RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, APPROVING THE REPORT ON THE ABATEMENT OF WEEDS WITHIN THE CITY OF RIVERSIDE, ASSESSING THE COSTS THEREFORE AND ESTABLISHING LIENS AGAINST THE PARCELS OF REAL PROPERTY INVOLVED PURSUANT TO THE PROVISIONS OF CHAPTER 6.15 OF THE RIVERSIDE MUNICIPAL CODE.

WHEREAS Article XI, Section 7 of the California Constitution grants counties and cities authority to make and enforce local ordinances pursuant to their police power; and

WHEREAS the rights and remedies provided in Section 2929.3 of the California Civil Code are cumulative and in addition to any other rights and remedies provided by law and does not preempt local ordinances; and

WHEREAS, by Section 6.15.020 of the Riverside Municipal Code, the existence of weeds upon the premises within the City of Riverside, including public sidewalks, streets or alleys between said premises and the centerline of any public street or alley, was declared a nuisance; and

WHEREAS, a report of the proceedings and an accurate account of the costs of abating the nuisances on each separate parcel was filed with the City Clerk of the City of Riverside; and

WHEREAS, said costs are based on the actual cost to abate the weed nuisances and is levied without regard to property valuations; and

WHEREAS, the administrative charges were established by resolution of the City Council for the abatement of weeds as authorized by Section 3.31.020 of the Riverside Municipal Code; and

WHEREAS, Sections 6.15.050 and 6.15.055 of the Riverside Municipal Code authorizes unpaid administrative costs to be placed on the regular tax rolls for collection in the same manner as an ad valorem tax; and

WHEREAS, a public hearing was held on July 16, 2019, by the City Council of the City of Riverside.

NOW THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the City Council of the City of Riverside, California, as follows:

Section 1: The existence of weeds on each of the parcels of land located within the City of Riverside as described in Exhibit C, attached hereto and incorporated hereby by this reference, constituted a nuisance as defined by and declared by Chapter 6.15 of the Riverside Municipal Code.

Section 2: That in accordance with the provisions of Section 6.15.025 of the Riverside Municipal Code, notices were given to the owner or person in control of various parcels located within the City of Riverside of the existence of weeds upon the premises contrary to the provisions of Chapter 6.15 of the Riverside Municipal Code and advising that the existence of such weeds was a nuisance and ordering the abatement of such nuisance.

Section 3: That after expiration of the limit for compliance as set forth in such notice to abate including the time for any appeal as set forth in Section 6.15.030 of the Riverside Municipal Code, the City of Riverside either by its employees or by contractor caused the nuisance to be abated as authorized by Section 6.15.040 of the Riverside Municipal Code.

Section 4: That a statement of abatement costs was mailed to the respective property owners and the time for paying the costs or filing a protest of the costs as set forth in Section 6.15.045 has expired.

Section 5: That the report and accounting setting forth the charges was prepared in full compliance with the applicable requirements of Chapter 6.15 of the Riverside Municipal Code and is thereby in compliance with the laws pertaining to the levy of the subject costs and said costs are based on the actual cost to abate the nuisance and is levied without regard to property valuations.

Section 6: That the above-mentioned report and account be and the same is hereby confirmed and that the total costs of abating such nuisance, including the administrative fee, on each of the parcels of land described in said Exhibit C, as said costs are set forth therein, be and the same are hereby charged and assessed as special assessments against and liens upon the respective parcels of land, as such parcels are shown on the last available assessment roll of the

County of Riverside, to be collected at the same time and in the same manner as ordinary municipal taxes are collected in the 2019/2020 tax year.

Section 7: That the Tax Collector of the County of Riverside bill and collect the assessments against each parcel of land as described in Exhibit C in the same manner as ordinary municipal taxes are collected.

Section 8: That the City Clerk shall prepare and file with the County Recorder and County Auditor of the County of Riverside a certified copy of this resolution, including said Exhibit C.

Section 9: That the costs against any parcel listed in Exhibit C assessed by this resolution and the lien created thereby shall be deemed discharged and released upon the payment of said parcel of the property taxes for the tax year above noted.

ADOPTED by the City Council this _____ day of _____, 2019.

_____
WILLIAM RUSTY BAILEY III
Mayor of the City of Riverside

Attest:

_____
COLLEEN J. NICOL
City Clerk of the City of Riverside

I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City at its meeting held on the _____ day of _____, 2019, by the following vote, to wit:

Ayes:

Noes:

Absent:

Abstain:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this _____ day of _____, 2019.

_____
COLLEEN J. NICOL
City Clerk of the City of Riverside

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- 4 -