



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 05/20/2025

ITEM NO: 5

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DATE: May 15, 2025  
TO: Mayor and Town Council  
FROM: Chris Constantin, Town Manager  
SUBJECT: Adopt a Resolution Declaring Hazardous Vegetation (Brush) a Public Nuisance, Ordering Abatement, and Setting June 17, 2025, as a Public Hearing to Consider Objections to the Proposed Removal of Brush

**RECOMMENDATION:**

Adopt a resolution (Attachment 1) declaring hazardous vegetation (brush) a public nuisance, ordering abatement, and setting June 17, 2025, as a public hearing to consider objections to the proposed removal of the brush.

**FISCAL IMPACT:**

The costs associated with abatement work are placed on the property tax bill for that parcel. Funds are provided in the FY 2024/25 Budget (Program 5101) to cover the cost of publishing the legal notice for the June public hearing.

**STRATEGIC PRIORITIES:**

The Brush Abatement Program pertains to the Town Council's Priority of **Public Safety**. Specifically, property owners are reminded that they must remove native brush and vegetation from around their homes to create defensible space to reduce the risk of wildfire.

**BACKGROUND:**

County Fire Department administers the brush abatement program. The County Fire Department uses the procedure set forth in Government Code Sections 39560 and following for "weed abatement." Government Code Section 39561.5(b) defines "weeds" to include brush

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Administrative Technician

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Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, Finance Director, and Director of Parks and Public Works

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which will attain such a large growth as to become a fire menace when dry, or which is otherwise noxious or dangerous.

The Santa Clara County Fire Department (the County) implements and manages a hazardous brush abatement program for the Wildland Urban Interface (WUI) areas (hillside areas) within its jurisdictional boundaries, which includes the incorporated areas of Los Gatos, to ensure appropriate defensible space for structures. The Town annually adopts the Hazardous Vegetation (Brush) Abatement Program and works with the County, which serves as the enforcement agent and conducts its own inspections. In January of each year, homeowners are reminded that they must remove native brush and vegetation from around their homes to create defensible space. The brush abatement program entails inspections of hillside properties by fire crews beginning in early April each year. If properties are found to be out of compliance with the regulations found in the California Fire Code relative to vegetation clearance, they are given notice of the violation. A contractor is authorized by the County to perform the necessary work if compliance is still not achieved by approximately the end of June each year. The costs associated with the abatement work are then assessed on the property owner's tax bill for that parcel.

DISCUSSION:

In February of 2025, the County notified property owners located within the designated Wildland Urban Interface (WUI) area of the requirement to comply with the safety regulations related to flammable vegetation abatement (Attachment 2).

At the time of the notice, property owners were given the option to complete the required work themselves, hire their own contractor, or elect to schedule the Town of Los Gatos' authorized contractor (Santa Clara County) to perform the work.

Below is the scheduled outline for the 2025 hazardous brush abatement program:

February 2025	The 2025 Brush Abatement Program letters were mailed to property owners.
April 1, 2025	Santa Clara County Fire Department (SCCFD) began conducting the first property inspections. A door hanger describing the safety regulations is placed at the property, and a copy is mailed to the property owner's mailing address.
May 20, 2025	Town Council adopts a Resolution declaring hazardous vegetation (brush) a public nuisance and sets June 17, 2025 as a public hearing to consider objections to the proposed removal of brush.

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| May/June 2025  | SCCFD begins re-inspecting the properties that were out of compliance at the time of the first inspection. Property owners who are not in compliance at the time of re-inspection will be identified, and notice will be sent to the property owners providing information about the June 17 <sup>th</sup> public hearing. The Town publishes notices of the public hearing at least 10 days prior to the hearing. |
| June 17, 2025  | Town Council conducts a public hearing to consider objections to the proposed removal of hazardous vegetation (brush) of parcels declared non-compliant and orders the abatement of the nuisance by the Town's authorized contractor (Santa Clara County).   |
| June 2025      | After the June 17 <sup>th</sup> public hearing, an additional inspection of all identified properties listed on the report will be conducted before the Town's authorized contractor performs any abatement work. If the property is found to be in compliance at the time of the re-inspection or upon the arrival of the abatement contractor, no work will be performed, and no charges will be imposed.        |
| July 2025      | The County provides the Town with an assessment list of charges for work that ultimately was performed by the contractor. If there are no proposed charges, no additional public hearing is required.  |
| August 5, 2025 | In the event a list of assessed charges is provided to the Town in July, the Town Council will conduct a public hearing on the hazardous vegetation (brush) abatement charges and adopt a resolution confirming or modifying assessments.  |
| August 6, 2025 | The Town submits a list of charges as a special assessment to the County Tax Collector.  |

CONCLUSION:

Adopt a resolution (Attachment 1) declaring hazardous vegetation (brush) a public nuisance, ordering abatement, and setting June 17, 2025 as a public hearing to consider objections to the proposed removal of the brush.

COORDINATION:

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This program is coordinated with the Santa Clara County Fire Department.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachments:

1. Resolution declaring hazardous vegetation (brush) a public nuisance, ordering abatement, and setting June 17, 2025 as a public hearing to consider objections to the proposed removal of brush (includes Exhibit A).
2. Letters sent to property owners within the Wildland Urban Interface (WUI) area.