



PUBLIC WORKS SUBCOMMITTEE AGENDA

**** AMENDED AGENDA ****

SUBCOMMITTEE MEMBERS

LARRY McCALLON, MEMBER

JOHN TIMMER, MEMBER

September 15, 2020

10:00 a.m.

Upright Conference Room

Highland City Hall

27215 Base Line

Highland, California

SPECIAL NOTICE REGARDING COVID-19

In accordance with Governor Newsom's Executive Order N-25-20 and N-29-20, this meeting is being conducted via teleconference. Anyone can join the meeting.

Please follow the instructions below to listen to the meeting.

- Dial (844) 855-4444 (toll free/no charge)
- Press 360803* - when prompted for the Access Code

Submission of Public Comments: For those wishing to make public comment at the September 15, 2020 Public Works Subcommittee meeting regarding items listed on the agenda, please submit your comments by email to be read aloud at the meeting by the Administrative Assistant. Email comments must be submitted by 9:00 a.m. on September 15, 2020, to publiccomment@cityofhighland.org. Please identify the agenda item in the subject line.

CITY OF HIGHLAND MISSION STATEMENT

Highland is dedicated to the betterment of the individual, the family, the neighborhood and the community. The City Council and the staff of Highland are dedicated to providing the quality of public facilities and services that its citizens are willing to fund and will do so as efficiently as possible.

Visit the City's Website at: www.cityofhighland.org

City of Highland, 27215 Base Line, Highland, CA 92346 (909) 864-6861 FAX (909) 862-3180

THE CITY OF HIGHLAND COMPLIES WITH THE AMERICANS WITH DISABILITIES ACT OF 1990. IF YOU REQUIRE SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CALL THE CITY CLERK'S OFFICE AT (909) 864-8732, EXT. 226 AT LEAST 48 HOURS PRIOR TO THE MEETING.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the City of Highland to all or a majority of the [legislative or other body] less than 72 hours prior to that meeting are available for public inspection at Highland City Hall, 27215 Base Line, Highland, during normal business hours.

Larry McCallon, Member

John Timmer, Member

PUBLIC WORKS SUBCOMMITTEE

September 15, 2020 – 10:00 a.m.

CALL TO ORDER

PUBLIC COMMENT

ITEMS

1. Review Minutes of May 12, 2020 Meeting
ACTION:

2. Solid Waste Carts Placement – Enforcement of Public Nuisance Municipal Code Chapter 8.32.020.B3 (Attachment)
ACTION:


ADJOURN

I, Elena Rodrigues, Administrative Assistant III, of the City of Highland, California, certify that I caused to be posted this Amended Agenda on the 10th day of September 2020 by 5:30 p.m. on our website at www.cityofhighland.org and in the following designated areas:

City Hall
27215 Base Line

Highland Branch Library
7863 Central Avenue

Highland Fire Station No. 1
26974 Base Line



Elena Rodrigues, Administrative Assistant III

MINUTES
PUBLIC WORKS SUBCOMMITTEE
May 12, 2020 – 9:45 a.m.

CALL TO ORDER

The regular meeting of the Public Works Subcommittee of the City of Highland was called to order at 9:46 a.m. at the Upright Conference Room, 27215 Base Line, Highland, California.

ROLL CALL

Present: McCallon, Timmer
Absent: None

PUBLIC COMMENT

Received no public comment

ITEMS

1. Review Minutes of April 28, 2020 Meeting
 - Minutes were approved as submitted

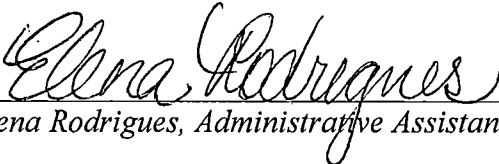
2. Bond Release for Tract 17682
 - Approved record release for Tract 17682 contingent upon verification of gates being installed to reflect a gated community
 - May 18, 2020 Staff reviewed the conditions for Tract 17682 and verified gates were not a part of the project conditions

ADJOURN

There being no further business the meeting was adjourned at 9:48 a.m.

Submitted by:

Approved by:



Elena Rodrigues, Administrative Assistant III

Subcommittee Member

Chapter 8.32**PROPERTY MAINTENANCE
REQUIREMENTS¹**

Sections:

- 8.32.010 Definitions.
- 8.32.020 Declaration of public nuisance.
- 8.32.030 Notification to property owner.
- 8.32.040 Voluntary abatement of nuisances.
- 8.32.050 Failure to voluntarily abate a declared nuisance.
- 8.32.060 Notice of intention to abate the public nuisance and hearing thereon.
- 8.32.070 Authority to enter upon land.
- 8.32.080 Service of notices and orders.
- 8.32.090 Hearing by the appeals board.
- 8.32.100 Hearing procedures.
- 8.32.110 Decision of the appeals board on the abatement of a public nuisance.
- 8.32.120 Service of the abatement order.
- 8.32.130 Voluntary abatement after order finding and ordering the abatement of a public nuisance.
- 8.32.140 Abatement by the city.
- 8.32.141 *Repealed.*
- 8.32.150 Demolition.
- 8.32.160 Notice of intent to demolish.
- 8.32.170 Record of expenses and costs for abatement.
- 8.32.180 Hearing on the cost of abatement.
- 8.32.190 Assessment of costs against property.
- 8.32.200 Violations.
- 8.32.210 Grievance with final order – Appeals to city council.
- 8.32.220 Limitation of filing judicial action.
- 8.32.230 Alternatives.
- 8.32.240 Treble damages.
- 8.32.250 Emergency abatement.
- 8.32.260 Building official authority.
- 8.32.270 Weed abatement.

8.32.010 Definitions.

A. "Appeals board" means the planning commission which shall preside over administrative hearings related to public nuisances.

B. "Building/structure" means, in addition to any building or structure on such property, fences, walls, billboards and any other manmade device

included within the legal boundaries of the property under consideration.

C. "Building official" means the building official of the city of Highland or his/her designee.

D. "Community development director" means the community development director of the city of Highland or his/her designee.

E. "Owner" means any person(s) shown as the property owner on the latest equalized property assessment roll.

F. "Property" means all land, buildings, and structures situated within the boundaries determined by the legal description of the property under consideration.

G. "Vehicle" means any device by which persons or property may be propelled, moved, or drawn upon a highway, and shall include all types of motor and nonmotor vehicles, but shall include devices moved exclusively by human power or used exclusively upon stationary rails or tracks. (Ord. 440 §§ 10, 11, 2019; Ord. 275 § 2, 2002; Ord. 257 § 3, 2000)

8.32.020 Declaration of public nuisance.

A. A public nuisance is created by every building or structure which:

1. Has become dilapidated, dangerous or at risk of collapse resulting from decay, damage, faulty construction or arrangement, fire, wind, earthquake, flood, old age, or neglect;

2. Is a breeding place for rodents or vermin;

3. Is likely to shelter vagrants;

4. Has been abandoned, partially destroyed, boarded up, or permitted to remain unreasonably in a state of partial construction;

5. Allows easy access into a vacant structure through any doorway, window, or other opening because of the failure to close and secure by lock and fails to protect against such entry without the use of substantial force;

6. Is unsafe;

7. Is left unpainted or which has paint deterioration, dry rot warping or lack of weather protection;

8. Has graffiti or other words, letters or drawings which remain on the exterior of any building or structure and which are visible from a public street for 10 days or more and for which a sign permit has not been issued.

B. A public nuisance is created by any condition or use of a building, structure or property

1. For provisions on storage of abandoned, discarded or unused objects, junk or trash on public streets and rights-of-way, see Chapter 12.05 HMC.

which is detrimental to the property of others. This includes, but is not limited to:

1. Violation of any condition of a site approval or conditional use permit;

2. Clothes lines, or clothes hanging in front yards, front porches, balconies, or fences which are visible from a public street;

3. Trash, garbage or refuse bins, boxes, or other such containers stored in front or side yards and are visible from a public street and/or neighboring property(ies);

4. Overgrown vegetation which is likely to harbor rodents or vermin or which obstructs the necessary view of drivers on public streets or private driveways and/or neighboring property(ies);

5. Any use of property which creates a noxious smell or creates conditions dangerous to public safety, health or welfare, adjoining properties, property owners, or property values, which may include, but is expressly not limited to, the dumping of construction and/or landscape material;

6. Attractive nuisances dangerous to children and visible from a public street and/or neighboring property(ies) including, but not limited to, abandoned, broken or neglected equipment, machinery, appliances and/or apparatus of any type.

C. A public nuisance is created by any building, structure, or property that is in violation of any provision of the Highland Municipal Code, including the Highland Development Code, or the statutes of the state of California.

D. A public nuisance is created by any signs or billboards that are unsafe, unused or obsolete or illegal.

E. A public nuisance is created by the accumulation and storage of dismantled, wrecked, inoperable, junked, abandoned vehicles or parts thereof on private property.

F. The storage of abandoned, discarded or unused objects or equipment, including, but not limited to, lumber, metal, recyclables, scrap wood, vegetation, junk, trash, or debris (hereinafter referred to as "materials"), including, but not limited to, such storage in containers such as cardboard boxes, bags, vehicles, trailers, mobile storage units, or in permanent storage facilities in the front yard or side-yard setbacks of residential properties where such containers and/or materials are visible from the street, for a period in excess of 48 hours, except as specifically permitted by city ordinance, shall constitute a public nuisance.

The owner, owners, tenants, lessees, and/or occupants of any residential property in the city

upon which such storage is made, and also the owner, owners, and/or lessees of said stored materials involved in such storage (hereinafter referred to collectively as the "owners"), shall jointly and severally abate said nuisance by prompt removal of said materials into completely enclosed buildings authorized to be used for such storage purposes, out of the public view, or to an authorized location.

G. A public telephone (i.e., one that is available to the public to make telephone calls by depositing money or by entering a credit card by depositing numbers) which is located in an area in which there are no demonstrable shortage of public telephones for emergency purposes, and related to, which the following criteria or facts exist:

1. The number of calls for service by the police department are excessive as compared to other public telephone locations. Based on the calls for service by the police department, it is reasonably believed the public telephone is being used as an instrumentality for, or to contribute to, facilitate or further (a) transportation, delivery, sale, consumption, or transfer of any controlled substance (as defined by the Health and Safety Code); or (b) the commission of an act of prostitution, or any other illegal activity;

2. The public telephone is in disrepair or in an inoperative condition for 30 days or more and requests to have the owner of the public telephone make the necessary repairs have not been successful;

3. The efforts of the owner of the public telephone have been ineffective in reducing the incidents of crime, vandalism, graffiti, prostitution, and/or illegal drug activity reasonably related to the use and existence of the public telephone. Such efforts on the part of the public telephone company shall include, but not be limited to, restricting incoming calls, lock boxes, time of day switching, proper lighting and general maintenance and repair; or

4. Poses a danger to or otherwise adversely affects the public health, safety, or welfare.

H. The parking of a vehicle on any unpaved parcel of real property or portion thereof, except as specifically permitted by city ordinance or on a public street and/or shoulder within the public right-of-way, shall constitute a public nuisance. An unpaved parcel of land shall be defined as a surface of dirt, loose gravel, landscaped area and/or other unimproved surface¹. (Ord. 275 §§ 3 – 10, 2002; Ord. 257 § 3, 2000)