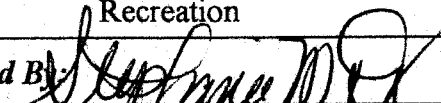




## POLICY AND PROCEDURE

<b>Subject:</b> Weed Abatement- Method for Determining Administrative Fees	<b>Index:</b> Land Use  <b>Number:</b> 302-4
<b>Effective Date:</b> January 22, 2003	<b>Prepared By:</b> Beaches, Parks & Recreation
<b>Supersedes:</b>	<b>Approved By:</b> 

### 1.0 PURPOSE:

The purpose of this policy is to establish equitable guidelines for determining the amount of administrative costs that will be charged pursuant to the City's Weed Abatement Program.

### 2.0 ORGANIZATIONS AFFECTED:

Beaches, Parks & Recreation

### 3.0 REFERENCES:

California Government Code: §39564; 39565; 39566; 39567.1; 39577; 39578; 39579. San Clemente Municipal Code (SCMC) Chapter 8.76, § 8.76.050; 8.76.060; 8.76.070; 8.76.080; 8.76.090; 8.76.100; 8.76.120; 8.76.130; 8.76.140.

### 4.0 POLICY:

The Weed Abatement Program is an annual operation where a majority of public and private undeveloped (no structures) parcels in the City are inspected and abated of weeds and debris. The program is managed by the Beaches, Parks and Recreation Department.

Administrative costs associated with the program include inspections, notifications, postings, and general administration (staff time to answer property owner inquiries, prepare reports and financial documents, and resolve complaints).

### 5.0 DEFINITIONS:

Weed Abatement: The removal of weeds, debris, rubbish, etc., from undeveloped parcels in the City. The fiscal year for this program begins in March and ends in February of the next calendar year.

Beaches, Parks & Recreation Department: City Department responsible for the management of the Weed Abatement Program.

Compliant properties: Those properties where the owner clears the parcel to City standards before the City's weed abatement deadline.

Non-compliant properties: Those properties where the City must clear the parcel, as the owner has not cleared the property prior to the City Weed Abatement deadline, or has not cleared the property to City standards.

## **6.0 PROCEDURE:**

- 6.1 All owners of undeveloped properties in San Clemente are notified by mail in early April of each weed abatement fiscal year of the need to abate all weeds and debris from their undeveloped properties. The last day for compliance is May 15 of that same fiscal year. By order of the City Council, if the property owner fails to clear his/her property by the above deadline, the City clears the property.
- 6.2 After all non-compliant properties have been cleared, the administrative costs of the abatement for each lot is established. The various aspects of the administration cost are itemized and assigned to compliant parcels, non-compliant parcels, and aspects that are shared between both compliant and non-compliant parcels. The total cost associated with the non-compliant parcels is divided equally between the number of non-compliant parcels cleared by the City in that weed abatement fiscal year.
- 6.3 Staff prepares an Agenda Report for City Council consideration, requesting Council waiver of costs associated with compliant properties and approval to bill non-compliant properties for the costs associated with clearing non-compliant properties. In addition to the administrative cost per parcel, non-compliant property owners are billed for the actual cost to clear weeds and debris from their parcels. The (a) administrative cost and (b) weed/debris removal cost are itemized on the bill.
- 6.4 Upon City Council approval of the waiver and billing, staff prepares and mails bills to the non-compliant parcel property owners.
- 6.5 For those non-compliant parcel property owners that do not submit payment to the City within 90 days of the date of mailing of the original bill, the full cost of the bill is attached to the parcel property tax bill in the next available County of Orange property tax cycle. Staff prepares an Agenda Report for City Council consideration to approve the placement of the outstanding weed abatement bills onto the County property tax bill for each property owner that did not pay the weed abatement bill.

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