

RESOLUTION NO. R-250180

(R. 80-458)

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 AND  
DECLARING THE INTENTION OF THE COUNCIL TO  
ORDER THE ABATEMENT OF THE SAME.

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

WHEREAS, the Transportation and Land Use Committee at its meeting of August 22, 1979, 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, the Council of The City of San Diego at its meeting of August 24, 1979, approved a Weed and Rubbish Abatement Program in Southeast San Diego; and

WHEREAS, a weed and litter abatement program will be prepared pursuant to said Government Code; and

WHEREAS, The City of San Diego has conducted such a program in the past and is now ready to again conduct said program; and

WHEREAS, there are weeds, as defined by Section 39561.5 of the California Government Code, growing or existing upon 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 bounded on the north by Freeway 94, east by Euclid Avenue, south by the National City limits and west by I-5; 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. RR-250180 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 Solid Waste Division of the General Services Department 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 General Services 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 by September 30, 1979. 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, bursh, rubbish, refuse and dirt are hereby notified that they may attend a meeting of the San Diego City Council, 12th Floor,

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City Administration Building, 202 C Street, San Diego, California, on September 17, 1979, at 3:00 p.m. 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. If Council overrules objections to the proposed removal, the above mentioned deadline of September 30, 1979, will remain in effect unless otherwise directed by the Council.

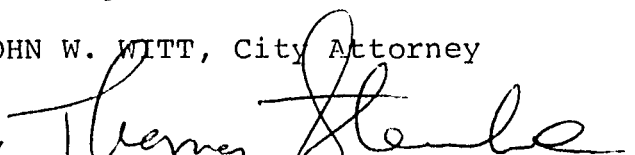
Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1979.

WEED AND REFUSE ABATEMENT SECTION                      CITY OF SAN DIEGO  
ROBERT SNOWDEN, WEED ABATEMENT SUPERVISOR                      City Clerk

4. That at 3:00 p.m. on September 17, 1979, in the Council Chambers, 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   
Thomas F. Steinke, Deputy

TFS:lco:556.1  
9/5/79  
Or.Dept.:Gen.Serv.

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

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<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"/>
Bill Lowery	<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"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<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.

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

(Seal)

By *Rita Andrews*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-250180 Adopted SEP 1 0 1979