

ORDINANCE NO. 1334

AMENDING THE GLENN COUNTY ORDINANCE CODE BY AMENDING TITLE 7, CHAPTER 28 REGARDING WEED CONTROL

THE BOARD OF SUPERVISORS OF THE COUNTY OF GLENN ORDAINS AS
FOLLOWS:

Section 1: The Glenn County Ordinance Code is hereby amended by amending Title 7,
Chapter 28 to read in its entirety as follows:

Chapter 7.28 Weed Control

- 7.28.010 Authority
- 7.28.020 Findings
- 7.28.030 Definitions
- 7.28.40 Weed Control Violations
- 7.28.050 Concurrent Authorities
- 7.28.060 Administration
- 7.28.070 Inspection
- 7.28.080 Abatement Notice--Issuance
- 7.28.090 Abatement Notice--Forms
- 7.28.100 Right Of Entry
- 7.28.110 Hearing
- 7.28.120 Conduct Of Hearing And Decision
- 7.28.130 Scope of Abatement
- 7.28.140 Costs Of Abatement
- 7.28.150 Abatement Costs--Recovery

7.28.010 Authority

This chapter is enacted pursuant to the authority of Sections 14930 and 14931 of the Health and Safety Code of the state of California, wherein it is provided that the board may enact ordinances to compel the owners, lessees, or occupants of buildings, grounds or lots in the unincorporated areas of the county to cut and remove hazardous weeds, rubbish, refuse and noxious vegetation from such property and adjacent sidewalks.

7.28.020 Findings

The board finds and declares that the uncontrolled growth and/or accumulation of dirt, grass, weeds or other obstructions on sidewalks, parkings, streets, or in natural drainage channels, and that the growth and/or accumulation on lands of lots of grass, weeds, rank growths, brush, low hanging tree foliage, rubbish or other materials dangerous or injurious to neighboring property or the health, safety, or welfare of residents of the vicinity is a public nuisance in that it creates conditions tending to reduce the value of private property, promote blight and deterioration, create drainage problems and flooding of county roads and highways, invite plundering, create fire hazards, create traffic hazards, constitute an attractive nuisance creating a hazard to health and safety of minors, create a harborage for rodents and insects, and be injurious to the health, safety and general welfare of residents of the vicinity, and therefore may be abated as such in accordance with the provisions of this chapter.

7.28.030 Definitions

- A. "Noxious vegetation" includes and is synonymous with "weeds."
- B. "Refuse" is all inclusive and means all types of rubbish and garbage and includes, but is not restricted to, putrescible or nonputrescible solid wastes both combustible and noncombustible.
- C. "Rubbish" includes all the following, but is not restricted to nonputrescible wastes, such as paper, cardboard, grass clippings, tree or shrub trimmings, wood, bedding, crockery, rubber tires, construction waste, discarded materials and debris, and similar waste materials.
- D. "Weeds" means sagebrush, manzanita, chaparral, and any other brush or weeds which attain such large growth as to become, when dry, a fire menace to adjacent improved property; plants and grasses which bear seeds of a downy or wingy nature; plants and grasses that are otherwise noxious; poison oak and poison ivy when the conditions of growth are such as to constitute a menace to the public health; dry grass, stubble, brush, litter, or other flammable material which endangers the public safety by creating a fire hazard; cattails, willows, and other foliage and rank growths which tend to clog and obstruct the flow and drainage of natural drainage channels and ditches; trees with low branches, rank growth and heavy foliage near road and highway intersections which obstruct visibility and thereby create vehicular traffic hazards.
- E. "Enforcing officer" as used in this chapter includes any of the following:
 - 1. Planning & Community Development director and his deputies;
 - 2. Health officer and his deputies;

3. Fire chiefs and other officials of each local fire protection district in the county where board of directors consents to the participation of the district in these abatement procedures;
4. Agricultural commissioner and his deputies.

7.28.040 Weed Control Violations

It is unlawful and a public nuisance for any property owner or any person leasing, occupying or having possession or control or dominion of any premises in the unincorporated area of the county to permit or allow such premises to be maintained in such a manner that overgrown, dead or decayed trees, weeds over three inches tall, or other noxious vegetation, refuse, or rubbish pose a risk or harm to the public.

7.28.050 Concurrent Authorities

This chapter is not the exclusive regulation for weeds, rubbish, refuse and noxious vegetation abatement within the unincorporated area of the county. It supplements and is in addition to the other regulatory codes, statutes, and ordinances heretofore and hereafter enacted by the county, the state or any other legal entity or agency having jurisdiction.

7.28.060 Administration

The provisions of this chapter shall be administered and enforced by the enforcing officer as defined in subsection E of Section 7.28.030.

7.28.070 Inspection

Upon the consent of the owner, lawful occupant, or their respective agent, enforcing officers are authorized to enter any real or personal property or premises within the unincorporated area of the county to investigate and ascertain whether the property or premises is in compliance with county ordinances and the Glenn County Code, and to make any inspection as may be necessary in the performance of their enforcement duties. These investigation activities may include visual inspections, taking of photographs, taking samples or other physical evidence, and the making of video and/or audio recordings. All such entries and inspections shall be done in a reasonable manner. If an owner, lawful occupant or the respective agent thereof refuses permission to enter and/or inspect, the enforcing officer may apply, pursuant to the procedures provided by California Code of Civil Procedure Section 1822.50 et seq., as may be amended, to a court of competent jurisdiction for a warrant authorizing entry upon the property for purposes of inspecting the property to determine if the nuisance remains. All costs incurred by the county in seeking and obtaining an administrative inspection warrant shall be recoverable as abatement costs.

7.28.080 Abatement Notice--Issuance

Whenever a violation of this chapter occurs, enforcing officer shall mail notice to the owner, as appears on the current assessment roll of the county assessor, to the lessee of the property, or to any occupant of the property to abate the public nuisance by removal of grass, weeds, rubbish, refuse, noxious vegetation, or other materials dangerous or injurious to neighboring property or dangerous and injurious to the health or welfare of residents in the vicinity of the property. In the alternative, the notice to abate the public nuisance may be posted upon the property. The notice shall require removal of offensive weeds, rubbish, refuse and noxious vegetation by the date stated in the notice, that upon failure to comply with this notice the enforcing officer may enter upon the property to remove the offensive weeds, rubbish, refuse and noxious vegetation, and the cost of removal shall be a lien upon the property as provided in Section 7.28.150. Further, the notice shall advise the procedures which may be followed if the owner, lessee or occupant of the land wishes to request a hearing or appear at a hearing, as provided in Section 7.28.110.

7.28.090 Abatement Notice--Forms

The notice to abate the public nuisance shall be substantially in the following forms:

1. Primary Notice. "NOTICE TO REMOVE GRASS, WEEDS, RUBBISH, REFUSE, NOXIOUS VEGETATION AND OTHER OBSTRUCTIONS Notice is hereby given to all owners, lessees, or occupants of the land situated at, and commonly known as

_____,
_____, that presently there exists on the
aforementioned land, weeds, rubbish, refuse, noxious vegetation and other
obstructions and that the presence of said weeds, rubbish, refuse, noxious
vegetation and other obstructions constitutes a public nuisance and you are
required to remove said grass, weeds, rubbish, refuse, noxious vegetation and
other obstructions by _____, or within
_____ days of the date of this notice. More particularly the grass,
weeds, rubbish, refuse, noxious vegetation and other obstructions required to be
removed are as follows:

Upon failure to remove the grass, weeds, rubbish, refuse, noxious vegetation and
other obstructions as herein required, said grass, weeds, rubbish, refuse,
noxious vegetation and other obstructions will be removed under authority of the
County of Glenn, and the costs of such removal shall be made a legal charge
against the owner of the land upon which the public nuisance exists and will
constitute a lien on said property in favor of the County of Glenn, which lien will
be enforced by appropriate proceedings.

Further be notified that you may request a public hearing by the County Hearing Officer at which you may present any evidence or testimony you may have of why the grass, weeds, rubbish, refuse, noxious vegetation and other obstructions should not be removed from the subject land. Request for such a hearing must be made within 10 days of this notice.

Dated this _____ day of _____, 19____."

2. Alternative Notice. "NOTICE TO REMOVE GRASS, WEEDS, RUBBISH, REFUSE, NOXIOUS VEGETATION AND OTHER OBSTRUCTION Notice is hereby given to all owners, lessees or occupants of the land situated at, and commonly known as

_____ that presently there exists on the aforementioned land, grass, weeds, rubbish, refuse, noxious vegetation and other obstructions and that the presence of said grass, weeds, rubbish, refuse, noxious vegetation and other obstructions constitutes a public nuisance, and you are required to remove said grass, weeds, rubbish, refuse, noxious vegetation and other obstructions by _____, or within _____ days of the date of this notice. More particularly the grass, weeds, rubbish, refuse, noxious vegetation and other obstructions required to be removed are as follows: Upon failure to remove the grass, weeds, rubbish, refuse, noxious vegetation and other obstructions as herein required, said grass, weeds, rubbish, refuse, noxious vegetation and other obstructions will be removed under authority of the County of Glenn, and the costs of such removal shall be made a legal charge against the owner of the land upon which the public nuisance exists and will constitute a lien on said property in favor of the County of Glenn, which lien will be enforced by appropriate proceedings. Further be notified that you may request a public hearing by the County Hearing Officer at which you may present any evidence or testimony you may have of why the grass, weeds, rubbish, refuse, noxious vegetation and other obstructions should not be removed from the subject land. Request for such a hearing must be made within 10 days of this notice. Dated this _____ day of _____, 19____."

7.28.100 Right Of Entry

Any official designated in Section 7.28.060, in the performance of his or her official duties herein prescribed to remove the weeds, rubbish, refuse and noxious vegetation, may enter upon the land which is the subject of the notice to remove, or in the alternative the official may, pursuant to Section 7.28.140, contract with private parties to cause the removal of the weeds, rubbish, refuse and noxious vegetation, and those

private parties shall have the right of entry upon the land to the same extent as the officials designated in Section 7.28.070.

7.28.110 Hearing

Upon the request of the owner, lessee or occupant of the land which is the subject of the notice, a public hearing shall be held on the question of the removal of the weeds, rubbish, refuse and noxious vegetation and the assessment of the administrative costs and the levy of costs fixed pursuant to the provisions of this chapter.

Notice of the date and time of the hearing shall be mailed to the party requesting the hearing, the owner, lessee and occupant of the land.

7.28.120 Conduct Of Hearing And Decision

1. All hearings under this chapter shall be held before the county hearing officer, who shall hear all facts and testimony deemed pertinent. The county hearing officer shall not be limited by the technical rules of evidence or procedure.
2. The county hearing officer may impose such conditions and take such other action as deemed appropriate under the circumstances to carry out the purpose of this chapter, including the right to order the removal or partial removal of the weeds, rubbish, refuse and noxious vegetation or to dismiss the notice of removal and the orders therein contained, and shall determine who shall bear the costs, if any, of abatement.
3. The county hearing officer may consider the matter on submission of the sworn statement by either the enforcing officer, the party or parties who have been noticed to remove the weeds, rubbish, refuse and noxious vegetation or the sworn statement of both parties.
4. The decision of the county hearing officer shall be in writing and mailed by registered mail to the parties.
5. The decision of the hearing officer is final.

7.28.130 Scope of Abatement

Any condition on public or private property located within the unincorporated area of the county of Glenn that constitutes a public nuisance under this chapter may be abated in accordance with the California Fire Code and other applicable uniform codes and to the extent necessary to protect the health, safety, or welfare of residents of the vicinity.

7.28.140 Costs Of Abatement

The board shall from time to time determine and fix by resolution, an amount to be assessed as administrative costs for proceedings undertaken pursuant to this chapter. The board shall also from time to time, by resolution, determine a formula for determining cost for removal of the weeds, rubbish refuse and noxious vegetation if the county uses its own personnel and equipment to remove the weeds, rubbish, refuse and noxious vegetation.

In the alternative, the enforcing officer may contract with private parties, subject to board approval, to perform the work of removal of weeds, rubbish, refuse and noxious vegetation. In such event, for purposes of this chapter, said private parties shall have the rights of the enforcing officer insofar as they pertain to the actual work required for the physical removal of the weeds, rubbish, refuse and noxious vegetation which are the subject of the notice of removal.

7.28.150 Abatement Costs--Recovery

1. The provisions of Chapter 1.15 may be invoked by an enforcing officer or the board of supervisors in lieu of the provisions of this chapter.
2. Costs of abatement incurred by the county pursuant to sections 7.28.100, 7.28.110 and 7.28.120 may be recovered pursuant to Chapter 1.15 and shall also constitute a lien enforceable by sale of the property, pursuant to Health and Safety Code 14931.

Section 2: If any section, subsection, sentence, clause, phrase, or portion of this ordinance is held by a court of competent jurisdiction to be invalid or unconstitutional, such portion shall be deemed a separate, distinct and independent provision and the holding shall not affect the validity of the remaining portions of this ordinance.

Section 3: This ordinance shall take effect thirty (30) days after the date of final passage and, together with the names of the members of the Board of Supervisors voting for and against the ordinance, shall be published a newspaper of general circulation, at least once before the expiration of fifteen (15) days from the date of passage.

PASSED AND ADOPTED this **25th day of March 2025**, by the Glenn County Board of Supervisors, State of California, by the following vote:

AYES: Supervisors Arendt, Carmon, Withrow, Yoder, and Rossman (Chairman)

NOES: None

ABSENT: None

COUNTY OF GLENN

By: 
MONICA ROSSMAN, Chairman
Glenn County Board of Supervisors

ATTEST:

By: 
SCOTT H. DE MOSS, Clerk of the Board
County of Glenn, California

APPROVED AS TO FORM:

By: 
OFFICE OF THE COUNTY COUNSEL