

RESOLUTION NO. 2022-49

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE DENYING THE
APPEAL OF AN ABATEMENT ORDER AT REAL PROPERTY LOCATED AT 16036 14th
AVENUE IN ACCORDANCE WITH CHAPTER XVIII, ARTICLE 41 AND 42, OF THE
CLEARLAKE MUNICIPAL CODE**

WHEREAS, the City of Clearlake has adopted Chapter XVIII, Article 41 and 42, of the Clearlake Municipal Code establishing procedures for issuing an Abatement Order and hearing Abatement Order appeals for the cultivation of marijuana on property located within the City of Clearlake and for personal use; and

WHEREAS, the City of Clearlake has complied with the procedure as set forth in said code(s); and

WHEREAS, the City Council has heard and acted on all protests at a hearing held on June 02, 2022, and all testimony provided is incorporated herein by reference; and

WHEREAS, any petition for judicial review of a decision of the City Council regarding this matter shall be filed within the time required by, and controlled by, Sections 1094.5 and 1094.6 of the California Code of Civil Procedure.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Clearlake that the appeal of an Abatement Order at real property located at 16036 14th Avenue, also known as Assessor's Parcel Number 042-332-160, has been denied and a public nuisance exists at said real property.

BE IT FURTHER RESOLVED that the City Council of the City of Clearlake has denied the applicant's appeal and direction has been given to the applicant(s) to abate said public nuisance.

PASSED AND ADOPTED by the City Council of the City of Clearlake, County of Lake, State of California, on this 2nd day of June 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

City Clerk

Mayor, City of Clearlake

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WHEREAS, the City Council has heard and acted on all protests at a hearing held on June 02, 2022, and all testimony provided is incorporated herein by reference; and

WHEREAS, any petition for judicial review of a decision of the City Council regarding this matter shall be filed within the time required by, and controlled by, Sections 1094.5 and 1094.6 of the California Code of Civil Procedure.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Clearlake that the appeal of an Abatement Order at real property located at 16036 14th Avenue, also known as Assessor's Parcel Number 042-332-160, has been granted and no public nuisance exists at said real property.

PASSED AND ADOPTED by the City Council of the City of Clearlake, County of Lake, State of California, on this 2nd day of June 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

City Clerk

Mayor, City of Clearlake