

ORDINANCE NO. 1371

AN ORDINANCE OF THE CITY OF REDLANDS AMENDING THE
REDLANDS ORDINANCE CODE RELATING TO THE ABATEMENT
OF WEEDS AND RUBBISH

THE CITY COUNCIL OF THE CITY OF REDLANDS DOES ORDAIN
AS FOLLOWS:

SECTION ONE: That the Redlands Ordinance Code be
amended by deleting present Chapter 58, Abatement of
Weeds and Rubbish, and adding Chapter 58, Abatement
of Weeds and Rubbish.

CHAPTER 58
Abatement of Weeds and Rubbish

- Article 581. Weed Abatement
582. Tree Trimmings

ARTICLE 581
Weed Abatement

§ 58100. DUTIES OF FIRE CHIEF. The Fire Chief or his authorized representative is the public officer designated to perform the duties imposed by this ordinance.

§ 58101. DEFINITION - FIRE HAZARD. All weeds, dry grasses, dead shrubs, dead trees, combustible rubbish, or any material growing upon the streets, sidewalks, or upon private property within the City of Redlands which bears seeds of a wingy or downy nature, which by reason of their size, manner of growth and location constitute a fire hazard to any building, improvements, crops or other property, and weeds and grasses which, when dry, will in reasonable probability constitute such a fire hazard, are hereby declared to be a public nuisance.

§ 58102. USEFUL GRASSES EXCLUDED. Cultivated and useful grasses and pastures shall not be declared a fire hazard. However, if the Fire Chief or his authorized representative shall determine it necessary to protect adjacent improved property from fire exposure, an adequate fire break may be required.

§ 58103. WASTE MATTER - NUISANCE. Waste matter as hereinafter defined, which by reason of its location and character would materially hamper or interfere with the prevention or suppression of fire upon the premises, is hereby declared to be a public nuisance.

§ 58104. DEFINITION. Waste matter is defined for the purpose of this ordinance as unused or discarded matter, having no substantial market value, which is exposed to the elements and is not enclosed in any structure or otherwise concealed from public view, which possesses a substantial fire hazard to adjoining structures, and which consists (without limitation or exclusion by enumeration) of such matter and material as:

- (a) Combustible rubbish, crates, cartons.
- (b) Lumber not piled neatly, with proper access aisles.
- (c) If the Fire Chief or his authorized representative shall determine that it is necessary to remove other discarded matter from the property so as to proceed with the most practical method of abatement of the nuisance, removal of such discarded matter is hereby authorized.

§ 58105. PROCEDURE. If it is determined that a public nuisance, as herein defined, exists on any lot or premises, or upon any sidewalk, parkway, or street adjacent to such lot or premises, the Chief of the Fire Department shall cause a notice to be issued to abate such nuisance. Such notice shall be headed, "NOTICE TO CLEAN PREMISES", in letters not less than one (1) inch in height and shall, in legible characters, direct the abatement of the nuisance and refer to this ordinance for particulars. Notices served by means other than posting as provided by this ordinance shall contain a description of the property in general terms reasonably sufficient to identify the location of the nuisance.

The notice required by Section Four of this ordinance may be served in any one of the following manners:

- (a) By personal service on the owner, occupant, or person in charge or control of the property, or
- (b) By regular mail addressed to the owner or person in charge and control of the property, at the address shown on the last available assessment roll, or as otherwise known, or
- (c) By posting in a conspicuous place on the land or abutting public right-of-way, or, in the alternative, insertion of a legal advertisement at least once a week for the period of two weeks in a newspaper of general circulation in the City of Redlands. Said newspaper advertisement shall be a general notice that property in the City of Redlands has been posted in accordance with this

ordinance and contain a general statement of the effect of such postings. The date of such newspaper advertisements shall not be considered in computing the appeal periods provided by this ordinance.

§ 58106. APPEAL. Within ten (10) days from the date of posting, mailing, or personal service of the required notice, the owner or person occupying or controlling such lot or premises affected may appeal to the City Council of Redlands.

- (a) At a regular meeting or regular adjourned meeting of the City Council, not more than twenty (20) days thereafter, it shall proceed to hear and pass upon such appeal, and the decision of the City Council thereupon shall be final and conclusive.
- (b) It shall be the duty of the owner, the agent of the owner, or the person in charge of any lot or premises in the City of Redlands within ten (10) days from the date of notification as provided herein, or in the case of an appeal to the City Council, within ten (10) days from the determination thereof, unless the same is sustained, to remove the nuisance as stated.

§ 58107. ABATEMENT. If the owner fails or neglects to remove the nuisance as herein defined within the time specified in this ordinance, the Chief of the Fire Department or his authorized representative shall cause such nuisance to be abated. The abatement work may be done by city crews or by private contractor. The Fire Department shall send a demand for payment of the cost shown in the statement and paid by the City, in addition to a service charge of \$10.00, to the owner of the property by posting in the United States mail.

- (a) A report of the proceedings and an account of the unreimbursed cost of abating the nuisance on each separate property shall be filed with the City Clerk on or before the tenth day of July following the abatement of the nuisance. The City Clerk shall thereupon set the reports and accounts for hearing before the City Council at the

second regular or an adjourned meeting in the month of July following the abatement of the nuisance, and shall post a copy of said reports and accounts and notice of the time and place of hearing in a conspicuous place at or near the entrance to the Council Chambers in the Redlands Safety Hall.

- (b) The City Council shall consider the reports and accounts at the time set for hearing, together with any objections or protests by interested parties. Any owner of land or person interested therein may present a written or oral protest or objection to the report and account. At the conclusion of the hearing, the City Council shall either approve the reports and accounts as submitted or as corrected or modified by the City Council. The amounts so approved shall be liens on the respective lots or premises, and the City Council shall adopt a resolution assessing said amounts as liens upon the respective parcels of land as they are shown on the last available tax roll. If within five (5) days after the hearing before the City Council, payment is made by the property owner of the amount due for the abatement of the nuisance, the amount shall not be entered as a lien against his property.
- (c) Not less than five days after the hearing before the City Council, but not after August 1 following the abatement of the nuisance, the City Clerk shall prepare and file with the County Auditor of the County of San Bernardino a certified copy of the said resolution of the City Council.
- (d) The provisions of Sections 39580 to 39585, inclusive, of the Government Code are incorporated by reference and made a part of this ordinance. The County Auditor shall enter each assessment in the County tax roll opposite the parcel of land. The amount of the assessment shall be collected at the time and in the manner of ordinary municipal taxes; and if delinquent the amount is subject to the same penalties and procedure of foreclosure and sale as is provided for ordinary municipal taxes.

§ 58108. PENALTY. The owner, occupant, or agent of any lot or premises within the City of Redlands who shall permit or allow the existence of a public nuisance as defined in this ordinance, upon any lot or premises owned, occupied, or controlled by him, or who shall violate any of the provisions of this ordinance, shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than Five Hundred Dollars (\$500.00), or to imprisonment for a period not exceeding six (6) months, or both such fine and imprisonment.

§ 58109. Ordinance No. 1185 is hereby repealed.

ARTICLE 582
Tree Trimmings

§ 58200. DANGER FROM TREE TRIMMINGS. Whereas accumulations of limbs, branches, prunings, trimmings, stumps and parts of trees are breeding places for fruit tree insect pests and diseases which endanger fruit trees and the crops thereof, therefore,

§ 58201. TREE TRIMMINGS AS NUISANCE. Any accumulation of limbs, branches, prunings, trimmings, stumps and parts of domestic or cultivated fruit trees, cut, removed, fallen or severed from such trees is hereby declared to be a public nuisance. (874:6A:a 891:One)

§ 58202. INFESTED TREES AS NUISANCE. Any domestic and cultivated fruit tree or ornamental tree or shrub infested with red, yellow, or black scale, mealy bug or other insect pests or diseases detrimental to agricultural crops, is hereby declared to be a public nuisance. (874:6A:b 891:One)

§ 58203. NOTICE TO ABATE. The Chief of Police upon notice so to do by the Park Superintendent shall give written notice to any person, firm or corporation maintaining a public nuisance as herein defined requiring that said nuisance be abated within twenty (20) days after the service of such notice. (874:6A:c. 891:One)

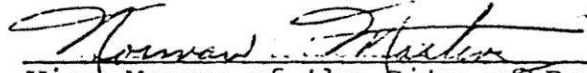
§ 58204. RULES AND REGULATIONS. The City Council shall have authority, and is hereby authorized to promulgate reasonable rules and regulations to enforce and apply the provisions of this Chapter. (1185)

§ 58205. CARE IN BURNING OF VEGETATION. It is unlawful for any person in the removal or destruction of such weeds or rank growths to burn the same upon the premises where grown without having first removed the same for a distance of not less than five feet from any fence, posts, barn, building or any inflammable structure, or to burn the same when on account of the wind there may be any danger of fire to any inflammable structure by such burning. (622:7)

§ 58206. EXPENSE OF FIRE CALL. The minimum fine to be imposed for violating any of the provisions of section 58205 in any case where the Fire Department shall have been called out on account of such fire shall be the amount of the expense to the City on account thereof. (622:8)

SECTION TWO. This ordinance shall be in force and take effect as provided by law.

SECTION THREE. The City Clerk shall certify to the adoption of this ordinance and cause it to be published once in the Redlands Daily Facts, a newspaper of general circulation printed and published in the City of Redlands.


Vice Mayor of the City of Redlands

ATTEST:

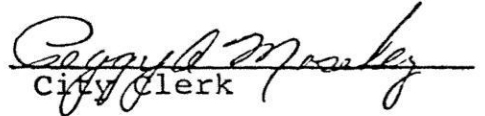

City Clerk

APPROVED FOR FORM:

s/ Edward F. Taylor

I, Peggy A. Moseley, City Clerk, City of Redlands, hereby certify that the foregoing ordinance was duly adopted by the City Council at a regular meeting thereof held on the 3rd day of December, 1968 by the following vote:

AYES: Councilmen Cummings, DeMirjyn, Knudsen, Vice Mayor Martinez
NOES: None
ABSENT: Mayor Burroughs


City Clerk

ORDINANCE NO. 1589

AN ORDINANCE OF THE CITY OF REDLANDS AMENDING ORDINANCE NO. 1371 AND SECTION 58107 OF THE REDLANDS ORDINANCE CODE, ABATEMENT OF WEEDS AND RUBBISH

THE CITY COUNCIL OF THE CITY OF REDLANDS DOES ORDAIN AS FOLLOWS:

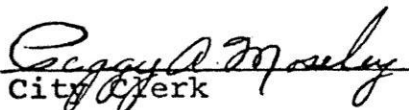
SECTION ONE: That Ordinance No. 1371 and Section 58107 of the Redlands Ordinance Code be amended as follows:

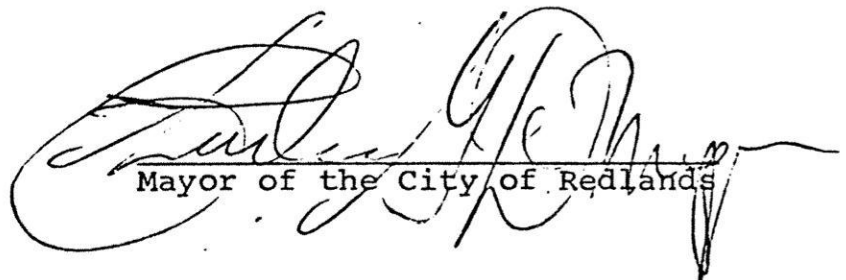
§ 58107. ABATEMENT. If the owner fails or neglects to remove the nuisance as herein defined within the time specified in this article, the Chief of the Fire Department or his authorized representative shall cause such nuisance to be abated. The abatement work may be done by city crews or by private contractor. The Fire Department shall send a demand for payment of the cost shown in the statement and paid by the City, in addition to a service charge of \$25.00, to the owner of the property by posting in the United States mail.

SECTION TWO: This ordinance shall be in force and take effect as provided by law.

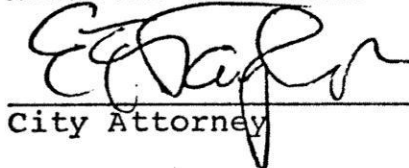
SECTION THREE: The City Clerk shall certify to the adoption of this ordinance and cause the same to be published once in the Redlands Daily Facts, a newspaper of general circulation printed and published in this city.

ATTEST:


City Clerk

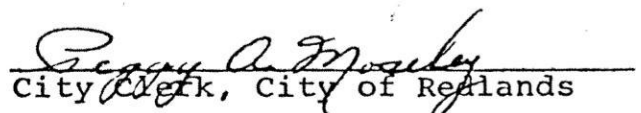

Mayor of the City of Redlands

APPROVED FOR FORM:


City Attorney

I, Peggy A. Moseley, City Clerk of the City of Redlands, hereby certify that the foregoing ordinance was adopted by the City Council of the City of Redlands at a regular meeting thereof held on the 5th day of October, 1976, by the following vote:

AYES: Councilmembers Miller, Grace, Elliott, Mayor DeMirjyn
NOES: Councilman Knudsen
ABSENT: None


City Clerk, City of Redlands