

RESOLUTION NO. 3633

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTE SERENO
DECLARING NOXIOUS AND DANGEROUS WEEDS AND RUBBISH, REFUSE
AND DIRT TO BE A PUBLIC NUISANCE**

WHEREAS, certain weeds, dirt, rubbish and other hazardous material are growing, located or existing upon private property or properties, and in sidewalks, streets or alleys within the City of Monte Sereno; and

WHEREAS, said weeds are of a kind which, when mature, bear wingy or downy seeds and which attain such a large growth as to become a fire menace when dry, or which are otherwise noxious or dangerous, and which weeds are seasonal and recurrent nuisances; and

WHEREAS, said weeds, dirt, rubbish and other hazardous material constitutes a public nuisance and require the abatement thereof as provided by law,

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

1. That the said weeds, dirt, rubbish and other hazardous material do constitute and will continue to constitute a public nuisance and that the said public nuisance should be abated in the manner provided in Chapter 2 entitled "Weed Abatement" of Title 8 of the Monte Sereno Municipal Code.
2. After the passage of this Resolution, The Fire Marshal shall cause notice of its passage to be conspicuously posted in three (3) prominent places in the City of Monte Sereno at least ten days prior to the time fixed by the City Council for hearing objections, and which notice shall be in the form prescribed in Section 8-2.06 of the Monte Sereno Municipal Code.
3. The City Council shall hear and consider all objections to the proposed destruction or removal of weeds, dirt, rubbish or other hazardous material at a public hearing to be held at 7:00 p.m. on the 17th day of January, 2017 in the Council Chambers, City Hall, 18041 Saratoga-Los Gatos Road, Monte Sereno, California. By motion or resolution at the conclusion of said hearing the City Council shall allow or overrule any

objections. If objections have not been made, or after the City Council has disposed of those made, it shall order by motion or resolution the Fire Marshal to abate the nuisance by having the weeds, dirt, rubbish or hazardous material removed as provided in Chapter 2 of Title 8 of the Monte Sereno Municipal Code, and the expense thereof assessed upon the lots and lands from which, and/or in the front and rear of which, such weeds, dirt, rubbish or other hazardous material shall have been destroyed or removed, unless such nuisance be abated within thirty (30) days after the adoption of this Resolution, or within the time specified in a written agreement with the Fire Marshal, or his representatives, whichever time shall be later, by the destruction or removal of such weeds, dirt, rubbish or other hazardous material.

Regularly adopted and passed this 6th day of December, 2016, by the following vote:

AYES: Council Members Anstandig, Craig, Huff, Wolsheimer and Mayor Allan

NOES: None

ABSENT: None

ABSTAIN: None

APPROVED:



Lionel M. Allan, Mayor

ATTEST: 
Andrea M. Chelemengos, City Clerk