

RESOLUTION 2024-12**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RODEO HERCULES
FIRE PROTECTION DISTRICT AUTHORIZING ABATEMENT OF HAZARDOUS
WEEDS**

WHEREAS, California Health and Safety Code Sections 14875 through 14922 authorizes abatement of hazardous weeds; and;

WHEREAS, there are weeds which bear seeds of a downy and wingy nature; and,

WHEREAS, there are weeds which attain such large growth as to become, when dry, a fire menace to adjacent improved property;

WHEREAS, there are weeds which are otherwise noxious or dangerous; growing upon streets, sidewalks and/or private property, which streets, highways and private property, are hereinafter described in detail;

WHEREAS, there are weeds, which are dry grass, stubble, brush, litter, piled debris, or other flammable material that endangers the public safety by creating a fire hazard;

WHEREAS, said weeds are and are hereby declared a public nuisance;

WHEREAS, the Fire Chief has determined that the above-mentioned weeds are at high risk to be present on certain hereinafter described private property, and in the event that they are present will endanger the public safety;

WHEREAS, such private property fronts or abuts, or is nearest to the street, highway, or road set opposite said private property, and poses a danger to those public thoroughfares;

WHEREAS, in the event that they are present, such weeds must be cleared from this private property to preserve public safety; and

WHEREAS, in the event that the owners of such property do not abate the public nuisance upon proper notice, the Rodeo Hercules Fire Protection District intends to perform the work of removal of said weeds by contract, and the cost thereof will be assessed against said private property, in accordance with applicable law.

NOW, THEREFORE, BE IT RESOLVED, by the Board of the Rodeo Hercules Fire Protection District:

1. That all weeds which bear seeds of a downy or wingy nature; weeds which attain such growth as to become, when dry, a fire menace to adjacent improved property; and weeds which are otherwise noxious or dangerous, growing upon the private property hereinafter described in detail are, and are hereby declared, a public nuisance.

- 2. That all weeds which bear seeds of a downy or wingy nature; weeds which attain such large growth as to become, when dry, a fire menace to adjacent improved property; and weeds which are otherwise noxious or dangerous, growing upon the streets, highways, or roads or sidewalks fronting, abutting the private property hereinafter described in detail are, and are hereby declared, a public nuisance.
- 3. That all such weeds growing upon the street, highway, road or sidewalk, or private property, are a public nuisance of seasonal and recurrent nature, and are so declared.
- 4. That all natural debris, such as dry grass, stubble, brush, litter, piled debris, or other flammable material, endangers the public safety and is a public nuisance of seasonal and recurrent nature, and is so declared.
- 5. That the private property that has been determined by the Fire Chief to be at risk to contain such weeds, which constitute a public nuisance, is described in Rodeo Hercules Fire Protection District Fire Hazard Reduction Weed Abatement List to be created for 2024 and future years, a copy of which will be on file with the Clerk of the Board.
- 6. That the Fire Chief is hereby authorized to mail a “Notice to Destroy Weeds” or similar notice in the form prescribed by Section 14892 of the Health and Safety Code of the State of California to the owners of the property listed on Rodeo Hercules Fire Protection District Fire Hazard Reduction Weed Abatement List once developed for 2024; said notice to be mailed prior to June 15, 2024, upon which notice including date, location, and time will be published as required.

All objections and protests by such property owners will be heard and considered by said Board. Thereupon, or at its conclusion thereof, jurisdiction will be acquired and the District will proceed to perform the work of removal of said weeds commencing July 11, 2024, by contract and cost thereof will be assessed against said private property.

IF ANY PART OF THE RESOLUTION OR ANY ATTACHMENTS TO IT are for any reason determined to be invalid or unconstitutional, such determination shall not affect the validity of the remaining portions of this Resolution or its attachments, and the Board hereby declares that it would have adopted this Resolution, and each section, subsection, sentence, clause,

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and phrase hereof, irrespective of any one or more sections, subsections, sentences, clauses or phrases being declared invalid or unconstitutional. The foregoing Resolution was duly and regularly adopted at a regular meeting of the Rodeo-Hercules Fire Protection District Board of Directors meeting held on the 8th day of May 2024, by the following vote of the Board:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Delano Doss, Board Chair

ATTEST:

Kimberly Corcoran, Clerk of the Board