

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF WHEATLAND  
CONFIRMING THE NUISANCE ABATEMENT ORDER  
FOR 408 SECOND STREET, WHEATLAND, CALIFORNIA**

WHEREAS, chapter 8 of the Wheatland Municipal Code (“Code”) declares what constitutes a nuisance on private property and establishes the procedures that the City must follow for abating such nuisance;

WHEREAS, on June 16, 2016, the City Commenced nuisance abatement proceedings to abate the nuisance conditions then existing at 408 Second Street, Wheatland, California (“Property”) pursuant to section 8.08.060 of the Code;

WHEREAS, following a publicly noticed hearing as required by sections 8.08.070 through 8.08.090, inclusive, of the Code and considering all testimony and evidence submitted at the hearing, the City’s nuisance abatement hearing committee issued an order on August 4, 2016 finding that unlawful nuisance conditions existed on the Property and ordered the abatement of such conditions within 20 days;

WHEREAS, on August 15, 2016, a written notice appealing the August 4, 2016 nuisance abatement order was submitted to the City by the owner of the Property as shown on the last equalized assessment roll of Yuba County;

WHEREAS, pursuant to section 8.08.100 of the Code, notice of the date, time, and place of the appeal hearing has been provided by service notice, by U.S. Certified Mail, addressed to the Property owner; and

WHEREAS, all other prerequisites to the adoption of this Resolution have occurred.

BE IT RESOLVED by the Planning Commission of the City of Wheatland as follows:

1. Based on the entire record before the Commission and all written and oral evidence presented at the appeal hearing thereon, the Planning Commission hereby confirms the findings of the City’s nuisance abatement committee contained in the August 4, 2016 nuisance abatement order.
2. The Commission hereby finds and determines that the Property is a public nuisance and orders the Property owner and all responsible persons, as such term is defined in section 8.08.030 of the Code, to commence abatement of the nuisance within 20 days of receiving the Commission’s abatement order, which order shall be served upon the Property Owner by U.S. Certified Mail, with a copy personally delivered to the responsible person having use of the Property.

PASSED AND ADOPTED by the Planning Commission of the City of Wheatland on the 1<sup>st</sup> day of November 2016 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

By: \_\_\_\_\_  
Chair

Attest:

\_\_\_\_\_  
Lisa J. Thomason, City Clerk