Chapter 8.12 ABANDONED VEHICLES

8.12.010 Findings and declarations.

A. In addition to and in accordance with the determination made and the authority granted by the State under Section 22660 of the Vehicle Code of the State to remove abandoned, wrecked, dismantled or inoperative vehicles or parts thereof as public nuisances, the City Council makes the following findings and declarations:

B. The accumulation and storage of abandoned, wrecked, dismantled, or inoperative vehicles or parts thereof on private or public property, including highways, is found to create a condition tending to reduce the value of the property, to promote blight and deterioration, to invite plundering, to create fire hazards, to constitute an attractive nuisance creating a hazard to health and safety of minors, to create a harborage for rodents and insects and to be injurious to the health, safety and general welfare. Therefore, the presence of an abandoned, wrecked, dismantled, or inoperative vehicle or part thereof, on private or public property, including highways, is declared to constitute a public nuisance which may be abated as such in accordance with the provisions of this chapter. (Prior code § 5-200)


As used in this chapter:

“Highway” means a way or place of whatever nature, publicly maintained or opened to the use of the public for purposes of vehicular traffic. “Highway” includes “street.”

“Inoperative” includes, but is not limited to, a vehicle which is not currently and validly registered for operation or use on the highways and streets in the State as required under the provisions of Division 3 (commencing at Section 4000 et seq.) of the Vehicle Code of the State.

“Owner of the land” means the owner of the land on which the vehicle, or parts thereof, is located, as shown on the last equalized assessment roll.

“Owner of the vehicle” means the last registered owner and the last legal owner of record.

“Public property” shall include “highways.”

“Vehicle” means a device by which any person or property may be propelled, moved, or drawn upon a highway, except a device moved by human power or used exclusively upon stationary rails or tracks.

“Vehicle Abatement Officer” means any employees of the City appointed by the City Manager or the Manager’s designee and assigned the task of enforcing parking laws in accordance with this chapter.

Public Nuisance. The presence of an abandoned, wrecked, dismantled, or inoperative vehicle, or parts thereof, is a public nuisance that creates a blighted condition in the area which contributes to the reduction of value in the neighborhood or promotes deterioration of a business district or neighborhood and reduces the value of private property, invites plundering, and shall be abated in accordance with the provisions contained herein. (Prior code § 5-200)

8.12.030 Exceptions.

This chapter shall not apply to:

A. A vehicle or part thereof which is completely enclosed within a building in a lawful manner where it is not visible from the street or other public or private property.

B. A vehicle or part thereof which is stored in a lawful manner on private property in connection with the business of a licensed dismantler, licensed vehicle dealer, or a junk yard; provided, however, that this exception shall not authorize the maintenance of a public or private nuisance as defined under provisions of law other than Chapter 10 (commencing with Section 22650) of Division II of the Vehicle Code, and this chapter. (Prior code § 5-201)
8.12.040 Nonexclusive regulation.

This chapter is not the exclusive regulation of abandoned, wrecked, dismantled or inoperative vehicles within the City. It shall supplement and be in addition to the other regulatory codes, statutes, and ordinances heretofore or hereafter enacted by the City, the State, or any other legal entity or agency having jurisdiction. (Prior code § 5-202)

8.12.050 Administration and enforcement.

Except as otherwise provided herein, the provisions of this chapter shall be administered and enforced by the Vehicle Abatement Officer. The California Highway Patrol may enforce these provisions when designated by agreement entered into pursuant to California Vehicle Code Section 22665. In the enforcement of this chapter, such persons charged with administration and enforcement may enter upon private or public property to examine the vehicle or parts thereof, or obtain information as to the identity of a vehicle and to remove or cause the removal of a vehicle or parts thereof declared to be a nuisance pursuant to this chapter. (Prior code § 5-204)

8.12.060 Right to enter on private property.

When the City Council has contacted with or granted a franchise to any person or persons, such person or persons shall be authorized to enter upon private property or public property to remove or cause the removal of a vehicle or parts thereof declared to be a nuisance pursuant to this chapter. (Prior code § 5-205)

8.12.070 Fixing administrative costs.

The Council shall from time to time determine and fix an amount to be assessed as administrative costs, excluding the actual cost of removal of any vehicle or part thereof under this chapter. Said determination of administrative costs shall include a determination of amounts to be reimbursed to the California Department of Highway Patrol for its administrative costs when such department is designated to administer or enforce any section of this chapter pursuant to Section 8.12.050. (Prior code § 5-206)


A 10-day notice of intention to abate and remove the vehicle or parts thereof, as a public nuisance, shall be mailed by the Vehicle Abatement Officer via registered or certified mail to the owner of the land and to the owner of the vehicle, unless the vehicle is in such a condition that identification numbers are not available to determine ownership. The form of the notice shall be such as prescribed by the Vehicle Abatement Officer, and approved by the City Attorney. (Prior code § 5-207)


A. Any vehicle owner or property owner receiving a notice of intent to abate and remove, may request a hearing pursuant to Section 1.44.070, by submitting a written request within 10 days of the date of the notice. The hearing shall be held before the Administrative Hearing Officer on the question of abatement and removal of the vehicle or parts thereof as an abandoned, wrecked, dismantled or inoperative vehicle, and the assessment of the administrative costs and the costs of removal of the vehicle or parts thereof against the responsible party. All hearing procedures shall be as set forth in Chapter 1.44 of this code.

B. The property owner may submit a sworn, written statement denying responsibility for the presence of the vehicle on his or her land within the 10-day period, thereby waiving a hearing, and will not be held responsible for the costs of the abatement of the vehicle(s).

C. Notice of the hearing shall be mailed to the property owner and/or vehicle owner via registered or certified mail at least 10 days before the hearing, unless the vehicle is in such condition that identification numbers are not
available to determine ownership. If no timely request for a hearing is made, the City shall have the authority to proceed with the abatement and removal of the vehicle or parts thereof as a public nuisance. (Prior code § 5-208)

8.12.100 Abatement and removal—When.

Ten days after the vehicle is ordered removed in accordance with Section 8.12.090 above, declaring the vehicle or parts thereof to be a public nuisance, or 10 days from the date of mailing of the decision of the Administrative Hearing Officer sustaining the City’s order of removal, the vehicle or parts thereof may be disposed of by removal to a scrap yard or automobile dismantler’s yard. After a vehicle has been removed, it shall not thereafter be reconstructed or made operable, unless it is a vehicle which qualified for horseless carriage license plates and historical vehicle license plates pursuant to California Vehicle Code Section 5004, in which case the vehicle may be reconstructed or made operable. (Prior code § 5-211)

8.12.110 Abatement and removal—Notice and transmittals to Department of Motor Vehicles.

Within five (5) days after the date of removal of the vehicle or parts thereof, notice shall be given to the Department of Motor Vehicles identifying the vehicle or parts thereof removed. At the same time, there shall be transmitted to the Department of Motor Vehicles any evidence of registration available, including registration certificates, certificates of title and license plates. (Prior code § 5-212)

8.12.120 Abatement and removal—Assessment of costs to land owners.

If the administrative costs and the costs of removal which are charged against the owner of a parcel of land are not paid within 45 days of the date of the order or the final disposition of an appeal therefrom, such costs shall be assessed against the parcel of land pursuant to Section 38773.5 of the Government Code and shall be transmitted to the tax collector for collection. Said assessment shall have the same priority as other City taxes. (Prior code § 5-213)

8.12.130 Vehicles valued less than two hundred dollars.

No notice of intention or hearing shall be required for removal of a vehicle or part thereof which is inoperable due to the absence of a motor, transmission, or wheels and incapable of being towed, and is valued at less than $200.00 by the Vehicle Abatement Officer and provided, further, that the following conditions are met:

A. The owner of the land on which the vehicle, or part thereof, is located has signed a release authorizing the removal of the vehicle, or part, and waiving further interest in the same;

B. The other applicable provisions of this chapter pertaining to the removal and abatement of inoperative vehicle are complied with;

C. Said inoperable vehicle or part is located on a parcel of land that is zoned for agricultural use or not improved with residential structures containing one (1) or more dwelling units;

D. Prior to final disposition of such a low value vehicle or part for which evidence of registration has been recovered, the Vehicle Abatement Officer shall provide notice to the registered and legal owners of intent to dispose of the vehicle or part and that if the vehicle or part is not claimed and removed within 12 days after notice is mailed, final disposition may proceed. (Prior code § 5-214)

8.12.140 Penalties.

A. It is unlawful for any person who has previously had any vehicle owned by him or her or placed on his or her land abated in accordance with the provisions of this chapter, excepting the exonerated owner of land, to abandon, park, store, or permit or leave the abandonment, parking, storing or leaving of any licensed or unlicensed vehicle or part thereof, which is in an abandoned, wrecked, dismantled or inoperative condition upon any private property or public property not including highways within the City unless such vehicles or part thereof is completely enclosed within a building in a lawful manner where it is not plainly visible from the street or other public or private property or unless such
vehicle is stored or parked in a lawful manner on private property in conjunction with the business of a licensed dismantler, licensed vehicle dealer, or junkyard.

B. It is unlawful for any person to fail or to refuse to remove an abandoned, wrecked, dismantled or inoperative vehicle, or part thereof, or to refuse to abate such nuisance when ordered to do so in accordance with the abatement provisions of this chapter.

C. Any violation of this chapter shall be an infraction. (Prior code § 5-215)

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