

ORDINANCE NO. 37

**ORDINANCE OF THE
RUNNING SPRINGS WATER DISTRICT
ESTABLISHING PROCEDURES AND FEES FOR PROVIDING NOTICE TO ABATE
WEEDS AND FIRE HAZARD WASTE UPON REAL PROPERTY**

WHEREAS, pursuant to Water Code Section 31120 and applicable provisions of the Fire Protection District Law of 1987, set forth in the Health and Safety Code, this Board of Directors has adopted Ordinance No. 36 adopting procedures for the abatement of weeds and/or fire hazard waste within Running Springs Water District; and

WHEREAS, Ordinance No. 36 provides for this District's Fire Chief, or his or her authorized representative, to notify this Board of Directors that a nuisance exists on any lot or premises within the District, or upon any sidewalk, parkway or street adjacent thereto, at which time this Board of Directors may adopt a Resolution of Nuisance providing for the initiation of procedures to abate the nuisance at the expense of the owner of the property on which the nuisance exists; and

WHEREAS, before such proceedings are undertaken, this Board of Directors wishes to authorize and direct this District's Fire Chief, or his or her authorized representative, to provide affected property owners with advance notice of the existence of the nuisance and an opportunity to abate the nuisance on their properties, before adoption of a Resolution of Nuisance by this Board of Directors, and to provide for the collection of certain fees to defray administrative costs that will be incurred by the District in the event that the owner of the affected property fails to abate the nuisance on the property in response to such notice; and

WHEREAS, Health and Safety Code Section 13916 authorizes this District to charge a fee to cover the cost of any service which the District provides or the cost of enforcing any regulation for which the fee is charged, and to adopt an ordinance establishing a schedule of such fees at a meeting conducted by this Board of Directors following published and mailed notice of the Board's intention to establish such fees as provided in Health and Safety Code Section 13916; and

WHEREAS, this District has provided published and mailed notice of the fees set forth herein and has made available to the public, at least ten (10) days in advance hereof, the data indicating the estimated cost required to provide the services and enforce the regulations described herein and the revenue sources anticipated to provide those services and enforce those regulations, including general fund revenues;

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of Running Springs Water District as follows:

1. Upon determination by the Fire Chief or his or her authorized representative that a nuisance exists on any lot or premises within the District, or upon any sidewalk, parkway or street adjacent to such lot or premises, as set forth in Ordinance No. 36 of the Running Springs Water District, the Fire Chief or his or her authorized representative shall mail to the owner of


such lot or premises, at the address set forth in the last equalized assessment roll or as otherwise known to the District, written notice and an order to abate the nuisance, describing the weeds and/or waste to be abated and identifying the affected lot or premises requiring abatement. The mailed notice shall indicate the deadline date for effecting such abatement, which shall be no less than 30 days following the date of the notice and order to abate. There shall be no charge to the property owner for inspection of the property and this initial notice.

2. In the event that the owner of the affected lot or premises fails to abate the nuisance as set forth in the mailed notice and order to abate, the Fire Chief or his or her authorized representative shall provide the affected owner with the Notice to Destroy Weeds and Abate Public Nuisance described in Ordinance No. 36, in the manner provided therein. The fee for mailing such notice and for conducting the public hearing described in Ordinance No. 36 shall be \$95.

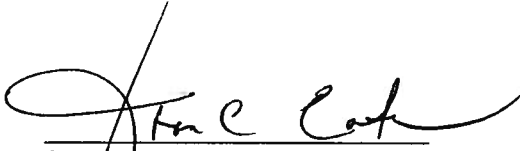
3. If it becomes necessary for the District to seek a warrant authorizing entry upon the lot or premises to abate the nuisance, the fee for obtaining the warrant shall be an additional \$195.

4. The fees set forth herein shall be in addition to the District's actual costs incurred to abate a nuisance, shall be billed to the owner of the property, and may be added to the lien placed upon the property to secure reimbursement of such costs, as set forth in Ordinance No. 36, or collected by any other means available to the District.

ADOPTED this 19th day of October, 2011.


President of the Board of Directors
of Running Springs Water District

ATTEST:


Secretary

Hazard Abatement Fee

2nd notice fee;

Time for inspection:	Trip time, inspection time X2 = initial and non-compliant	30 minutes BC
Documentation:	Description and location of hazards	10 minutes BC
Review parcel map:	Verify APNs	10 minutes BC
Verify Owner:	Verify Current owner with APN	10 minutes BC
Record Notice:	Type, Record, and Retain Notices and Violations	10 minutes AA
Type and mail Notice/bill:	For Non-Compliance	<u>10 minutes AA</u>
		\$102.65 Total

Warrant Fee;

Inspection:	Trip time, Inspection Time = Three inspections	30 minutes BC
Documentation:	Description and Location of Hazards	10 minutes BC
Publication:	Published ten days prior to hearing	10 minutes AA
Notification:	Notice Of Hearing mailed to property owner	10 minutes AA
Pictures:	Prior to and after abatement	(included in Inspection)
Posting:	Posting Property for Warrant	10 minutes BC
Obtaining warrant:	with Judges Signature	1.5 hour trip time/1 hour Judge time BC
Writing work orders / contractor consultation:	Using District approved Contract	15 minutes BC
Post-warrant:	Return to Judge with Proof of Work Completion (Photos)	2.5 hour BC
Type and Mail Bill/record retention:		<u>20 minutes AA</u>
		\$560.82 Total

One hour Battalion Chief (BC) Time (All Inclusive) \$88.88

One hour Administrative Assistant (AA) Time (All Inclusive) \$41.32