

COUNCIL RESOLUTION # 11-22

**A RESOLUTION OF THE CITY COUNCIL OF CITY OF CHOWCHILLA, CALIFORNIA
DECLARING THE EXISTENCE OF A PUBLIC NUISANCE BY VIRTUE OF CERTAIN WEED
GROWTH (2022 WEED ABATEMENT)**

WHEREAS, pursuant to Chowchilla Municipal Code, Chapter 8.12, all weeds growing upon the streets or sidewalks or upon or in front of private property within the city which bear seeds of a wingy or downy nature or attain such a large growth as to become a fire menace when dry, or at full natural growth will attain such a large growth as to become a fire menace when dry, or which are otherwise noxious or dangerous, may be declared to be a public nuisance by the city council, and may thereafter be abated as provided in this chapter.

WHEREAS, "Weeds," as used in Chapter 8.12, includes weeds, grass, ferns, vines and other similar natural growth other than growth ordinarily and customarily planted for decorative purposes and which has been planted for decorative purposes and is under continuing cultivation; and

WHEREAS, in conformance with the Municipal Code, weeds in excess of approximately four to six inches tall as determined by the Code Enforcement Officer will be determined to be a public nuisance; and

WHEREAS, it is the desire of the City Council to effect timely removal of all weeds so described through the City's Weed Abatement Program, and in manner provided by law; and

WHEREAS, if abatement does not occur during the time frame prescribed, the City may choose to follow the lien process set forth in the Municipal Code and/or seek Administrative fines per Ordinance 444-08.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Chowchilla hereby declares that the existence of certain weeds, as determined by the Code Enforcement Official, constitutes a public nuisance. A 2022 timeline/schedule is attached and incorporated by reference.

PASSED AND ADOPTED by the City Council of the City of Chowchilla this 22nd day of February, 2022 by the following vote to wit:

AYES: 5 – Palmer, Smith, Ahmed, Barragan, Chavez

NOES, ABSENT, ABSTAIN: 0

ATTEST: Joann McClendon, City Clerk

City of Chowchilla Weed Abatement Timeline 2022

2/22/2022	Council – Resolution per CMC Chapter 8.12 – Declaring Weeds a Public Nuisance
2/23/2022	Send Council Resolution to Newspaper for Advertising (Post on City social media site)
2/23/2022	Abatement Declaration Advertised for 2 weeks 3/2 and 3/9 (Resolution needs to be submitted Wednesday before 10:00 am to be published in the following weeks newspaper)
3/1/2022 -	Begin creating list of potential properties in violation
3/29/2022	Owners of Record Notified by LETTERS VIA MAIL & Properties Posted with Red “To Destroy Weeds” (Steven/Ryan to take pictures of all properties with address written on the notice)
4/26/2022 -	Properties to be abated by April 26 – Cutoff date
4/27/2022	PUBLIC HEARING NOTICE APRIL 27 TH EDITION of MADERA TRIBUNE
5/10/2022	Public Protest Hearing to Council – Authorization to Abate Weeds
5/23/2022	Non-Compliant PROPERTIES cited – Need to send out citations next day
5/24/2022	City Council to approve cost of bid from contractor if city purchase policy mandates.
5/26/2022	Coordinate ABATEMENT WITH CONTRACTOR
6/14/2022	PROPERTY ABATEMENT in progress to be complete by JUNE 14 th
6/21/2022	LIST OF ABATED PROPERTIES TO FINANCE FOR BILLING
7/5/2022	LIENS CREATED

***Note:** These dates are tentative due to weather and time restraints in processing. The dates may vary as much as 30 days.