

From: [John Beuerle](#)
To: [Clerk](#)
Subject: Protest of Proposed Weed Abatement Report - August 6 Public Hearing
Date: Monday, July 29, 2024 11:53:29 AM
Attachments: [IMG_4528 \(2\).HEIC](#)
[IMG_4526 \(2\).HEIC](#)
[IMG_4521 \(3\).HEIC](#)

[EXTERNAL SENDER]

Town Council
Town of Los Gatos

RE: Protest of Proposed 2024 Weed Abatement Report - August 6, 2024 Public Hearing
APN: 537-28-005

Members of the Town Council:

Pursuant to a notice I received from the Town of Los Gatos Parks and Public Works Department dated July 22, 2024, I wish to protest the findings from the 2024 Weed Abatement Program Assessment Report, as well as the proposed collection of assessment charges from that report.

In May 2023, my wife and I received a letter from the Santa Clara County Weed Abatement Program, stating that our parcel was found to be non-compliant with the minimum fire safety standards. The letter went on to say that, as a result, the parcel was being added to the Weed Abatement Program and that we would be responsible for an annual fee to cover the cost of future compliance inspections.

We have the following concerns regarding the citation and associated fees and inspections:

First, our home was under construction at the time of the inspection and the parcel was fenced off at the street. Since we were not residing in the property at the time, the construction crew had been tasked with keeping the grass trimmed to an appropriate height during the course of construction, and they had been doing so. Unfortunately, the inspection was conducted in the spring following several months of unusually heavy rainfall, and vegetation throughout the county was growing at an accelerated rate. Hence, although the grass had been cut within the past two weeks, it had grown tall again by the time of the inspection.

Second, at the time of the inspection (on May 9, 2023), we were unaware that Santa Clara County had recently initiated a Weed Abatement Program. The Notice of Public Hearing letter that we received from the Town of Los Gatos on July 22, 2024 states, "On December 5, 2023, the Town Council authorized the initiation of the annual Weed Abatement program." If the Town Council did not authorize the Weed Abatement Program until December 5, 2023, how can we be issued a citation and assessed charges for noncompliance with a program that had not yet been authorized at the time of the inspection?

Third, if there was a concern regarding the height of the grass on the property, we would have appreciated a notice or letter asking us to address it, rather than the first correspondence being in the form of being put on a "Weed Abatement Program" for a minimum of three years with mandatory fees. This approach runs contrary to principles of basic fairness, leaving

homeowners feeling attacked and blindsided with no opportunity to correct the issue prior to being assessed charges and being placed on a correction plan.

Fourth, the declared objective of the Weed Abatement Program (from the correspondence I received in the mail) states, "The Santa Clara County Consumer and Environmental Protection Agency and your city are working together to protect your community from fire." Although fire protection is indeed an important and noble cause, I think it's relevant to point out that Santa Clara County and the Town of Los Gatos are in violation of their own objective, as evidenced by the thousands of acres throughout the County in which weeds grow rampant adjacent to public roads and highways. I've attached a few photos as examples, although a ten-minute drive along any highway yields similar findings. The persistent lack of attention to these high-risk swathes of overgrown vegetation makes me wonder if the Weed Abatement Program is truly committed to their stated objective, or if this is just another example of government hypocrisy and overregulation at the expense of law-abiding residents.

I do think it's important for homeowners to keep their grass cut and their yards well-maintained to minimize the risk of fire and to foster a sense of respect and courtesy to other homeowners in our local communities. It's in our mutual interest to keep Los Gatos safe, beautiful, and a great place to live. So, yes, although it was already scheduled to be cut within the next few days, we addressed the issue and cut the grass as soon as we received the notice from the County, and we continue to keep our yard as presentable as possible during the course of construction.

In light of these considerations, I ask the Town Council to remove our parcel from the Weed Abatement Program's Assessment Report, and to waive the associated fees and mandatory annual assessments. I also ask the Council to consider whether the Weed Abatement Program's current approach is fair and just to the residents of Los Gatos. Rather than scolding letters and immediate disciplinary action, I suggest that a friendly written request to cut back any overgrown grass or other vegetation would be a better way to partner with homeowners on this issue. Homeowners who remain non-compliant despite one or two written requests from the Town or County could be put on the Program's Assessment Report.

Thank you for your time and attention to this matter.

Sincerely,

John Beuerle



See attached photos for examples of overgrown vegetation along public roads and highways in Santa Clara County.





