

ORDINANCE NO. 1341

**AN ORDINANCE OF THE COUNTY OF GLENN AMENDING THE GLENN COUNTY CODE BY
AMENDING TITLE 11, CHAPTER 11.20, RELATING TO ABANDONED OR INOPERABLE
VEHICLES**

THE BOARD OF SUPERVISORS OF THE COUNTY OF GLENN ORDAINS AS FOLLOWS:

SECTION 1: The Glenn County Code is hereby amended by amending Title 11, Chapter 11.20 to read in its entirety as follows:

For statutory provisions authorizing local authorities to adopt ordinances providing for the abatement and removal of abandoned or inoperative vehicles, see Vehicle Code § 22660.

11.20.010 Findings--Nuisance Declared

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

The accumulation and storage of abandoned, wrecked, dismantled, or inoperative vehicles or parts thereof on private or public property, is found to create a condition tending to reduce the value of private property, to promote blight and deterioration, to invite plundering, to create fire hazards, to constitute an attractive nuisance creating a hazard to the 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 parts thereof, on private or public property, except as expressly hereinafter permitted, is declared to constitute a public nuisance which may be abated as such in accordance with the provisions of this chapter. (Ord. 569 § 1 (part), 1973.)

11.20.020 Definitions

As used in this chapter:

- A. "Highway" means a way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. "Highway" includes "street";
 - B. "Inoperative vehicle" means and includes all vehicles which, through absence of or deteriorated condition of mechanical parts including but not limited to engine, transmission, driving axle, tires, and wheels, are unable to be driven upon a highway. "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;
 - C. "Owner of vehicle" means the last registered owner and legal owner of record;
 - D. "Public property" does not include "highway";
 - E. "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.
- (Ord. 569 § 1 (part), 1973.)

11.20.030 Exceptions

This chapter shall not apply to:

- A. A vehicle, or parts 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; or
- B. A vehicle, or parts thereof, which is 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 such storage or parking is necessary to the operation of a lawfully conducted business or commercial enterprise.
- C. A vehicle which has remained inoperative for less than seventy-two (72) hours accumulated; provided, however, that this exception shall not apply to vehicles stored or parked in front yard areas; or
- D. A vehicle classified as a genuine antique and licensed as such under applicable state law.

Nothing in this section shall 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 11 of the Vehicle Code and Section 11.20.020. (Ord. 569 § 2, 1973.)

11.20.040 Chapter Not Exclusive

This chapter is not the exclusive regulation of abandoned, wrecked, dismantled or inoperative vehicles within the unincorporated area of the county. It shall supplement and be in addition to the other regulatory codes, statutes, and ordinances heretofore or hereafter enacted by the county, the state, or any other legal entity or agency having jurisdiction. (Ord. 569 § 3, 1973.)

11.20.050 Enforcement Authority--Right Of Entry

Except as otherwise provided herein, the provisions of this chapter shall be administered and enforced by the sheriff of the county. In the enforcement of this chapter, such officer and his or her deputies may enter upon private or public property to examine a 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. (Ord. 1269 § 10, 2018; Ord. 569 § 4, 1973.)

11.20.060 Removal--Authority

When the board has contracted 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. (Ord. 569 § 5, 1973.)

11.20.070 Removal--Administrative Cost Assessment Authority

The board 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 parts thereof) under this chapter. (Ord 569 § 6, 1973.)

11.20.080 Sheriff--Abatement Authority

Upon discovering the existence of an abandoned, wrecked, dismantled, or inoperative vehicle, or parts thereof, on private property or public property within the unincorporated area of the county, the sheriff shall have the

authority to cause the abatement and removal thereof in accordance with the procedure prescribed herein. (Ord. 569 § 7, 1973.)

11.20.085 Vehicles Left For Seventy-Two Hours On A Highway

It is unlawful and an infraction for any person to abandon, store, leave, or permit the abandonment, storing, or leaving of any licensed or unlicensed vehicle or parts thereof which is abandoned, wrecked, dismantled, or inoperative upon any private property or public property, including highways, within the unincorporated area of the county for a period in excess of seventy-two (72) consecutive hours unless such vehicle meets the exemptions outlined in this chapter.

No vehicle shall be abandoned, parked, or left standing upon a highway for seventy-two (72) or more consecutive hours. No vehicle abandoned, parked, or left standing upon a highway or public right-of-way shall be deemed to have been removed or abated unless it has been moved on the highway or public right-of-way for a distance of at least three hundred (300) feet from its previous location. (Authority: Vehicle Code Section 22651(k)).

HISTORY

Adopted by Ord. 1304 on 8/31/2021

11.20.090 Abatement Notice--Service--Form

- A. A ten-day notice of intention to abate and remove the vehicle, or parts thereof, as a public nuisance shall be mailed by registered mail or certified mail to the owner of the land as shown on the last equalized assessment roll and to the last registered and legal owner of record of the vehicle, unless the vehicle is in such condition that identification numbers are not available to determine ownership. The notices of intention shall be in substantially the following forms:

"NOTICE OF INTENTION TO ABATE AND REMOVE AN ABANDONED, WRECKED, DISMANTLED OR INOPERATIVE VEHICLE OR PARTS THEREOF AS A PUBLIC NUISANCE

(Name and address of owner of the land)

As owner shown on the last equalized assessment roll of the land located at (address), you are hereby notified that the undersigned, pursuant to Section 4 of Ordinance No. 569, has determined that there exists upon said land an (or parts of an) abandoned, wrecked, dismantled or inoperative vehicle registered to (name), license number, which constitutes a public nuisance pursuant to the provisions of Ordinance No. 569.

You are hereby notified to abate said nuisance by the removal of said vehicle (or said parts of a vehicle) within 10 days from the date of mailing of this notice, and upon your failure to do so the same will be abated and removed by the county and the costs thereof, together with administrative costs, assessed to you as owner of the land on which said vehicle (or said parts of a vehicle) is located.

As owner of the land on which said vehicle (or said parts of a vehicle) is located, you are hereby notified that you may, within 10 days after the mailing of this notice of intention, request a public hearing and if such a request is not received by the County Clerk within such 10-day period, the sheriff shall have the authority to abate and remove said vehicle (or said parts of a vehicle) as a public nuisance and assess the costs as

aforesaid without a public hearing. You may submit a sworn written statement within such 10-day period denying responsibility for the presence of said vehicle (or said parts of a vehicle) on said land, with your reasons for denial, and such statement shall be construed as a request for hearing at which your presence is not required. You may appear in person at any hearing requested by you or the owner of the vehicle or, in lieu thereof, may present a sworn written statement as aforesaid in time for consideration at such hearing.

*Notice Mailed S/
(date) Sheriff"*

"NOTICE OF INTENTION TO ABATE AND REMOVE AN ABANDONED, WRECKED, DISMANTLED OR INOPERATIVE VEHICLE OR PARTS THEREOF AS A PUBLIC NUISANCE

(Name and address of last registered and/or legal owner of record of vehicle-notice should be given to both if different)

As last registered (and/or legal) owner of record of (description of vehicle--make, model, license, etc.), you are hereby notified that the undersigned, pursuant to Section 4 of Ordinance No. 569, has determined that said vehicle (or parts of a vehicle) exists as an abandoned, wrecked, dismantled or inoperative vehicle at (describe location on public or private property) and constitutes a public nuisance pursuant to the provisions of Ordinance No. 569.

You are hereby notified to abate said nuisance by the removal of said vehicle (or said parts of a vehicle) within 10 days from the date of mailing of this notice.

As registered (and/or legal) owner of record of said vehicle (or said parts of a vehicle), you are hereby notified that you may, within 10 days after the mailing of this notice of intention, request a public hearing and if such a request is not received by the County Clerk within such 10-day period, the sheriff shall have the authority to abate and remove said vehicle (or said parts of a vehicle) without a hearing.

*Notice Mailed S/
(date) Sheriff"*

Form CHP 80C (Report of Vehicle Abatement) and Form CHP 80D (Notice of Intent to Abate Abandoned Vehicle) provided by the California Department of Motor Vehicles, and any subsequent amendments or changes to the forms, may be used in lieu of the above forms of notice.

B. A notice of intention to abate shall not be required if:

1. The property owner and the owner of the vehicle have signed releases authorizing removal and waive further interest in the vehicle or part thereof; or
2. All the following conditions are satisfied:
 - a. The vehicle or part thereof is inoperable due to the absence of a motor, transmission, or wheels and is incapable of being towed;
 - b. The vehicle or part thereof is valued at less than three hundred dollars (\$300.00) by the Sheriff or their designee;

- c. The Planning Department has determined that the vehicle or part thereof is a public nuisance presenting an immediate threat to public health or safety;
- d. The property owner has signed a release authorizing removal and waiving further interest in the vehicle or part thereof; and
- e. The vehicle is located upon a parcel that is either zoned for agricultural use or is not improved with a residential structure containing one or more dwelling units.

- C. If the vehicle is removed pursuant to subsection B(2), prior to final disposition, the registered or legal owner shall be notified of the intent to dispose of the vehicle or parts thereof. If the vehicle or part thereof is not claimed and removed from the scrap yard, the automobile dismantler's yard, or public disposal area within twelve (12) days after the notice to dispose of the vehicle is mailed, final disposition may proceed.

(Ord. 687 § 1, 1978; Ord. 569 § 8, 1973.)

11.20.100 Abatement Hearing--When Held

Upon request by the owner of the vehicle or owner of the land received by the sheriff within ten (10) days after the mailing of the notices of intention to abate and remove, a public hearing shall be held by the county 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 cost of removal of the vehicle or parts thereof against the property on which it is located.

If the owner of the land submits a sworn written statement denying responsibility for the presence of the vehicle on his or her land within such ten(10) day period, said statement shall be construed as a request for a hearing which does not require his or her presence. Notice of the hearing shall be mailed, by registered mail or certified mail, at least ten (10) days before the hearing to the owner of the land and to the owner of the vehicle, unless the vehicle is in such condition that identification numbers are not available to determine ownership. If such a request for hearing is not received within ten (10) days after mailing of the notice of intention to abate and remove, the county shall have the authority to abate and remove the vehicle or parts thereof as a public nuisance without holding a public hearing. (Ord. 1269 § 10, 2018; Ord. 569 § 9, 1973.)

11.20.110 Abatement Hearing--Procedure

All hearings under this chapter shall be held before the county hearing officer, who shall hear all facts and testimony he or she deems pertinent. Said testimony and facts may include testimony on the condition of the vehicle or parts thereof and the circumstances concerning its location on the private property or public property. The county hearing officer shall not be limited by the technical rules of evidence. The owner of the land may appear in person at the hearing or present a sworn written statement in time for consideration at the hearing, and deny responsibility for the presence of the vehicle on the land, with reasons for such denial. (Ord. 1269 § 10, 2018; Ord. 590 § 1 (part), 1974; Ord. 569 § 10 (part), 1973.)

11.20.120 Abatement Hearing--Conditions Imposed--Removal Order

The county hearing officer may impose such conditions and take such other action as he or she deems appropriate under the circumstances to carry out the purpose of this chapter. This may delay the time for

removal of the vehicle or parts thereof if, in the opinion of the county hearing officer, the circumstances justify it. At the conclusion of the public hearing, the county hearing officer may find that a vehicle or parts thereof has been abandoned, wrecked, dismantled, or is inoperative on private or public property and order the same removed from the property as a public nuisance and disposed of as hereinafter provided and determine the administrative costs and the cost of removal to be charged against the owner of the parcel of land on which the vehicle, or part thereof, is located. The order requiring removal shall include a description of the vehicle or parts thereof and the correct identification number and license number of the vehicle, if available at the site. (Ord. 1269 § 10, 2018; Ord. 590 § 1 (part), 1974; Ord. 569 § 10 (part), 1973.)

11.20.130 Abatement Hearing--Land Owner Not Liable

If it is determined at the hearing that the vehicle was placed on the land without the consent of the owner of the land and that they have not subsequently acquiesced in its presence, the county hearing officer shall not assess the costs of administration or removal of the vehicle against the property upon which the vehicle is located or otherwise attempt to collect such costs from such owner of the land. (Ord. 590 § 1 (part), 1974; Ord. 569 § 10 (part), 1973.)

11.20.140 Abatement Hearing--Decision Notification

If the owner of the land submits a sworn written statement denying responsibility for the presence of the vehicle on his land but does not appear, or if an interested party makes a written presentation to the county hearing officer but does not appear, he or she shall be notified in writing of the decision. (Ord. 1269 § 10, 2018; Ord. 590 § 1 (part), 1974; Ord. 569 § 10 (part), 1973.)

11.20.150 Abatement Hearing--Appeal

Any interested party may appeal the decision of the county hearing officer by filing a written notice of appeal with the county clerk within five days after decision by the county hearing officer.

Such appeal shall be heard by the board which may affirm, amend, or reverse the order or take other action deemed appropriate.

The county clerk shall give written notice of the time and place of the hearing to the appellant and those persons specified in Section 11.20.090. (Ord. 590 § 2, 1974; Ord. 569 § 11, 1973.)

11.20.160 Removal Of Vehicle

Five days after adoption of the order declaring the vehicle or parts thereof to be a public nuisance, five days from the date of mailing of notice of the decision if such notice is required by Sections 11.20.110 through 11.20.140, or fifteen days after such action of the governing body authorizing removal following appeal, 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. (Ord. 569 § 12, 1973.)

11.20.170 Removal Notice

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 by the persons authorized to remove the vehicle 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. (Ord. 569 § 13, 1973.)

11.20.180 Removal Costs--Assessment Against Land

If the administrative costs and the cost of removal which are charged against the owner of a parcel of land pursuant to Sections 11.20.110 through 11.20.140 are not paid within thirty (30) 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 25845 or 38773.5 of the Government Code and shall be transmitted to the tax collector for collection. The assessment shall have the same priority as other county taxes. (Ord. 569 § 14, 1973.)

11.20.190 Enclosure Required

It is unlawful for any person to abandon, park, store, or leave or permit the abandonment, parking, storing or leaving of any licensed or unlicensed vehicle or parts thereof which is in an abandoned, wrecked, dismantled or inoperative condition upon any private property or public property not including highways within the unincorporated area of the county for a period in excess of ten days unless such vehicle or parts 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 connection with the business of a licensed dismantler, licensed vehicle dealer or a junkyard. (Ord. 716 § 5 (part), 1979; Ord. 569 § 15, 1973.)

11.20.200 Refusal To Abate Unlawful

It is unlawful and an infraction for any person to fail or refuse to remove an abandoned, wrecked, dismantled or inoperative vehicle or parts thereof or refuse to abate such nuisance when ordered to do so in accordance with the abatement provisions of this chapter or state law where such state law is applicable. (Ord. 716 § 5 (part), 1979; Ord. 569 § 16, 1973.)

11.20.210 Severability

Should any section, subsection, paragraph, clause, or phrase in this chapter for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this chapter.

SECTION 2: The Board finds that this ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility that the adoption of this ordinance will have a significant effect on the environment.

SECTION 3: If any section, subsection, sentence, clause, portion, or phrase of this ordinance is for any reason held illegal, invalid, or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof. The Board of Supervisors hereby declares that it would have passed this Chapter and each section, subsection, sentence, clause, portion, or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared illegal, invalid or unconstitutional.

SECTION 4: This ordinance shall take effect thirty (30) days after the date of its adoption and before the expiration of fifteen (15) days from the date of passage thereof shall be published at least once in a newspaper of general circulation, in the County of Glenn, State of California, together with the names of the members of the Board of Supervisors voting for and against the same.

PASSED AND ADOPTED this 20th day of January 2026, by the Glenn County Board of Supervisors, State of California, by the following vote:

AYES: Supervisors Arendt, Rossman, Withrow, Yoder, and Carmon

NOES: None

ABSENT: None



Grant Carmon, Chairman, Board of Supervisors

ATTEST:

SCOTT H. DE MOSS APPROVED AS TO FORM

By: 

Clerk of the Board

By: 

County Counsel