

6.12.040 NUISANCE CONDITIONS.

It is declared a public nuisance for any Responsible Party owning, leasing, occupying, or having charge of any premises in this City to maintain the premises in the manner that any one (1) or more of the following conditions or activities are found to exist:

- A. Land, the topography, geology or configuration of which, whether in natural state or as a result of grading operations, excavation or fill, causes erosion, subsidence, or surface water drainage problems of the magnitude as to be injurious or potentially injurious to the public health, safety, and welfare or to adjacent properties;
- B. Buildings which are abandoned, partially destroyed, or permitted to remain unreasonably in a state of partial construction;
- C. The failure to close by means acceptable to the City, all doorways, windows, and other openings into abandoned vacant structures;
- D. Broken windows constituting hazardous conditions or inviting trespassers and malicious mischief;
- E. Overgrown vegetation:
 - a. Likely to harbor rats, vermin, and other nuisances;
 - b. Causing detriment to neighboring properties; or
 - c. Causing fire hazard.
- F. Dead, decayed, diseased, or hazardous trees, weeds, and other vegetation located in the curb, gutter, and sidewalk areas:
 - a. Constituting a danger to public safety and welfare; or
 - b. Detrimental to nearby property.
- G. Attractive nuisance dangerous to children in the form of:
 - a. Abandoned and broken equipment;
 - b. Hazardous pools, ponds, and excavations; and
 - c. Neglected machinery.
- H. Broken or discarded furniture and household equipment on the premises for periods in excess of 90 days, visible from the street or nearby property which constitutes visual blight or is detrimental to nearby property or property values;
- I. Packing boxes, trash, dirt, and other debris deposited for periods in excess of 90 days either inside or outside buildings, visible from the street or nearby property which constitutes visual blight or is offensive to the senses or is detrimental to nearby property values;
- J. The accumulation of dirt, litter, or debris in vestibules, doorways, or the adjoining sidewalks of commercial or industrial buildings;
- K. Neglect of premises:
 - a. To influence zone changes; or
 - b. To cause detrimental effect upon nearby property or property values.
- L. Maintenance of premises in the condition as to be detrimental to the public health, safety, or general welfare;
- M. Property maintained in the condition as to create an unsafe condition;
- N. Any automobile service station which is closed, vacant, or inoperative for a period exceeding 60 days is declared to be a public nuisance. Inoperative is defined as the failure to sell gas, either retail or wholesale, during the 60-day period;
- O. Specialty structures which have been constructed for a highly specific single use only, and which are not enclosed or shielded, and which are unfeasible to convert to other uses, and which are abandoned, partially destroyed or are permitted to remain in a state of partial destruction or disrepair and constitute a hazardous condition including, but not limited to: tanks for gas or liquid, boat housing and storing facilities, boat hoisting and docking facilities, boat mooring pilings, lateral support structures and bulk-heads, utility high-voltage towers and poles, utility high-rise support structures, electronic transmitting

antennas and tower, structures which support or house mechanical and utility equipment and are located above the roof lines of existing buildings, high-rise freestanding chimneys and smoke stacks, drive-in movie screens, recreational structures such as tennis courts and cabanas, and all other specialty structures not listed in this subsection but determined to be a specialty structure by the City;

- P. Presence of abandoned, dismantled, wrecked, or inoperable motor vehicles, motorcycles, recreational vehicles, trailers, campers, boats, or parts thereof, except:
 - a. When completely enclosed within a building in a lawful manner where it is not visible from the street or other public or private property; or
 - b. When stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler, licensed vehicle dealer, a junk dealer, or when the storage or parking is necessary to the operation of a lawfully conducted business or commercial enterprise.
- Q. Obstruction or encroachment of any public property, including, but not limited to, any public street, highway, right-of-way, park, or building;
- R. A violation of any provision of the Municipal Code;
- S. Storage of hazardous materials in the manner as to be injurious or potentially injurious to the public health, safety and welfare or to adjacent properties; and/or
- T. Any condition recognized in law or in equity as constituting a public nuisance, including without limitation, any condition described in Cal. Civil Code § [3479](#).
- U. Continual complaints of violations of Local, State or Federal laws that require the Police Department to respond to the property resulting in the issuance of citations or the making of arrests.

(Ord. 840, § 1, passed -- 2003; Am. Ord. 875, § 43, passed 8-25-2008; Am. Ord. 898 § 4, passed 11-14-2011)