



## City Council Staff Report

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**Subject:** Setting a Public Hearing on Delinquent Nuisance Abatement Charges (Weed Abatement)

**Date:** May 9, 2023

**Submitted By:** Angela Doyle, Senior Accountant

**Department:** Administrative Services - Finance

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**Recommendation:**

Adopt a Resolution of the City Council of the City of Rocklin Setting a Public Hearing on Delinquent Nuisance Abatement Charges (Weed Abatement).

**Background:**

Each year, the City notifies owners of vacant lots that they must maintain their property to minimize fire risk. If the properties are not abated by the land owners, the City has the right under state law to abate the properties, and seek reimbursement for the abatement costs.

Rocklin Municipal Code section 8.12.010 provides for weed and rubbish abatement in accordance with state statutory provisions. California Government Code section 39501 provides: "The legislative body may compel the owner, lessee, or occupant of buildings, grounds, or lots to remove dirt, rubbish, weeds, and rank growths from buildings or grounds and adjacent sidewalks. If the person compelled by the legislative body defaults, after notice prescribed by the legislative body, it may authorize the removal or destruction of the dirt, rubbish, weeds, and rank growths at that person's expense by a city officer. The legislative body may prescribe a procedure for the removal or destruction and make the expense a lien upon the buildings or grounds."

California Government Code sections 39502 through 39588 set forth the requirements for notice, including a public hearing for this weed abatement process.

On April 12, 2022, the City Council adopted Resolution No. 2022-67, which identified vacant parcels requiring abatement, ordered that such abatement be completed by June 1, 2022, and set a public hearing to hear any protests. This resolution also provided that the City may perform abatement on properties that were not properly abated by the owners, and bill the responsible land owner for any costs incurred by the City.

In accordance with California Government Code section 39567.1, owners of affected vacant parcels were timely notified by mail of the abatement requirements, and the public hearing. On

April 26, 2022, the City Council held a public hearing and ordered the nuisances be abated.

The City's contractor performed abatement on properties that had not been abated by the owners and billed the City for its costs during the period of June-August 2022. The City then billed the property owners for the costs of abatement and sent second notices on those properties that did not respond to the first invoice.

Government Code sections 39574 and 39576 require the City Council to conduct a public hearing, to receive and consider a report on the costs of abatement, as well as any objections of the property owners liable to be assessed for the abatement. A copy of the report is attached to the resolution.

Therefore, a public hearing is set for June 13, 2023, at 6 p.m., or as soon thereafter as the matter may be heard by the City Council of the City of Rocklin at the Council Chambers located at 3970 Rocklin Road, Rocklin, for the receipt, consideration, and confirmation of the itemized written report showing the properties delinquent in paying the costs of nuisance abatement performed between June and August 2022. At the public hearing, objections of property owners liable to be assessed for the abatement shall be heard.

**Fiscal Impact:**

The City charges a fee of 15% of delinquent charges for parcels that require the processing of a property tax lien. The exact amount of the City fees associated with City collection efforts will be known for the public hearing on June 13, 2023.

**ATTACHMENTS:**

- [1. Resolution](#)