

**RESOLUTION NO. R14-09**

**RESOLUTION OF THE CITY OF PALOS VERDES ESTATES  
DECLARING PUBLIC NUISANCES**

WHEREAS, hazardous brush, dry grass, weeds, combustible growth or flammable vegetation, to include native and ornamental vegetation, where growing upon improved real property often attain such growth as to become, when dry, a fire menace to the improved real property or adjacent improved parcels or which are otherwise noxious or dangerous; and

WHEREAS, the presence of hazardous brush, dry grass, weeds, combustible growth or flammable vegetation, to include native and ornamental vegetation, upon improved real property are conditions which endanger the public safety and constitute public nuisances which must be abated; and

WHEREAS, the City of Palos Verdes Estates has a duty of protect the public safety and to take any and all actions necessary to abate the above-described public nuisances; and

WHEREAS, the Consolidated Fire Protection District of Los Angeles County (County of Los Angeles Fire Department) will conduct annual inspections to verify existing hazards and public nuisances of hazardous brush, dry grass, weeds, combustible growth or flammable vegetation, to include native and ornamental vegetation, upon the hereinafter described real property; and

WHEREAS, Title 4, chapter 13, of the California Government Code (Sections 39560 through 39588, inclusive), authorizes the City Council, by resolution, to declare public nuisances and to authorize the abatement thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES AS FOLLOWS:

SECTION 1. Council Findings. The City Council of the City of Palos Verdes Estates hereby finds that hazardous brush, dry grass, weeds, combustible growth or flammable vegetation, to include native and ornamental vegetation, upon each improved parcel of real property hereinafter described in Exhibit 1 (collectively the "Real Property"), as verified by inspection by the County of Los Angeles Fire Department, are hereby declared to be public nuisances which should be abated.

SECTION 2. Notice. (a) The Fire Chief of the County of Los Angeles Fire Department (the "Chief) is hereby designated, authorized, and directed to give notice to destroy said hazardous brush, dry grass, weeds, combustible growth or flammable vegetation, to include native and ornamental vegetation, upon the Real Property.

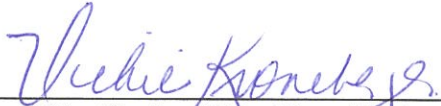
(b) Not less than 10 days prior to the 25th of February, 2014, the Chief shall cause notice to be given to each Real Property owner by mail as their names and residential addresses appear from the last equalized assessment roll, or as they are known to the Assessor, and said notice shall be substantially in the form as provided in Exhibit 2 of this resolution.


SECTION 3. Hearing. Tuesday, the 25<sup>th</sup> of February 2014, at the hour of 7:30 p.m., in the Council Chamber of the City, located at 340 Palos Verdes Drive West, Palos Verdes Estates is fixed by the City Council as the date, time, and place when and where any and all owners of Real Property having any objections to the proposed removal of hazardous brush, dry grass, weeds, combustible growth or flammable vegetation, to include native and ornamental vegetation, may appear before the Brush Clearance Referee and show cause why said hazardous brush, dry grass, weeds, combustible growth or flammable vegetation, to include native and ornamental vegetation, should not be removed in accordance with this resolution. The objections of the Real Property owners will then and there be heard and given due consideration.

SECTION 4. Recovery of Costs. (a) The Chief and the Agricultural Commissioner are hereby authorized and directed to recover abatement enforcement costs in a manner consistent with prior action of the Board of Supervisors when they adopted an Administrative Penalty, an Abatement Enforcement Cost, and an inspection fee for all Real Property when the owner fails to comply with the second official notice to abate hazards on the Real Property described in Exhibit 1 and identified during physical inspection by the County of Los Angeles Fire Department. The recovery of these costs is vital to the ongoing operation governing the identification and abatement of those properties that constitute public nuisances and endanger the public safety.

(b) The owners of the Real Property, upon which the public nuisance exists, shall be presented, both in writing and during the above referenced hearing before the Brush Clearance Referee, with information regarding the cost of inspection and abatement enforcement.

The foregoing resolution was adopted on the \_\_\_\_\_ eleventh \_\_\_\_\_ day of  
February \_\_\_\_\_, 2014, by the City Council of the City of Palos Verdes Estates.

By   
City Clerk of the City of Palos Verdes Estates  
VICKIE KRONEBERGER, DEPUTY CITY CLERK

  
JAMES F. GOODHART, MAYOR

APPROVED AS TO FORM:

  
CHRISTI HUGIN, CITY ATTORNEY

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) SS:  
CITY OF PALOS VERDES ESTATES )

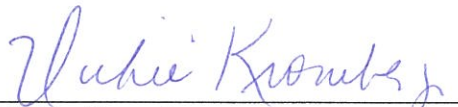
I, Vickie Kroneberger, Executive Assistant/Deputy City Clerk for the City of Palos Verdes Estates, California, do hereby certify that the foregoing Resolution **R14-09** was duly and regularly approved and adopted by the City Council of the City of Palos Verdes Estates at its regular meeting of the City Council on the 11th day of February, 2014, by the following vote:

AYES: COUNCILMEMBERS: Goodhart, Perkins, Bird, Humphrey, Rea

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

RECUSED: COUNCILMEMBER: None

  
\_\_\_\_\_  
Vickie Kroneberger,  
Executive Assistant/Deputy City Clerk