

**Resolution No. 2023-XXX N.C.S.
of the City of Petaluma, California**

**RESOLUTION ORDERING ABATEMENT OF NUISANCES
CONSISTING OF WEEDS 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**

WHEREAS, on the 3rd day of April 2023, the Council of the City of Petaluma adopted Resolution No. 2023-42 N.C.S., declaring weeds growing upon public and private property referred to and described in said Resolution, constituted and were a public nuisance and fixed the 17th day of April 2023, at the hour of 6:30 p.m., or as soon thereafter as can be heard, by teleconference via Zoom as the time and place of hearing protests and objections to said abatement proceedings; and,

WHEREAS, written notice of the April 17, 2023 hearing, substantially in the form provided by Government Code Section 39566, was mailed to all owners of potentially impacted property at least five days prior to said hearing pursuant to Government Code Section 39567.1, as specified in Resolution No. 2023-42 N.C.S.; and,

WHEREAS, the City Council has held its hearing and considered all objections or protests to the proposed abatement of nuisance weeds 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 weed nuisances; and

WHEREAS, this action was already analyzed under the California Environmental Quality Act (CEQA) at the April 3, 2023 hearing and found the action exempt 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.

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 was already analyzed under the California Environmental Quality Act (CEQA) at the April 3, 2023 hearing and found the action exempt 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 (\$240.00) 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 Section 39574 of the Government 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 13, Part 2, Division 3, of Title 4 of the Government Code.

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 17th day of April 2023, by the following vote:

Approved as to
form:

City Attorney

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

ATTEST:

City Clerk

Mayor

BRIAN BARNACLE & MIKE HEALY

EXHIBIT A

Parcel No.	Site Address
006163055	350 N WATER ST