

RESOLUTION NO. 2022-5818

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA, CALIFORNIA DECLARING THAT WEEDS GROWING UPON OR IN FRONT OF, AND RUBBISH, REFUSE UPON OR IN FRONT OF CERTAIN PROPERTY IN THE CITY OF YORBA LINDA CONSTITUTES A PUBLIC NUISANCE; AND ORDERING THE ABATEMENT THEREOF

WHEREAS, Resolution No. 2022-5811 was adopted on July 19, 2022, declaring that seasonal and recurring weeds growing upon or in front of, and rubbish, and refuse, upon or in front of certain property in the City of Yorba Linda constitutes a public nuisance and further declaring the intention of the City of Yorba Linda to provide for the abatement thereof, and setting a public hearing thereon; and

WHEREAS, Notice to Destroy Weeds and Remove Rubbish and Refuse was mailed to all affected property owners and given in the amount and form prescribed by law; and

WHEREAS, at such Public Hearing the City Council of the City of Yorba Linda heard and considered all objections to such abatement; and

WHEREAS, such weeds were not destroyed or removed and such rubbish, and refuse was not removed, and the nuisance thereby abated, pursuant to such Notice.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YORBA LINDA DOES FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

1. That all objections to the proposed destruction and/or removal of weeds, as defined in Sec. 39560, et seq of the Government Code, and removal of weeds, rubbish and refuse upon or in front of those parcels of land described in Exhibit "A", on file in the office of the City Clerk and incorporated herein by this reference, are overruled.
2. That the Senior Community Preservation Officer is ordered to abate such nuisance, by having such weeds destroyed and/or removed, and rubbish and refuse removed from those parcels of land described in such Exhibit, "A".
3. That it is the intention of this Council to assess the cost of such abatement as a special assessment against each such parcel in front of or upon which such nuisance is maintained and declare such cost to be a lien upon each such parcel.
4. That the weeds on the parcels of land described in Exhibit "A" are seasonal and recurring nuisances.
5. That the Senior Community Preservation Officer is further ordered to abate such seasonal and recurring nuisance in accordance with the provisions of Article 2, Title 4, Division 3, Part 2, Chapter 13, comprised of Sections 39560-39588, inclusive, of the Government Code of the State of California, provided that upon the second and any subsequent occurrence of such nuisance on the same parcel

or parcels within the same calendar year, no further Hearings need to be held, and it shall be sufficient to mail a postcard notice to the owners of the property as they and their addresses appear upon the current assessment roll, in accordance with the provisions for such notice contained in Section 39562.1 of the Government Code of the State of California.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Yorba Linda on this 16th day of August 2022.

CARLOS RODRIGUEZ, MAYOR
CITY OF YORBA LINDA

ATTEST:

MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA

APPROVED AS TO FORM:
RUTAN & TUCKER, LLP

CITY ATTORNEY

STATE OF CALIFORNIA)

ss.

COUNTY OF ORANGE)

I, **MARCIA BROWN**, City Clerk of the City of Yorba Linda, California, **DO HEREBY CERTIFY** that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Yorba Linda held on the 16th day of August, 2022, and was carried by the following roll call vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA