

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE OVERRULING ALL OBJECTIONS TO THE 2025 WEED ABATEMENT PROGRAM COMMENCEMENT REPORT AND DIRECTING THE COUNTY OF SANTA CLARA, CONSUMER AND ENVIRONMENTAL PROTECTION AGENCY, TO ABATE THE SEASONAL AND RECURRENT WEEDS AND REFUSE ON THOSE PROPERTIES IDENTIFIED IN THE REPORT PURSUANT TO CHAPTER 9.12 OF TITLE 9 OF THE SAN JOSE MUNICIPAL CODE AND THE WEED ABATEMENT AGREEMENT BETWEEN THE CITY OF SAN JOSE AND THE COUNTY OF SANTA CLARA

WHEREAS, on December 10, 2024, the City Council of the City of San José (“City Council”) received evidence and by its Resolution No. 2024-414: (a) found and determined that noxious and/or dangerous weeds which are seasonal and/or recurrent are growing or are likely to grow upon the streets, parkways, sidewalks or private properties, all as shown in the Weed Abatement Program Commencement Report for the year 2025 (“Report”), compiled by the County of Santa Clara’s Consumer and Environmental Protection Agency, Weed Abatement Program, which was submitted to the City Council on December 10, 2024; (b) declared that those noxious or dangerous seasonal and recurrent weeds situated or likely to be situated on those properties identified in the Report constitute a public nuisance which must be abated by removal of said weeds and refuse in order to protect the health, safety and welfare of residents of the City of San José; and (c) directed the County of Santa Clara’s Consumer and Environmental Protection Agency to give notice of a public hearing to be held on February 11, 2025, at 1:30 P.M. (or shortly thereafter) before the City Council to property owners of affected real properties on the Report pursuant to Chapter 9.12 of Title 9 of the San José Municipal Code; and

WHEREAS, on February 11, 2025, the City Council heard and considered all objections from property owners to the inclusion of their properties in the Report and the proposed

removal of weeds and refuse from their properties at a public hearing held pursuant to Chapter 9.12 of Title 9 of the San José Municipal Code;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. Any and all objections to the proposed removal of said noxious or dangerous seasonal and recurrent weeds and refuse from said streets, parkways, sidewalks, and private property in the City of San José as listed in the Report for the year 2025 have been heard and are hereby overruled.
2. The Report prepared by the County of Santa Clara's Consumer and Environmental Protection Agency, Weed Abatement Program, is hereby accepted and confirmed.
3. The Director of Planning, Building and Code Enforcement is hereby directed to:
(a) cause the County of Santa Clara's Consumer and Environmental Protection Agency to abate the public nuisances or cause them to be abated by having said weeds and refuse removed from said streets, parkways, sidewalks and private properties; and (b) keep and maintain the accepted Report for the year 2025 prepared by the County of Santa Clara's Consumer and Environmental Protection Agency on file at the Code Enforcement Division of Planning, Building and Code Enforcement for full particulars respecting the location of said streets, parkways, sidewalks and private properties.

NVF:VXC:DJF
1/30/25

ADOPTED this _____ day of _____, 2025, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, MMC
City Clerk