

RESOLUTION NO. 3577

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

WHEREAS, the City Council adopted Resolution No. 3573 on December 2, 2014 which by its terms the Council did declare as a public nuisance all weeds, dirt, rubbish and other hazardous material growing, located or existing upon streets, sidewalks, alleys or upon private property in the City; and

WHEREAS, a Public Hearing was held on January 20, 2015 and one objection to the proposed removal of weeds, dirt, rubbish and other hazardous material was made or presented orally or in written form.

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

1. On January 20, 2015 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 weeds, dirt, rubbish and other hazardous material growing, located or existing upon the streets, sidewalks, alleys and private property in the City, all as more particularly described in Resolution No. 3573 adopted on December 2, 2014.
2. The Council fixed Tuesday, January 20, 2015, 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 weeds, dirt, rubbish or other hazardous material and the Fire Marshal did prepare Notices to destroy weeds and remove dirt, rubbish and other hazardous material, and did, in the time and manner prescribed by Chapter 2 entitled "Weed 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 January 20, 2015, and one objection to the proposed removal of weeds, dirt, rubbish or other hazardous material was presented, and the Hearing was closed on January 20, 2015.
4. The City Council considered the objection presented at the Hearing and determined to overrule the objection and proceed with the abatement.
5. The Fire Marshal is ordered to abate the nuisance declared by Resolution No. 3573 by having weeds, dirt, rubbish or other material removed as specified in Chapter 2 of Title 8 of the Monte Sereno Municipal Code and, for this purpose, the Fire Marshall may enter upon private property to abate the nuisance. Before the Fire Marshall arrives, any property owner may remove weeds, dirt, rubbish or other hazardous material at his or her own expense.
5. The Fire Marshall 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 20th day of January 2015.

AYES: Council Members Anstandig, Allan, and Mayor Huff


NOES: Council Member Craig

ABSENT: Council Member Garner

APPROVED:


Walter Huff, Mayor

ATTEST:


Andrea M. Chelemengos, City Clerk