

ORDINANCE NO. O- 15614
(New Series)

0-82-46

NOV 16 1981

AN ORDINANCE AMENDING CHAPTER V, ARTICLE 4,
DIVISION 2 OF THE SAN DIEGO MUNICIPAL CODE
BY AMENDING SECTIONS 54.0205 AND 54.0206
RELATING TO THE WEED AND RUBBISH ABATEMENT
PROGRAM.

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

Section 1. That Chapter V, Article 4, Division 2 of the
San Diego Municipal Code be and the same is hereby amended by
amending Sections 54.0205 and 54.0206 to read as follows:

SEC. 54.0205 APPEAL FROM REQUIREMENTS OF NOTICE

(a) Within five (5) days from the date of service
of the required notice, the owner or agent thereof of
premises affected by such notice may appeal to the inde-
pendent hearing officer, who shall hear and consider all
objections or protests to the proposed abatement.

(b) Upon conclusion of the hearing, the Officer
shall allow or overrule any or all objections. The
decision of the hearing officer shall be final and con-
clusive.

SEC. 54.0206 ABATEMENT PROCEDURE

(a) Subsequent to the Chief of the Fire Department
making a determination of which specific properties con-
stitute a public nuisance and subsequent to the conclusion
of any appeals filed pursuant to Section 54.0205, the
Council shall particularly describe the property upon
which or in front of which the nuisance exists and order
abatement.

(b) Upon the Council's declaration and order of abatement, the Manager or designated representative shall cause such nuisance to be abated, either by City personnel or by contract, provided however that any property owner shall have the right to destroy or remove the weeds or rubbish before the arrival of said personnel or contractor.

(c) When abatement is completed, a report of the proceedings and an accurate account of the cost on each separate parcel shall be filed with the City Clerk.

(d) The City Clerk shall thereupon set the report and account for hearing by the Council, and shall post a copy of said report and account and notice of the time and place of hearing in a conspicuous place at or near the entrance to the Council chambers.

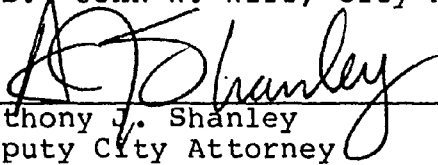
(e) The Council shall consider the report and account at the time set for hearing, together with any objections to the accuracy of said account. At the conclusion of the hearing, the Council shall either approve the report and account as submitted, or as modified and corrected by the Council. The amounts so approved shall be charged to the property owner on the next regular tax bill, and shall be a lien upon the property involved. The Council shall confirm such assessment and cause the same to be recorded on the assessment roll. The Council shall adopt a resolution assessing such amounts, and the City Clerk shall file a certified copy of said resolution with the County Auditor of the County of San Diego.

(f) The provisions of Sections 39580 to 39585, inclusive, of the Government Code, are hereby incorporated by reference, and made a part of the ordinance. The County Auditor shall enter each assessment in the County Tax Roll opposite the parcel of land. The amount of the assessment shall be collected at the time and in the manner of ordinary municipal taxes; and if delinquent the amount is subject to the same penalties and procedure of foreclosure and sale as is provided for ordinary municipal taxes.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By



Anthony J. Shanley
Deputy City Attorney

AJS:v1:556.1

10/9/81

Or.Dept.: PS&S Comm.

Passed and adopted by the Council of The City of San Diego on NOV 16 1981,
 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"/>
Susan Golding	<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"/>
Dick Murphy	<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 *Barbara Beridge* Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

OCT 26 1981

NOV 16 1981

....., and on

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

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

(Seal)

By *Barbara Beridge* Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **O-15614** Adopted NOV 16 1981

CERTIFICATE OF PUBLICATION

SAN DIEGO, CITY OF
202 C St. 12th Fl
San Diego, CA 92101
BARBARA BERRIDGE

RECEIVED
CITY CLERK'S OFFICE
SAN DIEGO, CALIF.
1981 DEC -2 AM 10:50
Jc

IN THE MATTER OF

NO.

ORDINANCE NO. 0-15614 (New Series)

I, Charlene Lance, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above- entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NO. 0-15614
(New Series)
AN ORDINANCE AMENDING CHAPTER V, ARTICLE DIVISION 2 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 54.0205 AND 54.0206 RELATING TO THE WEED AND RUBBISH ABATEMENT PROGRAM.
This ordinance establishes the hearing before an independent hearing officer as the final administrative remedy for appeals from notices to abate public nuisances created by weeds or rubbish.
A complete copy of this Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 12th Floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.
Introduced on October 26, 1981.
Passed and adopted by the Council of The City of San Diego on November 10, 1981.
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 BARBARA BERRIDGE, Deputy.
Published November 30, 1981. 00-2847

ORDINANCE NO. 0-15614 (New Series)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

November 30, 1981

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 30th day of Nov., 19 81.



(Signature)

$2 \frac{3}{8} \times 2 \times 8.06 = 38.29$