has conducted such a program
and is now ready to conduct the third year phase of said program;
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:

ZONE 1 generally extending from the point of intersection of the Mexican Border and the Western San Diego City limits line, north along the San Diego City limits to its northernmost point, then in an easterly direction along the City limits line to its easternmost point on La Media Road, then west and south to the Mexican Border, west along the border to the westernmost point of the City limits. Generally, this includes San Ysidro.

ZONE 2 generally the intersection of Pacific Highway and Ash Street, east along the south side of Ash to Tenth Avenue, south on west side of Tenth to Russ Boulevard, east on south side of Russ Boulevard to 28th Street, south on west side of 28th Street to "A" Street, east along the south side of "A" Street to intersection of Wabash Freeway and Highway 94, then east along south side of Highway 94 to San Diego City limits, then follow San Diego City limits south and west to Harbor Drive. North along Harbor Drive to Pacific Highway. Pacific Highway north to Ash Street. Generally, this includes Encanto, Emerald Hills, Paradise Hills, Lomita Village and Southeast San Diego.

ZONE 3 generally from the intersection of Pacific Highway and Ash Street, north along the east side of Pacific Highway to Interstate 8. East along south side of Interstate 8 to Interstate 15. North along east side of Interstate 15 to the northern City limits. Then following the City limit line in a northeasterly direction to the eastern City limits. Following the eastern City limit line in a southern direction to Highway 94. West along north side of Highway 94 to Wabash. North on east side of Wabash to "A" Street. West on north side of "A" Street to 28th, north on east side of 28th to Russ Boulevard, west on north side of Russ Boulevard to Tenth Avenue. North on east side of Tenth to Ash, west on north side of Ash to the intersection of Pacific Highway. Generally includes Old

Town, Mission Hills, Hillcrest, North Park, Normal Heights, East San Diego, Grantville, Del Cerro and Lake Murray/Navajo areas.

ZONE 4 generally from a point called Horizon, on the ocean due west of La Jolla Shores Drive, south along the ocean to the Naval Electronics Laboratory (U. S. Government property), then east along the Government property line to the shore of San Diego Bay, then following the shore line of the bay (to include Shelter Island) then west on Nimitz Boulevard to Rosecrans. North on Rosecrans to Lytton, then to Barnett. Barnett to Pacific Highway, along west side of Pacific Highway to AT & SF RR tracks. North along east side of tracks to Knoxville, east along north side of Knoxville to Morena Boulevard. North on west side of Morena to Balboa. West on north side of Balboa to Interstate 5. North along west side of Interstate 5 to Gilman Drive to Miramar Road. West along south side of Miramar Road and Eastgate Mall to Genessee. Northwest along south side of Genessee to Torrey Pines Road, south on east side of Torrey Pines Road to La Jolla Shores Drive. Along south side of La Jolla Shores Drive and to a point called Horizon on the ocean, due west of La Jolla Shores Drive. Generally, this includes La Jolla, Pacific Beach, Mission Beach, Ocean Beach, Loma Portal and Point Loma.

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. 743000 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, notwithstanding the description of Zones 1 through 4 herein referred to, the 1,000-yard Coastal Permit Zone as defined in Section 27104 of the Public Resources Code (amended 1972) is excepted from Zones 1 through 4; 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

The City of San Diego has 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 certain streets in said city, and more particularly described in the resolution, and that they constitute a fire hazard or public nuisance which must be abated by the removal of said weeds, brush, rubbish, refuse and dirt, otherwise they will be removed and the nuisance abated by City authorities and the cost of removal assessed upon the land from or in front of which the weeds, brush, rubbish, refuse and dirt are removed, and such cost will constitute a lien upon such lots or lands until paid. Reference is hereby made to said resolution which is on file in the office of the City Clerk.

All property owners having any objections to the proposed removal of weeds, brush, rubbish, refuse and dirt are hereby notified that they may attend a meeting of the San Diego City Council, 12th floor, City Administration Building, 202 C Street, San Diego, California, on _____ (date) _____ at _____ (time) 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, brush, rubbish, refuse and dirt, he need not appear at the above mentioned hearing.

DATED this _____ (date) _____ day of _____ (month) _____.

(City Clerk)
THE CITY OF SAN DIEGO

4. That at 9:30 a.m. on APR 12 1973, 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 on APR 12 1973 or, if the Council has continued the hearings from time to time on whatever date said hearings are concluded, 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 
Derek J. Simmons, Deputy

DJS:cav
3/19/73

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1973 MAR 20 AM 8:36

SAN DIEGO, CALIF.

Passed and adopted by the Council of The City of San Diego on MAR 22 1973,
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

By Mary Anne Neese, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 207584 Adopted MAR 22 1973