



Staff Report

CITY OF UPLAND
"The City of Gracious Living"

DATE: February 10, 2025
TO: MAYOR AND CITY COUNCIL
FROM: MICHAEL BLAY, CITY MANAGER
PREPARED BY: ROBERT D. DALQUEST, DEVELOPMENT SERVICES DIRECTOR
DIANE COTTO, HOUSING MANAGER
JULIE HERNANDEZ, WEED ABATEMENT COORDINANTOR
SUBJECT: CONSIDER ADOPTING A RESOLUTION FOR THE 2025 WEED ABATEMENT PROGRAM

RECOMMENDED ACTION:

It is recommended that the City Council adopt a Resolution declaring unmaintained weeds, grasses, vegetation, and dead or dying combustible debris a public nuisance and authorize staff to begin the 2025 Annual Weed Abatement Program.

GOAL STATEMENT

The proposed action supports the City's goal of reducing fire hazards and improving public health and safety by addressing excessive weed growth and debris accumulation, which poses a public nuisance and a fire risk within residential areas and the surrounding areas.

BACKGROUND

The City of Upland's Weed Abatement program is intended to reduce public nuisances from unmaintained properties and safeguard the community by reducing fire hazards. This includes inspecting properties within city limits and notifying owners of their obligations to keep their properties clear of weeds and trash.

ISSUES AND ANALYSIS

The City's Annual Weed Abatement Program will begin on February 11, 2025 and continue through July 30, 2025. While the inspection program is limited to a five-month process, compliance with the City's Municipal Code is a year-round requirement and is enforced during the off-season by the City's Code Enforcement Division.

Notice Process:

1. **Courtesy Notice: During February through March 2025**, over 22,000 parcels will be inspected. Properties found to be non-compliant will receive a Courtesy Notice, requesting that owners address the issue within a 15-day timeframe. This notice does not carry a penalty fee.
2. **Notice to Comply (NOC):** If properties remain non-compliant after the first inspection and Courtesy Notice, a second inspection will occur. Those still in violation will receive a NOC, which also provides a 15-day timeframe to address the notice and carries a \$115 administrative fee. Newly identified violations will also receive a Courtesy Notice.
3. **Notice to Abate (NOA):** Properties that continue to be non-compliant after a third inspection will receive a NOA and incur an additional \$440 administrative fee. The total penalty for non-compliance (after both NOC and NOA) is \$555. Failure to comply with these notices will result in the City arranging for property abatement.

Failure to Comply with the NOC and NOA

For those properties that fail to comply with the NOC and NOA, abatement services to bring the parcel into compliance will be arranged by the City. The City will obtain a warrant that allows the City to enter the property to remove the necessary hazards. Staff has contracted with four landscape companies to assist with the clean-up. All costs to bring the property into compliance with the City's ordinance will be charged to the property owner along with any outstanding administrative fees (e.g. NOC, NOA, or warrant) fees.

Fee Collection

Under the program guidelines, property owners have a specified amount of time to pay the assessed fees or costs. If left unpaid, the fees owed will result in them being placed on the property owners’ property tax bill as a special assessment.

Weed Abatement Program Schedule

Below is an approximate schedule for the City’s Annual Weed Abatement Program:

February 10, 2025	Initial announcement is included in the City’s water bill and distributed to vacant property owners. (First Courtesy Notice sent to all residents)
February 18, 2025	First round of inspections to begin.
April 17, 2025	Second round of inspections begin.
June 2, 2025	Third round inspections and additional fees assessed.
June 23, 2025	City Council Meeting to declare properties as a hazard and authorize city-arranged abatements with costs placed as a special assessment.
June 24, 2025	Abatement work begins on non-compliant properties.
July 14, 2025	Invoices for City-organized abatements mailed to the non-compliant property owners.
July 28, 2025	City Council Meeting to approve the submittal of all Weed Abatement fees and abatement fee to the County Tax Collector.

ENVIRONMENTAL DETERMINATION

The proposed action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Further, if the activity is deemed a project this City Council finds that this Resolution is exempt pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

FISCAL IMPACTS

The total Fiscal Year 2024/25 approved budget is \$80,090. There are available funds in the Weed Abatement program Account No. 1012202-5213/5222/5243/5253/5258.

Any revenue collected through violations will be deposited in the Weed Abatement program Account No. 1010000-4009 and 1012202-4009.

ALTERNATIVES

Provide alternative direction to staff.

CEQA: Not a Project.