

CARSON MUNICIPAL CODE (CMC)

CHAPTER 3

LITTER AND WEED CONTROL

5321 Sidewalk and Parkway.

No person owning or having charge or control or occupancy of any lot or private premises shall allow grass or weeds to accumulate or grow upon an abutting paved sidewalk area above its established grade or upon any part of said sidewalk area from curb to street line; provided, however, that nothing herein contained shall be construed to require the removal from the borders of any sidewalk of any ornamental plant, lawn, shrub, or trees of a reasonable growth; provided, that the same are not, in the opinion of the Street Superintendent, obstructions to the free use of such sidewalk by pedestrians. (Ord. 51, § 5321)

5322 Noxious Growths.

No person owning or having control or charge or occupancy of any lot or private premises shall allow weeds, vines, shrubs or brush which bear seeds of a wingy or downy nature, or which attain such a large growth as to become a fire menace when dry, or which contain poisonous oils, or which are otherwise noxious or dangerous to the life, health, comfort or convenience of the community, to grow or remain upon such lot or private premises.

No person shall sow or disseminate, or allow or permit to mature; or sell or in any manner transfer, transport or convey, any seed or any noxious weed.

No person owning, managing, or having charge or control of or occupancy of the lot or private premises shall suffer or permit any weeds, grass, rank growth or brush to grow or exist in excess of twelve (12) inches above the grade in the area of growth. It is the duty of every such person to prevent such growth or existence. In any prosecution for violation of this Section, it shall not be necessary to establish any facts excepting that the person accused owned, managed or had charge, control or occupancy of a lot or private premises whereon such condition existed, to establish the guilt of such person. (Ord. 52, § 5322)

CHAPTER 7

PROPERTY MAINTENANCE

5705 Manner of Giving Notice.

Service of all notices under this Chapter shall be upon the person owning the premises as such person's name and address appears on the last equalized assessment roll or latest supplemental roll, and upon any person in charge or possession of the premises. Notices shall be posted on the premises and shall be given either by personal delivery or by depositing a copy of the notice,

enclosed in a sealed envelope with the postage thereon fully prepaid, in the United States Postal Service to be delivered by certified mail, return receipt requested. If there is no such address, the notice may be mailed to the owner in care of the property address. Service by mail is complete at the time of deposit in the United States Postal Service. Failure of any person to receive such notice shall not affect the validity of any proceedings hereunder. (Ord. 96-1098, § 1)

5706 Notification of Nuisance.

Whenever the Director finds that any premises in the City is being maintained contrary to one or more provisions of CMC [5702](#), the Director shall send a written notice and order to abate in accordance with CMC [5705](#). The notice and order to abate shall set forth the existing unlawful condition(s) which constitute(s) a violation of CMC [5702](#), general instructions regarding the method(s) of abating such condition(s), and a reasonable time limit for correcting the violation(s). (Ord. 96-1098, § 1)

5712 Record of Cost of Abatement.

The Director shall keep an accounting of the cost, including incidental expenses, of abatement of the public nuisance for each separate lot or parcel of land where the work has been done, and shall render an itemized report in writing to the City Council showing the cost of abatement, including the salvage value, if applicable; provided, that before the report is submitted to the City Council for approval, a copy of the same shall be posted for at least five (5) days upon the premises of property upon which said buildings, structures or nuisance were situated, together with a notice of the time when said report shall be submitted to the City Council for confirmation. A copy of said report shall be served upon the owner of the property in accordance with the provision of CMC [5705](#), at least five (5) days prior to submitting the same to the City Council. Proof of such posting and service shall be made by affidavit and filed with the City Clerk. The term "incidental expenses" shall include, but not be limited to, the actual expenses and costs of the City in the preparation of notices, specifications and contracts, inspecting the work, and the costs of printing and mailings required under this Chapter. (Ord. 96-1098, § 1)

5713 Report – Hearing and Procedures.

At the time and place fixed for receiving and considering the report, the City Council shall hear and pass upon the evidence submitted by the Director, together with any objections or protests raised by any of the persons liable to the assessed for the cost of abating the nuisance. Thereupon the City Council may make such revision, correction or modification to the report as it may deem just, after which, the report as it is submitted, or as revised, corrected, or modified, shall be confirmed. The hearing may be continued from time to time. (Ord. 96-1098, § 1)

5714 Assessment of Cost.

(a) Except as provided in subdivision (b) of this Section, the confirmed cost of abatement of a nuisance upon any lot or parcel of land shall constitute a special assessment against the respective lot or parcel of land to which it relates. A copy of the confirmed report shall be transmitted to the Assessor and Tax Collector of the City, whereupon it shall be the duty of said Assessor and Tax Collector to add the amount of such assessment, or assessments, to the next regular bills of taxes levied against said respective lots and parcels of land for municipal purposes, and thereafter said amounts 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 procedure and sale in case

of delinquency in the manner and means provided by law. Upon recordation of a notice of lien in the office of the County Recorder, the special assessment shall constitute a lien on the property in the amount of the assessment. Such notice of lien shall be in a form substantially as set forth in subsection (b) of this Section.

(b) As an alternative to the procedure set forth in subsection (a) of this Section, the Director may elect to record a nuisance abatement lien in the office of the County Recorder, which lien shall have, from the date of recording, the force, effect and priority of a judgment lien. Prior to the recordation of the lien, notice shall be served upon the owner of the lot or parcel, based on the last equalized assessment roll or the supplemental roll, whichever is more current, in accordance with Section [38773.1](#) of the California Government Code.