

ORDINANCE NO. 2006-216

MOTION TO WAIVE FURTHER READING AND  
INTRODUCTION OF ORDINANCE NO. 2006-216  
AMENDING CHAPTER 8.20 OF THE CALABASAS  
MUNICIPAL CODE TO DEFINE ABANDONED OR  
INOPERABLE VEHICLES AS A PUBLIC NUISANCE.

**WHEREAS**, the existence of abandoned, wrecked, dismantled, partial, or inoperative motor vehicles upon a premise is recognized by most cities and other public agencies throughout the State of California to be a public nuisance and detrimental to the health, safety, and welfare of the community; and

**WHEREAS**, the City Council concludes that it is appropriate to amend Title 8 of the Municipal Code in order to clarify to the public that in the City of Calabasas such vehicles are a public nuisance and will be abated pursuant to the nuisance abatement procedures of Title 8 and other law;

**NOW, THEREFORE, THE CITY OF CALABASAS DOES ORDAIN AS FOLLOWS:**

**Section 1.** Section 8.20.040 of the Calabasas Municipal Code is hereby amended by deleting and replacing subsection J with a new subsection J as follows:

"8.20.040 Public nuisances.

In addition to all activities that fall within the general definition of a public nuisance, the following activities shall constitute a public nuisance for purposes of this chapter:

\* \* \*

~~J. Keeping on real property vehicles or any component thereof parked in the front yard, corner side yard or any additional area of a lot or parcel of land situated between the road and any building or structure located thereon, except that the parking of passenger vehicles including pickup trucks, other than motor homes or travel trailers, is permitted on a driveway;~~

\* \* \*

J. Keeping, maintaining or having any abandoned, wrecked, dismantled, partial, or inoperative motor vehicle located on real property.

1. A vehicle is inoperative if:

a. The vehicle is not immediately capable moving under its own power at a legal speed; or

b. The vehicle, regardless if it can move under its own power, does not have operable brakes, head lights, tail lights, turning signals, or any other equipment required under the California Vehicle Code or other law for legal operation on public streets; or

c. The vehicle, regardless if mechanically operative, is not licensed and registered in compliance with the California Vehicle Code.”

2. This section does not apply if such vehicle is completely enclosed within a building in a lawful manner and does not constitute a fire, health or safety hazard.

**Section 2.** Construction.

To the extent the provisions of the Calabasas Municipal Code as amended by this Ordinance are substantially the same as those provisions read prior to the adoption of this Ordinance, those amended provisions shall be interpreted as continuations of the earlier provisions and not as new enactments.

**Section 3.** Severability

Should any section, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity of any other portion of this Ordinance and, to that end, the provisions of this Ordinance are severable.

**Section 4.** Effective Date

This Ordinance shall take effect 30 days after its adoption pursuant to California Government Code 36937.

**Section 5.** Certification; Publication.

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause it to be published or posted according to law.

**PASSED, APPROVED AND ADOPTED**, this \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Barry Groveman, Mayor

ATTEST:

\_\_\_\_\_  
Gwen Peirce, Assistant City Clerk

APPROVED AS TO FORM:

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Michael G. Colantuono, City Attorney