

RESOLUTION NO. 10-23

**RESOLUTION OF THE BOARD OF DIRECTORS OF
RUNNING SPRINGS WATER DISTRICT FINDING THAT
CERTAIN PROPERTIES LOCATED IN THE DISTRICT
CONSTITUTE A PUBLIC NUISANCE AND ORDERING
NOTIFICATION TO PROPERTY OWNERS AND SETTING A
PUBLIC HEARING**

WHEREAS, pursuant to Water Code section 31120, Running Springs Water District may exercise any of the powers, functions, and duties which are vested in, or imposed upon, a fire protection district pursuant to the Fire Protection District Law of 1987; and

WHEREAS, Running Springs Water District is authorized, pursuant to Water Code section 31120 and Health and Safety Code section 13879, to abate hazardous weeds and waste pursuant to the procedures set forth in Health and Safety Code section 14875 *et. seq.*; and

WHEREAS, pursuant to the procedures set forth in Health and Safety Code section 14875 *et. seq.* and Ordinance Nos. 36, 37 and 38, the Board of Directors of the Running Springs Water District may declare weeds growing upon streets, sidewalks, or private property a public nuisance that may be abated pursuant to the provisions therein; and

WHEREAS, the Fire Inspector of the Running Springs Water District or his or her authorized representative inspected the properties described in Exhibit "A," attached hereto and by this reference incorporated herein, and found that those properties materially hamper or interfere with the prevention or suppression of fire upon the property or adjacent properties or endanger the public safety by creating a fire hazard, and therefore constitute a public nuisance; and

WHEREAS, the Fire Inspector or his or her authorized representative has asked the Board of Directors to find and determine that said weeds and/or waste matter constitute a public nuisance and the Board desires to declare, by resolution, that said weeds constitute a public nuisance pursuant to California Health and Safety Code section 14875 *et seq.* and Ordinance Nos. 36, 37 and 38; and

WHEREAS, the Board of Directors desires to authorize the Fire Inspector or his or her authorized representative to provide notice to the owners of the properties described in Exhibit "A" of a public hearing to be conducted on September 20, 2023 at 9:00 am, pursuant to Health and Safety Code section 14890 *et seq.* and Sections 2.5 and 2.6 of Ordinance Nos. 36, 37 and 38; and

WHEREAS, at the public hearing, the Board of Directors intends to hear any or all objections or protests, if any, to the proposed removal of weeds;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Running Springs Water District as follows:

Section 1. All of the recitals set forth above are true.

Section 2. The Board of Directors has determined and hereby declares that the properties described in Exhibit "A," attached hereto and by this reference

incorporated herein, located within the Running Springs Water District's boundaries contain weeds and/or waste that constitute a public nuisance pursuant to the provisions of Health and Safety Code section 14875 *et seq.*

Section 3. The Board of Directors directs the Fire Inspector or his authorized representative to provide notice to the owners of the properties described in Exhibit "A" of a public hearing to be conducted on September 20, 2023 at 9:00 am at which time the Board of Directors shall consider all objections or protests to the proposed removal of weeds. Notice shall be provided pursuant to the provisions of Health and Safety Code section 14890 *et seq.* and Sections 2.5 and 2.6 of Ordinance Nos. 36, 37 and 38.

Section 4. The Board of Directors further directs that at the time of the public hearing, the Board of Directors shall hear and consider all objections or protests, if any, to the proposed removal of weeds and/or waste, and may continue the hearing from time to time. Upon the conclusion of the hearing, the Board of Directors shall allow or overrule any or all objections, whereupon the Board of Directors shall acquire jurisdiction to proceed and perform the work of removing the public nuisance, and the decision of the Board of Directors shall be final, except as provided in Health and Safety Code sections 14920 and 14921.

ADOPTED this 19th day of July, 2023.

Ayes: GRABOW, CONRAD, ACCIANI, DYBERG

Noes: 0

Abstentions: 0

Absent: TERRY



President of the Board of Directors

ATTEST:



Board Secretary