

ORDINANCE NO. 133

AN ORDINANCE OF THE CITY COUNCIL OF  
CITY OF RIDGECREST, CALIFORNIA,  
AMENDING ORDINANCE NO. 90 TO PROVIDE  
CHANGES PROVIDED BY CHAPTER 427, 1970  
REGULAR LEGISLATIVE SESSION.

THE CITY COUNCIL OF THE CITY OF RIDGECREST, CALIFORNIA,  
DOES ORDAIN AS FOLLOWS:

1. Section 11 of Ordinance No. 90 is hereby amended to  
read in full as follows:

Section 11. NOTICE OF INTENTION TO REMOVE. A  
notice of the City's intention to abate and re-  
move an abandoned, wrecked, dismantled or inoper-  
ative vehicle or part thereof as a public nuisance  
and to assess the costs of removal and the admin-  
istrative costs against the property on which it  
is located shall be mailed by the City Clerk, by  
registered mail, at least ten (10) days prior to  
the date set for removal to the owner of the land  
as shown on the last equalized assessment roll and  
to the last registered and legal owner of record  
unless the vehicle is in such condition that iden-  
tification numbers are not available to determine  
ownership.

Such notice shall contain a statement of the  
hearing rights of the owner of the property on  
which the vehicle or part thereof is located and  
of the owner of the vehicle. The statement shall  
include notice to the property owner that he may  
appear in person at a hearing or may present a  
sworn written statement denying responsibility  
for the presence of the vehicle on the land, with  
his reasons for such denial, in lieu of appearing.

2. Section 12 of Ordinance No. 90 is hereby amended to  
read in full as follows:

Section 12. OWNER'S RIGHT TO HEARING. If the  
owner of the vehicle or the owner of the land  
requests a hearing, or if the owner of the land  
on which the vehicle is located submits a sworn  
written statement denying responsibility for the  
presence of the vehicle or part thereof on his  
land, within ten (10) days after the mailing of  
the notice of intention to abate and remove the  
vehicle or part thereof, the City Council shall  
hold a public hearing on the question of abating  
and removing the vehicle or part thereof. The  
presence of the owner of the land shall not be  
required at the hearing if he has submitted such

a sworn written statement within the required time. If such a request or sworn statement is not received within such period, the Chief of Police shall have the authority to order the removal of the vehicle or part thereof.

3. Section 13 of Ordinance No. 90 is hereby amended to read in full as follows:

Section 13. HEARING BODY, ACTION BY. All hearings under this ordinance shall be held before the City Council of the City of Ridgecrest which shall hear all facts and testimony it deems pertinent. Said facts and testimony may include testimony on the condition of the vehicle or part thereof and the circumstances concerning its location on the said private property or public property. The City Council shall not be limited by the technical rules of evidence.

The owner of the land on which the vehicle or part thereof is located may appear in person at the hearing or present a sworn written statement denying responsibility for the presence of the vehicle on the land with his reasons for such denial. If it is determined at the hearing that the vehicle or part thereof was placed on the land without the consent of the landowner and that he has not subsequently acquiesced in its presence, the City Council shall not assess costs of administration or removal of the vehicle or part thereof against the property upon which the vehicle or part thereof is located or otherwise attempt to collect such cost from such owner.

The City Council may impose such conditions and take such other action as it deems appropriate under the circumstances to carry out the purpose of this ordinance. It may delay the time for removal of the vehicle or part thereof if, in its opinion, the circumstances justify it.

At the conclusion of the public hearing, the City Council may find that a vehicle or part 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 that the administrative costs and costs of removal be charged against the owner of the parcel of land on which the vehicle or part thereof is located.

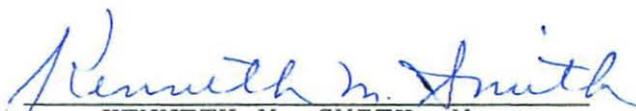
The order requiring removal shall include a description of the vehicle or part thereof and the correct identification number and license number of the vehicle, if available at the site.

APPROVED AND ADOPTED this 18th day of February, 1971, by the following vote:

AYES: Mayor Smith, Councilmen Edwards, Fox, Kessler, Shacklett

NOES: None

ABSENT: None

  
KENNETH M. SMITH, Mayor

ATTEST:

  
JAMES R. HECK, City Clerk