

RUNNING SPRINGS WATER DISTRICT

MEMORANDUM

DATE: November 2, 2012

TO: Board of Directors

FROM: 
Tony Grabow, Fire Chief


Ryan Gross, General Manager

SUBJECT: CONSIDER ADOPTION OF RESOLUTION 20-12, FINDING THAT CERTAIN PROPERTIES LOCATED IN THE DISTRICT CONSTITUTE A PUBLIC NUISANCE AND ORDERING NOTIFICATION TO PROPERTY OWNERS AND SETTING A PUBLIC HEARING

RECOMMENDED BOARD ACTION

It is recommended that the Board of Directors consider adoption of Resolution No. 20-12, finding that certain properties located in the District constitute a public nuisance and ordering notification to property owners and setting a public hearing.

REASON FOR RECOMMENDATION

Running Springs Fire Department staff has inspected the properties listed in Exhibit A of Resolution 20-12 and found that those properties at the time of inspection materially hamper or interfere with the prevention or suppression of fire upon the property or adjacent properties or endanger the public safety by creating a fire hazard and therefore constitute a public nuisance.

The proposed resolution would: (1) declare that the properties listed in Exhibit A of the attached Resolution No. 20-12 constitute a public nuisance; (2) direct the Fire Chief or his authorized representative to provide notice to the owners of the properties of a public hearing to be conducted on November 28, 2012 at 9:00 a.m., and; (3) that the Board of Directors shall hear and consider all objections or protests to the proposed removal of weeds and/or waste.

BACKGROUND INFORMATION

On June 20, 2012 the District Board of Directors adopted Ordinance No. 38, amending Ordinance No. 37 and establishing procedures and fees for providing notice to abate

weeds and fire hazard waste upon real property. Ordinance No. 36 was adopted on March 16, 2011, adopting procedures for abatement of hazardous weed and/or waste.

On August 29, 2012 the Board of Directors adopted Resolution 17-12. The resolution effectively accomplished three things: (1) it declared that the properties listed in Exhibit A of the resolution constitute a public nuisance; (2) directed the Fire Inspector or his authorized representative to provide notice to the owners of the properties of a public hearing to be conducted on September 19, 2012 at 9:00 a.m., and; (3) that the Board of Directors shall hear and consider all objections or protests to the proposed removal of weeds and/or waste.

A public hearing was conducted on September 19, 2012 at which the Board of Directors overruled the objections or protests to the proposed removal of weeds and/or wastes that were declared a public nuisance by Resolution No. 17-12, whereupon the Board of Directors directed staff to acquire jurisdiction to proceed and perform the work of removing the public nuisance. At this public hearing the Board of Directors also authorized the Fire Chief to remove from the list of properties in Resolution No. 17-12 those properties that achieved compliance prior to the date that the District applied to the court for a warrant to enter upon the property to clean up the property and authorized waiver of the \$95 fee for those parties that appeared at the hearing on September 19, 2012 and those who achieved compliance prior to warrant application.

FISCAL INFORMATION

None at this time.

ATTACHMENTS

Attachment 1 – Resolution 20-12