

RESOLUTION NO. _____ (N.C.S.)

**A RESOLUTION ADOPTING A FORM AND PROCEDURE FOR THE PROMULGATION
OF PUBLIC NOTICE OF CLOSING OF PUBLIC PROPERTY FOR CLEANING**

WHEREAS, Salinas is a Charter city organized and operating pursuant to Article 7 of the California Constitution; and

WHEREAS, through enactment (Ordinance No. 2564), the City Council has declared that it is from time to time necessary to close public property for cleaning, including removal of accumulated garbage, refuse, hypodermic needles, and debris.

WHEREAS, Salinas Municipal Code section 16-140.080 contemplates the approval of a resolution setting forth the form and procedure for the promulgation of public notices for the closing of public property for such cleanings; and

WHEREAS, it is necessary to strike a balance between the need of residents and the public at large to reasonable, safe, and clean access to public spaces and the needs of individuals without access to private spaces to sleep and rest; and

WHEREAS, it is necessary to strike a balance between the need of residents and the public at large to reasonable, safe, and clean access to public spaces and the needs of individuals without access to private spaces to retain access to a limited amount of personal property; and

WHEREAS, the notice policy set forth in this resolution strikes a balance between the needs of the City to undertake periodic cleanings and the needs of those individuals without access to private spaces.

NOW, THEREFORE, be it resolved by the Council of Salinas that the following policy shall be applied whenever it becomes necessary to close public property for cleaning:

NOTICE OF CLOSURE OF PUBLIC PROPERTY FOR CLEANING

Not less than 48 hours prior to a cleanup as set forth in Salinas Municipal Code section 16-140.080, notice will be given to the public of the cleanup in the following manner:

1. Written notice shall be posted at the location(s) of the cleanup;
2. Written notice shall be posted at City Hall; and
3. Notice shall be posted on the City of Salinas website.

FORM OF NOTICE OF CLOSURE OF PUBLIC PROPERTY FOR CLEANING

Notices posted prior to a cleanup as set forth above shall be posted in English and Spanish, and shall include the following:

1. The date, time, and location of the cleanups.

2. A statement that it is a violation of S.M.C. § 16-140.030 to camp, establish, maintain, operate, or occupy camping facilities, or use camp paraphernalia during a noticed cleanup, 24 hours prior to a noticed cleanup, or 24 hours after a noticed cleanup.
3. A statement that it is a violation of S.M.C. § 16-130.030 to store property on Public Property that has been noticed for a cleanup, and property stored at the location of the cleanup may be removed without further notice during a cleanup or for a period of 24 hours following a cleanup.
4. A statement that on the date of the cleanup, storage containers will be provided for the storage of property on request.
5. A statement that stored property will be retained for a period of not longer than 90 days. Stored property that remains unclaimed after 90 days will be destroyed.
6. A statement of instruction of where and how to claim stored property.
7. A statement that all unattended property, abandoned property, and refuse will be removed and destroyed during the cleanup.

SECTION 4. EFFECTIVE DATE.

This Resolution shall become effective on the thirty-first day after its approval.

PASSED AND APPROVED this ____ day of _____, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Joe Gunter, Mayor

ATTEST:

Patricia M. Barajas, City Clerk