

**RESOLUTION NO. 3649**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTE SERENO OVERRULING OBJECTIONS AND DETERMINING TO PROCEED WITH BRUSH ABATEMENT**

WHEREAS, the City Council adopted Resolution No. 3646 on , which by its terms the Council did declare as a public nuisance all growing, located or existing upon streets, sidewalks, alleys or upon private property in the City; and

WHEREAS, a Public Hearing was held on May 16, 2017 and no objections to the proposed removal of Brush were made or presented orally or in written form.

NOW THEREFORE, IT IS FOUND, ORDERED AND DETERMINED as follows:

1. On May 16, 2017, the City Council elected to proceed under Chapter 2 of Title 8 of the Monte Sereno Municipal Code and did declare as a public nuisance all Brush growing, located or existing upon the streets, sidewalks, alleys and private property in the City, all as more particularly described in Resolution 3646 adopted on May 2, 2017.
2. The Council fixed Tuesday, May 16, 2017, at the hour 7:00 p.m. in the Council Chambers, City Hall, 18041 Saratoga-Los Gatos Road, Monte Sereno, California, as the time and place for hearing all objections to the proposed destruction or removal of Brush and the Fire Marshal did prepare Notices to remove Brush did, in the time and manner prescribed by Chapter 2 entitled "Weed and Brush Abatement" of Title 8 of the Monte Sereno Municipal Code, cause copies of the Notice to be conspicuously posted in three (3) prominent places in the City of Monte Sereno.
3. The City Council did hold a Public Hearing on May 16, 2017, and no oral objections to the proposed removal of Brush were presented, and the Hearing was closed on May 16, 2017.

4. The City Manager or City Engineer or their representatives is ordered to abate the nuisance declared by Resolution No. 3646 by having brush removed as specified in Chapter 2 of Title 8 of the Monte Sereno Municipal Code and, for this purpose, the City Manager or City Engineer or their representatives may enter upon private property to abate the nuisance. Before the City Manager or City Engineer or their representatives arrives, any property owner may remove brush at his or her own expense.
  
5. The City Manager or City Engineer or their representatives shall keep an account of the cost of abatement in front of or on each separate parcel of land where the work is done and shall submit to the Council for consideration, hearing or objection, modification and confirmation, an itemized written report showing this cost, all as more particularly described in Chapter 2 of Title 8 of the Monte Sereno Municipal Code.

REGULARLY passed and adopted this 16th day of May, 2017.

AYES: Council Members Craig, Rogers, Turner, Wolsheimer and Mayor Anstandig


NOES: None

ABSENT: None

APPROVED:

  
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Marshall W. Anstandig, Mayor

ATTEST:

  
Andrea M. Chelemengos, City Clerk