

Chapter 8.04 PROPERTY MAINTENANCE

Sections:

8.04.010 Definitions.

- A. "Enforcement Authority" means the city manager or designated department head, building official, code enforcement officer, or public official charged with responsibility for enforcement under this title.
- B. "Building" means any structure used or intended for supporting or sheltering any use or occupancy and includes any house, garage, duplex, apartment, condominium, stock cooperative or other residential structure, and includes all retail, commercial and industrial structures.
- C. "Owner" means any person owning property, as shown on the last equalized assessment roll for city taxes, or the lessee, tenant, or other person having control or possession of the property.
- D. "Property" means all property within the city and includes any building located on such property.
- E. "Unreasonable state of partial construction" means any unfinished building or structure which has been in the course of construction two years or more, and where the appearance or other conditions of said unfinished building or structure substantially detracts from the appearance of the immediate neighborhood or reduces the property value in the immediate neighborhood.

(Ord. 864 § 1 (part), 2002).

8.04.020 Unlawful property nuisances.

It is unlawful for any person owning, leasing, renting, occupying or having charge or possession of any property in the city to maintain or to allow to be maintained such property in such manner that any of the following conditions are found to exist thereon, except as may be allowed by this code:

- A. The accumulation or presence of packing boxes, cardboard boxes, lumber, rubbish, refuse, barrels, drums, salvage materials, broken or discarded furniture, household fixtures or household equipment or furnishings designed for indoor use, storage containers, canopies, shipping containers or shopping carts on the property visible from public view;
- B. Overgrown vegetation including, but not limited to, lawn or weeds in excess of twelve (12") inches in height visible from public view or likely to harbor rats, vermin or other nuisances or which obstructs the view of drivers on public streets or private driveways, or which impedes, obstructs or denies pedestrian or other lawful travel on sidewalks, walkways, or other public rights of way. Any of the following shall be considered overgrown vegetation which impedes, obstructs or denies pedestrian or other lawful travel on sidewalks, walkways, or other public rights of way:
 - 1. Vegetation over a public street or public right-of-way less than fourteen (14') feet above the surface of the street;
 - 2. Vegetation over a public sidewalk less than eight (8') feet above the surface of the sidewalk;
 - 3. Installation or maintenance of any sign, hedge, structure, natural growth, fence, or other obstruction to the view higher than thirty (30") inches above the nearest pavement surface (or traveled area when no pavement exists) on property adjacent to any private road or driveway intersecting a public street, within a triangle area formed by the edge of the driveway, the street right-of-way line, and a line connecting two points, one of which is on the right-of-way line ten (10') feet from the edge of the driveway, and other of which is on the edge of the

driveway ten (10') feet back of the right-of-way line measured perpendicular to the right-of-way line in a direction away from the street;

4. Vegetation obstructing sight distance as determined by the Public Services Department Director or his/her designee.
 - C. Dead, decayed, diseased or hazardous trees, weeds, or other vegetation constituting unsightly appearance, or dangerous to public safety and welfare and visible from public view. Hazardous vegetation and debris shall be maintained in accordance with Chapter 8.10 of this code, or any successor chapter;
 - D. Attractive nuisances dangerous to children and other persons, including abandoned, broken or neglected equipment, machinery, appliances, refrigerators and freezers, hazardous pools, ponds and excavations;
 - E. Personal property, such as vehicles, boats, trailers or vehicle parts which are abandoned, inoperable, not currently registered with the California Department of Motor Vehicles, inoperable and registered planned non-operational with the California Department of Motor Vehicles, or left in a state of partial repair for an unreasonable period of time in front yards, side yards, driveways, sidewalks or walkways, public right-of-way, public street and visible from public view. Nuisance vehicles shall be abated in accordance with Chapter 8.08 of this code, or any successor chapter;
 - F. Vehicles parked or stored in residential zoning districts on property, other than on driveways or other impervious surfaces, and visible from public view;
 - G. Buildings which are abandoned, partially destroyed, left in an unreasonable state of partial construction or have been declared substandard or dangerous by the Enforcement Authority;
 - H. Unpainted buildings and those having dry rot, warping or termite infestation. Any building on which the condition of the paint has become so deteriorated as to permit decay, excessive checking, cracking, peeling, chalking, dry rot, warping or termite infestation as to render the building unsightly and in a state of disrepair;
 - I. Buildings with windows containing broken glass or no glass at all, where the window is of a type which normally contains glass, which constitutes a hazard and/or invites trespassers and malicious mischief. Plywood or other material used to cover such window space, if permitted under this code, shall be painted in a color or colors compatible with the remainder of the building;
 - J. Building exteriors, walls, fences, driveways, sidewalks or walkways which are maintained in such condition as to become defective or unsightly or are materially detrimental to nearby properties and improvements. Fencing or walls installed on private property adjacent to any public parks, drainage, wetlands or private or public open space shall be maintained in a good and undamaged condition and the removal of such fencing or walls is prohibited unless for the purpose of immediate installation of new fencing or walls in the same location or further within the private property;
 - K. Construction equipment, farm machinery, or machinery of any type or description parked or stored on the owner's property when it is visible from a public view, except:
 1. During excavation, construction or demolition operations covered by an active building permit which are in progress on the subject property or an adjoining property,
 2. During active farming operations, or
 3. When such machinery in an agricultural or industrial zoning district is appropriately stored;
 - L. Property which lacks landscaping, turf, ground cover, mulch, live plant material, decorative rocks, or other commonly used landscape material, or property existing in such a state which may create a condition of excessive dust or soil erosion;
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- M. The keeping, storing, depositing or accumulation for an unreasonable period of time of dirt, sand, gravel, concrete, and other similar materials, which manner of keeping, storing, depositing or accumulation constitutes visual blight or reduces the aesthetic appearance of the neighborhood or is offensive to the senses;
 - N. Any vehicle, accessory vehicle, or similar equipment repair and maintenance activity in a residential zoning district beyond minor maintenance and repair activity on a vehicle, accessory vehicle, or similar equipment for personal use or hobby use for the sole benefit of the home owner or resident.
 - 1. Minor repair and maintenance of vehicles and similar equipment shall include brake part replacement, minor tune-up, change of oil and filter, repair of flat tire, lubrication and other similar operations. Minor vehicle repair or maintenance does not include body or painting work of vehicle or vehicle parts.
 - 2. It shall be unlawful for any person to engage in, or permit others to engage in, minor vehicle, accessory vehicle, or similar equipment repair or maintenance in any residential zoned district under any of the following circumstances:
 - a. Using tools not normally found in a residence, including, but not limited to, air tools, grinders, paint booths, and welding equipment;
 - b. Conducted on vehicles or accessory vehicles not registered with the California Department of Motor Vehicles to person(s) currently residing on the parcel or similar equipment not owned by person(s) residing on the parcel; and
 - c. Conducted outside a fully enclosed garage or accessory structure and resulting in the vehicle being inoperable for a period in excess of 24 hours.
 - P. The maintenance or keeping of any graffiti on any fence, wall, existing building, paved area, or structure. Graffiti removal or abatement shall be in accordance with Chapter 9.32 of this code, or any successor chapter. Graffiti shall be reported to the Police Department and abated by repainting the entire surface area on which the graffiti exists and property owner shall use paint that matches (to the greatest degree possible) color of remaining portion of the structure being painted, or otherwise approved by the city.

(Ord. 864 § 1 (part), 2002).

8.04.030 Declaration of public nuisance.

Any property found to be maintained in violation of the foregoing section is declared to be a public nuisance and shall be abated by rehabilitation, removal, demolition or repair pursuant to the procedures set forth in Chapters 1.08 through 1.18 of Title 1 of this code, or any successor chapter.

- A. Notice of Pending Enforcement Action. If compliance with a notice of violation, citation, or order is not made within the time specified therein or any extension authorized by the Enforcement Authority in writing, and no appeal has been properly and timely filed, the Enforcement Authority shall file in the office of Placer County Recorder a notice describing the property and certifying that: 1) the parcel, dwelling or portion thereof is a nuisance as defined in this chapter; and 2) the owner has been so notified.
- B. Notice of Release of Pending Enforcement Action. Whenever the repairs ordered shall thereafter have been completed or the structure demolished so that it no longer exists as a nuisance on the property described in the notice with the Placer County Recorder certifying that the parcel, dwelling or portion thereof has been repaired or demolished, and that the dwelling or portion thereof is no longer a nuisance, whichever is appropriate under the circumstances.
