



AGENCY: City Council
MEETING DATE: July 22, 2019
DEPARTMENT: City Manager
PRESENTED BY: Tabatha Miller
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AGENDA ITEM SUMMARY

TITLE:

Receive Report and Consider Introducing by Title Only and Waiving the First Reading of Ordinance No. 950-2019 Adding Chapter 10.60 (Nuisance Vehicles) to Title 10 (Vehicles and Traffic) of the Fort Bragg Municipal Code

ISSUE:

On April 4, 2019, the Public Safety Committee reviewed three proposed Ordinances:

1. Changes to the City's Camping and Sleeping in Public (addressed in a separate staff report);
2. Public Property Trespassing (addressed in a separate staff report);
3. Update to add Nuisance Vehicle to the Code.

The Public Safety Committee recommended that the language of the proposed Ordinances be reviewed and presented to the City Council for possible adoption. Within that timeframe the City elected to appoint a new City Attorney, Keith Collins, who was tasked with reviewing and revising the proposed language.

The proposed Ordinance provides a definition of a Nuisance Vehicle and provides for abatement of such nuisances as set forth in the existing Nuisance Chapter (6.12) of the Municipal Code.

ANALYSIS:

Vehicles, which are abandoned, not registered, inoperable or only used for storage or camping, create nuisance conditions in our City. The new code section fully describes what a nuisance vehicle is. These create blight and unsafe conditions in neighborhoods, and if fluids leak, may contaminate ground or storm water.

The proposed Ordinance provides City staff the additional tools to manage these vehicles, which include motor vehicles, boats and recreational vehicles.

RECOMMENDED ACTION:

Introduce by title only and waive the first reading of Ordinance No. 950-2019 adding to Title 10 (Vehicle and Traffic) the definition of a Nuisance Vehicle and providing for abatement of such public nuisance under Chapter 6.12 (Nuisances).

ALTERNATIVE ACTION(S):

1. Provide staff alternative direction on the text of the proposed change to the City Code.
2. Do not introduce the Ordinance.

FISCAL IMPACT:

The Ordinance deems certain vehicles which meet the definition of nuisance vehicle unlawful. This may increase the enforcement work of the Police Department and Code Enforcement. However, in most cases, the police or enforcement officer are already receiving reports and or complaints about these vehicles. A minimal amount of additional revenue may be generated from the additional penalties or fines resulting from citations or assessments on nuisance vehicles.

The legal costs associated with drafting the language and the staff time reviewing and preparing the staff reports have already been incurred.

GREENHOUSE GAS EMISSIONS IMPACT:

The Ordinance does not have a direct impact on greenhouse gas emissions but reducing the number of vehicles which are likely not registered and do not meet emission standards in California will have a small impact on reducing greenhouse gas emissions.

CONSISTENCY:

The Ordinance supports the City Council Goal of maintaining and improving the quality of life for our residents and visitors. It also supports healthy ecosystems in our community by reducing pollution and unhealthy and unsafe conditions.

IMPLEMENTATION/TIMEFRAMES:

If the Ordinance is introduced on July 22, 2019, and adopted at the regular City Council meeting on August 12, 2019, the Ordinance is effective September 11, 2019.

ATTACHMENTS:

1. Proposed Ordinance No. 949-2019

NOTIFICATION:

1. Homeless Notify Me List
2. Fort Bragg Downtown Businesses Notify Me List