

RESOLUTION 11-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLIAMS ORDERING THE COLLECTION OF NUISANCE ABATEMENT COSTS AS A SPECIAL ASSESSMENT LIEN

WHEREAS, Chapter 8.16 of the Williams Municipal Code authorizes the City to identify and abate public nuisances and specifies the procedures for doing so; and

WHEREAS, on _May 10, 2011, the City issued a notice to abate public nuisance conditions (“Abatement Notice”) existing at the real property located at 1020 D Street, Williams, California 95987A, Assessor’s Parcel Number 005-043-016 (“Subject Property”);and

WHEREAS, the owner of the Subject Property failed to respond to the Abatement Notice or otherwise abate the nuisance conditions at the Subject Property; and

WHEREAS, pursuant to Williams Municipal Code section 8.16.140, the City Manager has caused the public nuisance conditions at the Subject Property to be abated by City personnel and private contract; and

WHEREAS, the public nuisance conditions were abated by boarding up and otherwise securing the Subject Property; and

WHEREAS, pursuant to Williams Municipal Code section 8.16.160, the owner of the Subject Property is liable for all costs incurred by the City to abate the nuisance, including administrative costs; and

WHEREAS, pursuant to Williams Municipal Code section 8.16.170, the City provided the owner of the Subject Property with a report of the abatement costs, and the owner of the Subject Property failed to pay or otherwise respond to the report; and

WHEREAS, the City Council wishes to collect these unpaid abatement costs through a special assessment against the Subject Property as permitted by Williams Municipal Code section 8.16.170.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Williams as follows:

Section 1. Incorporation of Recitals. The recitals set forth above are true and correct and are incorporated herein.

Section 2. Confirmation of Abatement Costs. In accordance with Williams Municipal Code section 8.16.210, the City Council hereby confirms the itemized account attached as Exhibit “A” as the costs incurred to abate the nuisance conditions on the Subject Property.

Section 3. Order of Special Assessment Lien. The City Council hereby finds and determines that the itemized account is a true and accurate report of the actual and reasonable additional costs incurred by the City in abating the public nuisance on the Subject Property. The special

assessment below, which is based upon the itemized account attached as Exhibit "A," is hereby charged and placed as a special assessment and lien upon the Subject Property pursuant to Williams Municipal Code section 8.16.210 and Government Code section 38773.5:

\$1,746.42; One Thousand Seven Hundred dollars and Forty Two cents

Section 4. Transmittal to Auditor-Controller. The City Council hereby directs the City Manager to send a certified copy of this Resolution to the Auditor-Controller of Colusa County, who shall enter on the County tax roll opposite the Subject Property the amount assessed thereupon, as specified in Section 3. The special assessment shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedures and sale in case of delinquency as provided for ordinary municipal taxes. The property may be sold by the tax collector after three (3) years for unpaid delinquent assessments.

Section 5. Service. The City Clerk shall serve the owner of the Subject Property with a certified copy of this Resolution. Service shall be by registered or certified mail addressed to the last known address of the owner of the Subject Property.

Section 6. Effective Date. This Resolution shall become effective upon its adoption.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Williams on this 17th day of August 2011 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Angela Plachek-Fulcher, Mayor

ATTEST:

Charles Bergson, City Administrator/
Interim City Clerk

APPROVED AS TO FORM:

Ann M. Siprelle, City Attorney

Exhibit "A"

Material	\$ 95.80
Labor	\$ 950.00
Clean up	\$ 225.00
Landfill fee	\$ 72.60
Administration/Legal costs	<u>\$ 403.02</u>
 Total Costs	 \$ 1,746.42