

# Stanislaus County Code

## Title 9 Health & Safety

### Chapter 9.20 WEED CONTROL

#### 9.20.010 Buildings, grounds or lots--Abatement authorized.

All dirt, rubbish, weeds, or other rank growths located upon any buildings, grounds or lots with all zoning districts as described in Title 21 of this code, except A-2 (Exclusive Agricultural) with a minimum parcel designation of ten acres or greater which are designated as agriculture on the land use element of the general plan as established by the board of supervisors, which constitute a fire menace, or which are otherwise a menace to health or safety, are declared to be a public nuisance and may be abated as provided in this chapter. (Ord. CS 172 §1, 1986: prior code §3-210).

#### 9.20.020 Public areas--Abatement authorized.

All grass, weeds, or other obstructions located upon any sidewalks, parkings, or streets within all zoning districts as described in Title 21 of this code, except A-2 (Exclusive Agricultural) with a minimum parcel designated as agriculture on the land use element of the general plan as established by the board of supervisors, which constitute a fire menace or which are otherwise a menace to health and safety are declared to be a public nuisance and may be abated as provided in this chapter. (Ord. CS 172 §2, 1986: prior code §3-211).

#### 9.20.030 Definitions.

- A. "Parkings," as used in this chapter, means the area between the established concrete curbing and the private property line.
- B. "Street," as used in this chapter, means a public or private thoroughfare which affords principal or secondary access by vehicles to abutting property including any avenue, place, way, drive, lane, boulevard, highway, road, alley, and any other thoroughfare used by vehicles.
- C. "Weeds," as used in this chapter, means all weeds growing upon roads, streets, sidewalks, or private property as defined by Health and Safety Code, Section 14875. (Prior code §3-212).

#### 9.20.040 Buildings, grounds or lots--Removal required.

It is made the duty of every owner of buildings, grounds or lots within all zoning districts as described in Title 21 of this code, except A-2 (Exclusive Agricultural) with a minimum parcel designation of ten acres or greater which are designated as agriculture on the land use element of the general plan, to remove such dirt, rubbish, weeds or other rank growths from such property or adjacent sidewalks as are described in Section 9.20.010 from such buildings, grounds or lots. (Ord. CS 172 §3, 1986: prior code §3-213).

#### 9.20.050 Public areas--Removal required.

It is made the duty of every owner of buildings, grounds or lots within all zoning districts as described in Title 21 of this code, except A-2 (Exclusive Agricultural) with a minimum parcel designation of ten acres or greater which are designated as agriculture on the land use element of the general plan, to remove such grass, weeds or other obstructions from the sidewalks and parkings and the half of the streets as abut his buildings, grounds or lots as are described in Section 9.20.020. (Ord CS 172 §4, 1986: prior code §3-214).

#### 9.20.060 Buildings, grounds or lots--Maintenance required.

Every owner of buildings, grounds or lots within all zoning districts as described in Title 21 of this code, except A-2 (Exclusive Agricultural) with a minimum parcel designation of ten acres or greater which are designated as agriculture on the land use element of the general plan, shall keep such buildings, grounds or lots free and clear of all dirt, rubbish, weeds or other rank growths which, from any cause whatever, have accumulated upon such property. (Ord. CS 172 §5, 1986: prior code 3-215).

#### 9.20.070 Public areas--Maintenance required.

Every owner of buildings, grounds or lots within all zoning districts as described in Title 21 of this code, except A-2 (Exclusive Agricultural) with a minimum parcel designation of ten acres or greater which are designated as agriculture on the land use element of the general plan, shall keep the sidewalks and parkings and the half of the streets as abut his buildings, grounds or lots free and clear of all grass, weeds or other obstructions as are described in Section 9.20.020 which, from any cause whatever, have accumulated therein. (Ord. CS 172 §6, 1986: prior code §3-216).

#### 9.20.080 Chief of the fire department defined.

As used in this chapter, "chief of the fire department" means the county fire warden, his paid deputies, and chiefs of any county fire district, county fire protection district or volunteer fire district legally adopted by the county board of supervisors, who are appointed by the county fire warden as deputy fire wardens, and who shall possess adequate knowledge of fire prevention codes and building codes and displays an interest in keeping abreast of current changes in fire prevention codes and building codes, whether they are state or county ordinances. (Prior code §3-217).

#### 9.20.090 Abatement notice--Property identification.

Upon the failure of any owner to destroy or remove such dirt, rubbish, weeds, or other rank growths, grass or other obstructions as are described in Sections 9.20.010 and 9.20.020, in the manner described in this chapter, the owner of the real property involved shall be notified by the

chief of the fire department, in whose area the property lies, to remove the same within a period of seven days. The notice shall identify the property by its commonly known name, the street, road, or highway upon which it is located, and shall describe the property by reference to the tract, block, lot, code area, and parcel number as used in the records of the county assessor. (Prior code §3-218(part)).

9.20.100 Abatement notice--Contents.

The notice shall state that the grass, weeds, dirt, rubbish, or other obstructions on the property or sidewalks, parkings and the half of the streets as abut the property, as the case may be, is a nuisance and hazard and that by the provisions of this chapter, they must be abated by the owner; that otherwise they will be abated by county authorities, in which case the costs of the abatement shall be assessed on the property and will constitute a lien on the property until paid. The notice shall contain the name of the fire chief and shall state that an appeal from the notice may be made in writing to the board of supervisors through the office of the county fire warden and give his name, address, telephone number, and the date by which such appeal must be made. The notice shall be in writing or printed and shall (A) be posted in a conspicuous place upon said property for a period of seven days, and (B) be mailed to the property owner as shown on the assessment roll. Such mailed notice shall be accompanied by a copy of this chapter. (Prior code §3-218(part)).

9.20.110 Abatement notice--Appeal.

If the property owner objects to the determination of the fire chief that the condition of his property is such as is described in Sections 9.20.010 or 9.20.020, he may file his objection in writing with the board of supervisors through the fire warden's office within the seven days after the date of the notice, and such objection shall be heard as soon thereafter as the business of the board will permit. If the board upholds the determination of the fire chief, the property owner shall be allowed seven days thereafter to comply after which the procedure in Sections 9.20.120 and 9.20.130 shall be employed. If the board does not uphold the determination of the fire chief, such action may be taken as the board directs. (Prior code §3-219).

9.20.120 Abatement--County work.

If at the end of the period set forth in Sections 9.20.090 through 9.20.110, the owner has failed to comply with the notice, or has not successfully objected thereto, the chief of the fire department shall notify the county fire warden who shall cause the nuisance as described to be removed and shall charge the expense of the work of removing it to the owner of the property, and it shall become a lien on the property in accordance with Section 14930 of the Health and Safety Code and Section 25845 of the Government Code. (Ord. NS 1094 §1, 1982: prior code §3-220).

9.20.130 Abatement--Cost collection.

Upon completion of the work of removal of the nuisance, the collection officer shall notify the owner of the real property in writing of the expense of the work. If the owner fails or refuses to pay the amount of the expense, plus a collection fee to be set by the board of supervisors, within a period of thirty days from the date of mailing the notice, payment to be made to the county, interest shall be charged at a rate to be set by the board of supervisors from the date notice was sent. The collection officer shall cause to be recorded notice of the lien, on the property cleared, in the recorder's office for the amount due with interest as aforesaid, the fee for collection costs, and a fee for recording a release of lien. On the first business day in September, the collection officer shall certify to the county auditor the names and amount due with interest and fees of the property owners whose obligation under this chapter remains unpaid. The county auditor shall cause this information and a fee to be set by the board of supervisors to be entered upon the tax roll. After receipt of the amount due, the county auditor shall cause to be recorded are lease of lien in the county recorder's office. (Prior code §3-221).

9.20.140 Removal of landscaping not required.

Nothing in this chapter shall be construed to require the removal from the property of any ornamental trees, plants, lawns, or shrubs of a reasonable growth, provided the same are not in any manner obstructions to the free use of the sidewalk or streets in front of or along such property by pedestrians or vehicles. (Prior code §3-222).

9.20.150 Provisions supplemental to statutes.

This chapter is adopted pursuant to Sections 14930 and 14931 of the Health and safety Code and is intended to be supplemental and in addition to the remedies provided in Division 12, Part 5 of the Health and Safety Code and not in lieu thereof. (Prior code §3- 223).