

RESOLUTION NO. A-252560

R. 81-365
AUG 25 1980

WHEREAS, the City Council has by ordinance O-15174, adopted on January 28, 1980, hereafter referred to as the Weed Abatement Ordinance, promulgated a program for designating the responsibility of property owners for the elimination of public nuisances caused by weeds and rubbish; and

WHEREAS, the City Council in the Weed Abatement Ordinance particularly defined the nature of weeds and rubbish which were thereby declared to be a public nuisance; and

WHEREAS, the City Council in the Weed Abatement Ordinance vested the Chief of the Fire Department and his agents with the authority to determine whether a public nuisance as defined in that ordinance exists on any street, sidewalk or private property and to cause a written notice to be issued to abate any such nuisance; and

WHEREAS, the Public Services and Safety Committee of the City Council has directed the Fire Department to perform weed abatement activities in the urbanized portions of the City of San Diego by means of voluntary compliance with the Uniform Fire Code and then to proceed with nuisance abatement pursuant to the Weed Abatement Ordinance; and

WHEREAS, the Fire Chief and his agents have inspected property within the City and have determined nuisances to exist, under the standards of the Weed Abatement Ordinance and Uniform Fire Code Section 27.201, and have notified in writing the owners of the property of the existence of these nuisances; and

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WHEREAS, the Fire Chief and his agents have issued written notice as required by the Weed Abatement Ordinance to the owners of all property who did not voluntarily abate the nuisances on their property to the standards of Uniform Fire Code Section 27.201 and the Weed Abatement Ordinance upon previously receiving notice from the Fire Department that their property was not in compliance with those sections; and

WHEREAS, an independent hearing officer conducted hearings on August 14, 1980 to consider all objections or protests by property owners to the proposed abatement pursuant to the Weed Abatement Ordinance; and

WHEREAS, the hearing officer has ruled to allow or overrule those objections presented at the August 14, 1980 hearing; and

WHEREAS, only property owner, David Starcevic, who protested the proposed abatement has filed a written appeal of the hearing officer's determination to the Public Services and Safety Committee within 5 days of the August 14, 1980 hearing; NOW, THEREFORE,

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

That the City Council hereby declares that all properties described in Document No. RA-252560, on file in the City Clerk's Office and incorporated herein by reference, contain weeds and/or rubbish which constitute an extreme fire and health hazard and a public nuisance.

BE IT FURTHER RESOLVED, that the City Manager, or his designated contractor, is hereby authorized and ordered to proceed to abate those nuisances which are declared to exist on the properties

more particularly described in Document No. AG- 252560,
provided that any owner of the described property shall retain
the right to destroy or remove the existing weeds or rubbish
prior to the arrival of the Manager or his designate. The property
of David Starcevic shall only be abated in the event that his
appeal is finally determined and overruled by the Public Services
and Safety Committee subject to appropriate Council rules.

APPROVED: JOHN W. WITT, City Attorney

By S P Rosenbaum
S. Patricia Rosenbaum, Deputy

SPR:tl:556.1
8/19/80
Or.Dept.:Fire

K-252560

Passed and adopted by the Council of The City of San Diego on AUG 25 1980,
 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"/>
Bill Cleator	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Anderson, Deputy.

Office of the City Clerk, San Diego, California	
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