RESOLUTION NO #08-68

A RESOLUTION OF THE ALBANY CITY COUNCIL DECLARING CERTAIN CONDITIONS AS PROHIBITED ACTIVITY AND UNLAWFUL PURSUANT TO SECTION 18-1.4 OF THE ALBANY MUNICIPAL CODE

WHEREAS, Section 18-1.4 of the Albany Municipal Code authorizes the City Council to declare by resolution or ordinance that a particular activity or condition other than and in addition to those specifically described in Chapter 18 constitute a public nuisance subject to abatement;

WHEREAS, City staff has recommended that the City Council declare that visual blight and other exterior property conditions constitute a public nuisance subject to abatement;

WHEREAS, it is desirable to require that inadequately maintained exterior properties be required to eliminate the offending conditions for the benefit of the health, safety, welfare of the community, and for maintenance of property values.

NOW, THEREFORE, THE ALBANY CITY COUNCIL DOES HEREBY RESOLVE AS FOLLOWS:

"Visual blight" means any property or its condition which constitutes a public nuisance or adversely affects neighboring properties or which is detrimental to the health or safety of individuals residing within the community.

BE IT FURTHER RESOLVED that properties that contain visual blight are considered to be substandard properties and shall constitute a public nuisance and unlawful condition pursuant to Section 18-1.6 of the Albany Municipal Code.

BE IT FURTHER RESOLVED that the accumulation of junk, debris, garbage, lumber, tires, household appliances or parts thereof, inoperable vehicles or parts thereof, furniture, sinks, toilets, cabinets, or other household fixtures, equipment or parts thereof, piles of earth, or scrap

metal or salvage materials, unless stored within an entirely closed space constitute a public nuisance and be subject to abatement.

BE IT FURTHER RESOLVED that the storage of trash, boxes, plastic bags, or other such containers in front or side yards visible from the public right-of-way, except those containers used and subscribed for waste collection pursuant to the provisions of city codes, constitute a public nuisance and be subject to abatement.

BE IT FURTHER RESOLVED that building exteriors, windows, walls, fences, driveways, walkways or sidewalks which are cracked, broken, defective, deteriorated, or in disrepair to the extent that they threaten the public health, safety or welfare or constitute a blighting condition constitute a public nuisance and be subject to abatement.

BE IT FURTHER RESOLVED that buildings, structures or their appurtenances which are deemed to be substandard or were constructed or altered without required approvals or permits, or whose condition is in violation of any provision of city codes shall constitute a public nuisance and be subject to abatement.

The undersigned hereby certifies that the foregoing is a full, true, and complete copy of the Resolution duly passed and adopted by the City Council of the City of Albany at a regular meeting thereof on the 20th day of october, 2008 by the following vote:

AYES: Council Members Atkinson, Javandel, Okawachi, Wile & Mayor Lieber

NOES: None

ABSTAIN: None

ABSENT: None

Robert S. Lieber

Mayor



City of Albany

1000 SAN PABLO AVENUE • ALBANY, CALIFORNIA 94706-2295

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CITY ATTORNEY

PH. (510) 524-9205 FAX (510) 526-9190

CITY CLERK

PH. (510) 528-5720 FAX (510) 528-5797

CITY COUNCIL

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COMMUNITY DEVELOPMENT & ENVIRONMENTAL RESOURCES

- Building
- · Engineering
- Environmental Resources
- Maintenance
- Planning

PH. (510) 528-5760 FAX (510) 524-9359

FINANCE & ADMINISTRATIVE SERVICES CITY TREASURER

PH. (510) 528-5730 FAX (510) 528-2743

FIRE & EMERGENCY MEDICAL SERVICES

PH. (510) 528-5771 FAX (510) 528-5774

PERSONNEL

PH. (510) 528-5714 FAX (510) 528-5797

POLICE

PH. (510) 525-7300 FAX (510) 525-1360

RECREATION & COMMUNITY SERVICES

1249 Marin Avenue PH. (510) 524-9283 FAX (510) 528-8914

- Friendship Club/ Childcare Program PH. (510) 524-0135
- Senior Center
 PH. (510) 524-9122
 FAX (510) 524-8940
- Teen Center
 PH. (510) 525-0576

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PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

this 20th day of October ,20 08, by the following votes:

AYES: Council Members Atkinson, Javandel, Okawachi, Wile & Mayor Lieber

NOES: None

ABSENT: None

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 21st

day of October . 2008

JACQUELINE L. BUCHOLZ, CMC CITY CLERK