

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY AMENDING
SECTIONS 4.7.002 AND 4.7.004 OF THE OAKLEY MUNICIPAL CODE, DEALING
WITH ABANDONED VEHICLES**

The City Council of the City of Oakley does ordain as follows:

Section 1. Section 4.7.002 of the Oakley Municipal Code is hereby amended to read as follows:

4.7.002 Findings and policy.

a) This Chapter is adopted under Sections 22660, 22669 and 22710 of the California Vehicle Code to effectuate the removal of abandoned, wrecked, dismantled and inoperative vehicles or vehicle parts from private property or from public property, including highways, and the recovery of costs of administration and removal of such violations.

b) This City of Oakley finds and declares that the accumulation and storage of abandoned, wrecked, dismantled and inoperative vehicles or vehicle parts on private or public property, including highways, creates 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 health and safety, to create a harborage for rodents and insects, and to be injurious to public health, safety and general welfare.

c) Based on the foregoing, the presence of an abandoned, wrecked, dismantled or inoperative vehicle or vehicle parts on private or public property, including highways, except as expressly hereinafter permitted, constitutes a public nuisance that may be abated as such in accordance with the provisions of this Chapter.

Section 2. Paragraph (b) of section 4.7.004 of the Oakley Municipal Code is hereby deleted.

Section 3. California Environmental Quality Act (CEQA) Finding.

This ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), Review for Exemption, because it can be seen with certainty that the project will not have a significant effect on the environment; therefore the project is not subject to CEQA.

Section 4. Severability.

In the event any section or portion of this ordinance shall be determined to be invalid or unconstitutional, such section or portions shall be deemed severable and all other sections or portions hereof shall remain in full force and effect.

Section 5. Effective Date and Publication.

This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The City Clerk shall cause the ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation, or by publishing a summary of the proposed ordinance, posting a certified copy of the proposed ordinance in the City Clerk's Office at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted, and within fifteen (15) days after its adoption, publishing a summary of the ordinance with the names of the Council Members voting for and against the ordinance.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on _____, 2015 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

Doug Hardcastle, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date