

Lompoc City Council Agenda Item



City Council Meeting Date: April 20, 2010

TO: Laurel Barcelona, City Administrator

FROM: Arleen Pelster, Community Development Director

Subject: Approval of Resolution 5628(10) Declaring Intent to Conduct a Public Hearing to Declare a Public Nuisance (1128 North A Street)

RECOMMENDATION:

That City Council:

- 1) Approve Resolution 5628(10) Declaring Intent to Conduct a Public Hearing to Declare a Public Nuisance; and
- 2) Authorizing Notice of a Public Hearing to be held on May 18, 2010.

BACKGROUND:

This code enforcement case was first opened on September 5, 2007, as a result of a neighbor complaint. The property at issue is 1128 North A Street, APN 087-021-018, which has been abandoned for approximately seven to ten years. The owner of the property is deceased and City staff has made multiple attempts to contact relatives to obtain voluntary compliance with Lompoc Municipal Code Chapter 17.140 – Nuisance without response. Neighbors of the property have submitted written complaints requesting the City's intervention.

The property is not being maintained in compliance with the Lompoc Municipal Code. The property's landscaping is not maintained, resulting in an overgrown grass and weeds, including shrub-like plants, which harbor rats and vermin and constitute an unsightly appearance. A wooden fence at the rear of the property is deteriorating and dilapidated. The property has boarded or broken windows, which may constitute a hazardous condition and may invite trespassers to enter the property. Dirt, trash and debris also exist on various portions of the property. Despite the City's many efforts to contact a responsible party to voluntarily abate the property, the condition of the property has not improved.

DISCUSSION

Lompoc Municipal Code Chapter 17.140 sets forth detailed procedures for declaring and abating a nuisance. The procedures are itemized below:

- 1) Resolution Declaring Intent to Conduct a Public Hearing to Declare a Public Nuisance (LMC §17.140.030)
- 2) Notice of Hearing to Abate – Posting on Premises (LMC §17.140.040)
- 3) Serving Notice By Mail (LMC §17.140.050)
- 4) Hearing by City Council (LMC §17.140.060)
- 5) Service on Owner of Resolution to Abate (LMC §17.140.070)
- 6) Abatement by City (LMC §17.140.080)
- 7) Statement of Cost for Abatement (LMC §17.140.090)
- 8) Report – Hearings and Proceedings (LMC §17.140.100)
- 9) Assessment of Costs Against Property Lien (LMC §17.140.110)

SUMMARY

Staff recommends initiating the abatement process with the adoption of Resolution 5628(10) and setting a public hearing for May 18, 2010, to be conducted at the regularly scheduled City Council meeting of that date.

Arleen T. Pelster, AICP
Community Development Director

APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:

Laurel M. Barcelona, City Administrator

ATTACHMENTS:

- Attachment 1: [Resolution 5628\(10\) Declaring Intent to Conduct a Public Hearing to Declare a Public Nuisance](#)
- Attachment 2: [Notice of Hearing to Determine Existence of Public Nuisance and to Abate in Whole or Part](#)