

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA ORDERING THE ABATEMENT OF WEEDS ON VARIOUS PROPERTIES WITHIN THE CITY LIMITS AND SETTING A PUBLIC HEARING FOR RULING ON ANY OBJECTIONS THERETO.

WHEREAS, there are weeds growing upon the streets, sidewalks, and private property within the City of Rialto; and

WHEREAS, there is rubbish and refuse upon private property, and dirt upon the parkways and sidewalks within the City of Rialto; and

WHEREAS, Government Code Section 39561 authorizes the City Council to declare by Resolution that such weeds, rubbish, refuse, and debris constitute a public nuisance and order the abatement thereof; and

WHEREAS, due to the extensive personnel time and expertise needed to direct the abatement process, an administrative fee must be charged for the City's administrative procedures and services.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIALTO DOES
HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:**

Section 1: All weeds growing upon the streets, sidewalks and/or private property within the City of Rialto are hereby declared to be a public nuisance and ordered abated.

Section 2: All rubbish and refuse upon private property, and dirt upon the parkways and sidewalks within the City of Rialto are hereby declared to be a public nuisance and ordered abated.

Section 3. Each parcel of property set forth in Exhibit “A” attached hereto and incorporated herein contain weeds upon or in front of the property and constitute a public nuisance.

Section 4. All owners of the parcels of property set forth in Exhibit “A” are ordered to abate all weeds growing upon or in front of their property by May 01, 2023, for Spring Weed Abatement and October 1, 2023, for Fall Weed Abatement. If the weeds upon any parcel of property identified in Exhibit “A” are not destroyed or removed by May 01, 2023, and October 2, 2023, a City contractor will begin to

1 destroy and remove them from the parcels of property and the cost thereof shall become lien on each
2 parcel of property set forth in Exhibit "A" from which the weeds were destroyed and removed.

3 **Section 5.** The City Clerk is hereby directed to mail written notice of the proposed abatement
4 and public hearing thereon to all persons owning the parcels of property described in Exhibit "A." Said
5 notice shall be mailed at least 5 days prior to the time for hearing objections by the City Council.

6 **Section 6.** The notice mailed by the City Clerk shall comply with all provisions set forth in
7 Section 39567.1 of the California Government Code and shall be in substantially the same form as the
8 notices attached hereto as Exhibit "B" and Exhibit "C."

9 **Section 7.** Any parcel of property not abated by the owner thereof by May 01, 2023, and
10 October 2, 2022, in accordance with this Resolution shall be abated by the contractor selected by the City
11 of Rialto, as directed by and in a manner approved by the Fire Chief. All costs of such abatement will be
12 the responsibility of the property owner.

13 **Section 8.** The City Council shall hold a public hearing for the purpose of hearing any and all
14 objections to the proposed resolution for the removal of weeds, rubbish and refuse upon private property,
15 and dirt upon the parkways and sidewalks, and to impose the abatement cost therefore as a lien against
16 the parcels of property set forth in Exhibit "A" hereto at its regular Council Meeting on March 14, 2023,
17 at 6:30 p.m. in the Council Chambers. Any property owner who fails to appear and object to the order to
18 abate the weeds upon each owner's parcel of property shall waive the owner's right to contest this
19 abatement order and the cost of the abatement.

20 **Section 9.** The contractor's costs and a separate administrative fee of \$149.00 per parcel will
21 be charged each time that the weeds upon a parcel identified in Exhibit "A" is abated.

22 **Section 10.** Upon the conclusion of the Weed Abatement Program, all costs of abatement,
23 including the contractor's costs and the administrative fees, shall be placed on the San Bernardino County
24 Property Tax Rolls for each parcel.

DEBORAH ROBERTSON, Mayor

BARBARA McGEE, City Clerk

ERIC VAIL, City Attorney

I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing Resolution No.____ was duly passed and adopted at a regular meeting of the City Council of the City of Rialto held on the ____ day of _____, 2023.

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Upon motion of Council Member _____, seconded by Council Member _____,
the foregoing Resolution No. ____ was duly passed and adopted.

Vote on the motion:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of Rialto
this ____ day of _____, 2023.

BARBARA McGEE, CITY CLERK
City of Rialto, California