

ORDINANCE NO. 992

AN ORDINANCE OF THE TOWN OF SAN ANSELMO AMENDING  
TITLE 9, CHAPTER 18 OF THE SAN ANSELMO MUNICIPAL CODE  
RELATING TO WATERCOURSES

The Town Council of the Town of San Anselmo does hereby  
ordain as follows:

SECTION 1

Chapter 18 of Title 9 is hereby amended to read as follows:

**Sec. 9-18.01. Purpose of chapter.**

The free and unobstructed flow of water in the Town is essential to the proper drainage of the Town and of the protection of life and property therein. Any improperly designed improvement, earth, rocks, litter, household trash, rubbish, garbage, debris, weeds, brush, stumps, trees, or any other natural growth or any other material or matter, whether indigenous or nonindigenous which, at any time, interferes with ~~or obstructs~~ the free ~~and unobstructed~~ flow of water in a watercourse constitutes a threat to the public and therefor a public nuisance or code violation and is subject to citation, summary abatement and/or abatement in accordance with this Municipal Code, and/or any other provisions of the law.

**Sec. 9-18.02. Definitions.**

....(b) "Conduit" means a general term for any artificial or natural channel intended for the conveyance of water whether open or closed.

**Sec. 9-18.05. Owner's, tenant's and ~~or~~ occupant's responsibility: Public nuisance abatement**

It shall be the responsibility of each owner, occupant ~~and or~~ tenant of any real property within the Town not to ~~cause or allow obstruction of any watercourse(s) or portion thereof which flows upon, under, over, or across the property situated along any watercourse or drainage basin within the Town~~ and to maintain ~~the same~~ and to keep ~~it the~~ ~~watercourse(s)~~ clear of all earth, rocks, litter, household trash, rubbish, garbage, or debris, or brush, stumps, trees or other natural growth, or any other material or matter, whether indigenous or nonindigenous which can or may obstruct, divert, or interfere with the flow of water in the watercourse(s).

It shall be the further responsibility of each such owner, occupant and tenant to keep in good repair any pier, retaining wall, bulkhead, building bridge or other structure

built over, in or adjacent to any watercourse on the property of such owner, occupant or tenant within the Town.

The failure to comply with any of the provisions of this section shall constitute a public nuisance which may be abated in accordance with Chapter 2 Title 1 and the costs and attorneys fees incurred thereof assessed against the property. The Director of Public Works and the Director's authorized representatives may enter private property to abate the public nuisance.

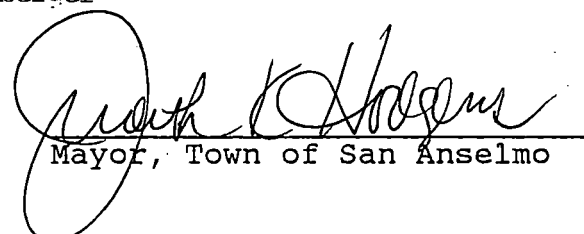
The foregoing Ordinance was duly and regularly introduced at a regular meeting of the San Anselmo Town Council, held in said Town on the 13th day of January, 1998, and thereafter adopted at a regular meeting of the Town Council, held in said Town on the 27th day of January, 1998, by the following vote, to wit:

Town of San Anselmo Councilmembers:

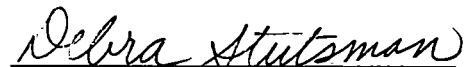
AYES: Chignell, Hodgins, Kroot, Overberger

NOES: (None)

ABSENT: Breen

  
\_\_\_\_\_  
Mayor, Town of San Anselmo

ATTEST:

  
\_\_\_\_\_  
Town Clerk