

UPDATED 04-08-24: This resolution is no longer necessary to adopt as the recusal of Councilmember Nau on the attached addresses has been deemed unnecessary. The attached address list has been moved to the resolution in Attachment 1.

Resolution No. 2024-XXX N.C.S. of the City of Petaluma, California

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PETALUMA ORDERING ABATEMENT OF NUISANCES CONSISTING OF HAZARDOUS VEGETATION AND RUBBISH GROWING UPON PUBLIC AND PRIVATE PROPERTY IN THE CITY OF PETALUMA AND ORDERING THE FIRE DEPARTMENT TO ABATE SAID WEEDS BY CONTRACT IF PROPERTY OWNERS FAIL TO DO SO PURSUANT TO CHAPTER 10.70 OF THE PETALUMA MUNICIPAL CODE

WHEREAS, on the 22nd day of January 2024, the Council of the City of Petaluma adopted Ordinance No. 2878 N.C.S., adding Petaluma Municipal Code Chapter 10.70 titled Hazardous Vegetation and Rubbish Inspection and Abatement for Wildfire Safety; and

WHEREAS, pursuant to Chapter 10.70, the Fire Department affixed the 8th day of April 2024, at the hour of 6:30 p.m., or as soon thereafter as can be heard, as the time and place of hearing protests and objections to hazardous vegetation and rubbish abatement proceedings; and

WHEREAS, written notice of the April 8, 2024 hearing, substantially in the form provided by Chapter 10.70, was published in the official newspaper of the City, with the time and place for a public hearing set for not less than five (5) days following the last publication of the notice; and

WHEREAS, written notice of the April 8, 2024 hearing, substantially in the form provided by Chapter 10.70, was mailed to all owners of potentially impacted property at least seven (7) days prior to said hearing; and

WHEREAS, the City Council has held its hearing and considered all objections or protests to the proposed abatement of nuisance hazardous vegetation and rubbish and has considered, followed or overruled any or all objections, as hereinafter set forth, and the City Council has now acquired jurisdiction to proceed and perform the work of abatement of said hazardous vegetation and rubbish nuisances.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Petaluma as follows:

1. Declares that the above recitals are true and correct and are incorporated into this resolution as findings of the City Council.
2. Finds that this action is exempt from the California Environmental Quality Act (CEQA) under CEQA Guideline section 15304, "Class 4" – Minor Alterations to Land, because the project involves the minor alteration of the condition of land and/or vegetation and there are no cumulative impacts, unusual circumstances or other factors that would make the exemption inapplicable pursuant to CEQA Guidelines section 15300.2.
3. Authorizes the Fire Department of the City of Petaluma, through a contractor employed by the City, to abate said nuisances by removing said weed nuisances by means of mowing, disking, handwork, or blading using whichever means it deems to be the most appropriate after considering the location and the terrain of said parcels of public and private property referred to in Exhibit A to this Resolution. Said mowing, disking, handwork, and blading shall be accomplished as many times as the Fire Department may deem necessary to

provide the best possible control of weeds; and,

4. Authorizes the Fire Marshal to assess an administrative fee (\$250.00) to every parcel or lot of private or public property that requires abatement by the City; and,
5. Orders the Fire Department to keep an account of the cost of this abatement of said nuisances on public and private property where the work is done, and thereafter submit to City the Council for confirmation, an itemized written report showing such cost as required by Chapter 10.70 of the Petaluma Municipal Code, and thereafter such proceedings shall be had for special assessments against the respective parcels of land to pay for the cost of said work, in the manner provided by Chapter 10.70.

Under the power and authority conferred upon this Council by the Charter of said City.

REFERENCE:

I hereby certify the foregoing Resolution was introduced and adopted by the Council of the City of Petaluma at a Regular meeting on the 8th day of April 2024, by the following vote:

Approved as to
form:

City Attorney

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

ATTEST:

City Clerk

Mayor

EXHIBIT A**KAREN NAU (Primary & Secondary Addresses)**

| Parcel No. | Site Address |
|-------------------|------------------------|
| 007730008 | 401 KENILWORTH DR #310 |
| 007361036 | 0 MADISON ST |
| 007261048 | 0 BURLINGTON DR |
| 007022061 | 809 E WASHINGTON ST |
| 007022065 | 0 E WASHINGTON ST |