

RESOLUTION NO. 5628 (10)

A Resolution of the Council of the City of Lompoc County of Santa Barbara, State of California, Declaring Intent to Conduct a Public Hearing to Declare a Public Nuisance

WHEREAS, Lompoc Municipal Code Section 17.140.030 provides “whenever the Community Development Director determines that any premises within the City is being maintained contrary to one or more of the provisions of Section 17.140.010, then the City Council may, by resolution, declare its intent to conduct a public hearing to ascertain whether the same does in fact constitute such public nuisance, the abatement of which is appropriate under the police powers of the City;” and

WHEREAS, the Community Development Director has determined the property located at 1128 North A Street, in the City of Lompoc, APN 087-021-018 exhibits the following violations of the Lompoc Municipal Code:

- 1) LMC Section 17.140.010(A) – Abandoned, or boarded up building;
- 2) LMC Section 17.140.010(B) – Buildings and fences dilapidated, warped, termite infested, and/or damaged by dry rot;
- 3) LMC Section 17.140.010(C) – Broken windows, doors, or other openings, constituting hazardous conditions or inviting to trespassers and perpetrators of mischief;
- 4) LMC Section 17.140.010(D) – Grass or weeds overgrown to an average height in excess of one foot from the ground level that are 1) likely to harbor rats or other vermin; 2) constitute an unsightly appearance; 3) dangerous to public safety and welfare; 4) detrimental to neighboring properties or property values;
- 5) LMC Section 17.140.010(H) – Lumber, junk, trash, or debris upon the premises which is visible from a public street or alley; and
- 6) LMC Section 17.140.010(K) – Accumulation of dirt, litter, or debris, in vestibules, doorways, adjoining walkways or pathways.

WHEREAS, the methods of abatement are set forth in Chapter 17.140 of the Lompoc Municipal Code, and consist of repair, rehabilitation, demolition, or removal of all or any part of the premises found to constitute a public nuisance pursuant to the following procedures:

- 1) LMC Section 17.140.030 – Adoption of a resolution declaring Council’s intent to conduct a public hearing;

- 2) LMC Section 17.140.040 – Posting of notice of hearing on property subject to abatement;
- 3) LMC Section 17.140.050 – Service of the notice of hearing on the property owner;
- 4) LMC Section 17.140.060 – Public hearing before City Council to declare public nuisance and order the abatement at a specific time;
- 5) LMC Section 17.140.070 – Resolution of abatement served on property owner who shall have until the date of the intended abatement to abate the property him or herself;
- 6) LMC Section 17.140.080 – If property not abated by owner, City may abate using its own forces or private contract;
- 7) LMC Section 17.140.090 – A statement of costs of abatement to be considered by the City Council and recorded as a lien against the property and collected as a special assessment by the County Tax Collector.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMPOC, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Intent to Conduct Public Hearing.

The City Council of the City of Lompoc hereby states its intention to conduct a public hearing on May 18, 2010, to ascertain whether the conditions existing on the property at 1128 North A Street, City of Lompoc, APN 087-021-018 constitute public nuisances pursuant to Lompoc Municipal Code Chapter 17.140, and, if so, to declare a public nuisance and order the abatement thereof.

SECTION 2. Effective Date. This Resolution is effective on the day of its adoption.

The foregoing Resolution was proposed by Councilmember _____, seconded by Councilmember _____, and was duly passed and adopted by the Council of the City of Lompoc at its regular meeting on _____ by the following vote:

AYES: Councilmember(s):

NOES: Councilmember(s):

Michael A. Siminski, Mayor
City of Lompoc

ATTEST:

Donna N. Terrones, CMC
City Clerk, City of Lompoc