

# **DORRIS MUNICIPAL CODE**

**1999**

**A Codification of the General Ordinances  
of the City of Dorris, California**

**Updated since 2011 by  
CODE PUBLISHING COMPANY  
Seattle, Washington**



## **PUBLISHER'S NOTE**

Beginning with the supplement dated August 2011, the Dorris Municipal Code is being maintained by Code Publishing Company.

The code is organized by subject matter under an expandable three-factor decimal numbering system which is designed to facilitate supplementation without disturbing the numbering of existing provisions. Each section number designates, in sequence, the numbers of the title, chapter, and section. Thus, Section 2.02.010 is Section .010, located in Chapter 2.02 of Title 2. In most instances, sections are numbered by tens (.010, .020, .030, etc.), leaving nine vacant positions between original sections to accommodate future provisions. Similarly, chapters and titles are numbered to provide for internal expansion.

In parentheses following each section is a legislative history identifying the specific sources for the provisions of that section. This legislative history is complemented by an ordinance disposition table, following the text of the code, listing by number all ordinances, their subjects, and where they appear in the codification.

A subject-matter index, with complete cross-referencing, locates specific code provisions by individual section numbers.

The supplement "Directions" page, which should be retained in the front of the code, indicates the latest ordinance (and passage date thereof) included with each supplement.

CODE PUBLISHING COMPANY  
Seattle, Washington  
(206) 527-6831

## PREFACE

**Citation to the Dorris Municipal Code:** This code should be cited by section; i.e., “see Section 3.08.010.” A title should be cited Title 3. A chapter should be cited Chapter 3.08. A section should be cited Section 3.08.010. Through references should be made as Sections 3.08.010 through 3.08.040. Series of sections should be cited as Sections 3.08.010, 3.08.020, and 3.08.030.

**Numbering system:** The number of each section of this code consists of three parts, in sequence as follows: Number of title; number of chapter within the title; number of section within the chapter. Thus Section 3.08.020 is Title 3, Chapter 8, Section .020. The section part of the number (.020) initially consists of three digits. This provides a facility for numbering new sections to be inserted between existing sections already consecutively numbered. In most chapters of the code, sections have been numbered by tens (.010, .020, .030, .040, etc.), leaving nine vacant numbers between original sections so that for a time new sections may be inserted without extension of the section number beyond three digits.

**Legislation:** The legislative source of most sections is enclosed in parentheses at the end of the section. References to ordinances are abbreviated; thus “(Ord. 147 § 7, 1963)” refers to Section 7 of Ordinance No. 147. “Formerly” followed by a citation preserves the record of original codification. If the code section was derived from an earlier codification, the last entry in the note indicates the old or “prior code” section number.

**Index:** The index includes complete cross-referencing and is keyed to the section numbers described above.

**Errors or omissions:** Although considerable care has been used in the production of this code, it is inevitable in so large a work that there will be errors. As users of this code detect such errors, it is requested that a note citing the section involved and the nature of the error be e-mailed to: [CPC@codepublishing.com](mailto:CPC@codepublishing.com), so that correction may be made in a subsequent update.

**Computer access:** Code Publishing Company supports a variety of electronic formats for searching, extracting, and printing code text; please call the publisher for more information.

**Supplement directions:** Each supplement to the code will be accompanied by a “Supplement Directions” page that will tell the code user the last ordinance (and the passage date thereof) contained in that supplement.

CODE PUBLISHING COMPANY  
Seattle, Washington  
(206) 527-6831

## How to Amend the Code

### Code Structure and Organization

The code is organized using a 3-factor decimal numbering system which allows for additions between sections, chapters, and titles, without disturbing existing numbers.

**2 . 04 . 050**

<b>Title</b>	_____	_____	_____
<b>Chapter</b>	_____	_____	_____
<b>Section</b>	_____	_____	_____

Typically, there are 9 vacant positions between sections; 4 positions between chapters, and several title numbers are “Reserved” to allow for codification of new material whose subject matter may be related to an existing title.

Ordinances of a general or public nature, or one imposing a fine, penalty or forfeiture, are codifiable. Prior to enacting a codifiable ordinance, ascertain whether the code already contains provisions on the topic.

### Additions

If the proposed ordinance will add material not contained in the code, the ordinance will specify an “addition”; that is, a new title, chapter, section, or subsection, will be added. For example:

**Section 1.** Chapter 5.20, Taxicab Licenses, is added to read as follows:

-or-

**Section 1.** A new title, Title 18, Zoning, is added to read as follows:

A specific subsection can also be added when appropriate:

**Section 2.** Subsection D is added to Section 5.05.070, to read as follows:

### Amendments

If the ordinance amends existing code provisions, specify the affected section or chapter numbers in the ordinance. This kind of amendment typically adds a section to an existing chapter, or amends an existing section. Set out the entire section or subsection, not just the text (e.g., sentence) that was changed. For example:

**Section 1.** Section 5.05.030 is amended to read as follows:

-or-

**Section 1.** Section 5.05.035, Additional fees, is added to Chapter 5.05 to read as follows:

An ordinance can also amend a specific subsection of a code section:

**Section 3.** Subsection B of Section 5.05.070 is amended to read:

### Repeals

Ordinances which repeal codified material should specify the code chapter, section, or subsection number. The chapter, section, or subsection numbers will be retained in the code, along with their title, as a record of ordinance activity (and as an explanation for gaps in the numbering sequence). The number of the repealed section or chapter number can be reused at a later time when desired. For example:

**Section 2.** Section 5.05.020, License, is repealed.

### Renumbering

If the ordinance renumbers existing code provisions (either sections or subsections), identify how remaining sections or subsections should be renumbered (or relettered).

### Codification Assistance

Code Publishing Company can provide assistance with specifying code numbers or other codification related problems free of charge. Please call us at (206) 527-6831.

## **TABLE OF CONTENTS**

	<b>Preface</b>
<b>Title 1</b>	<b>General Provisions</b>
<b>Title 2</b>	<b>Administration and Personnel</b>
<b>Title 3</b>	<b>Revenue and Finance</b>
<b>Title 4</b>	<b>(Reserved)</b>
<b>Title 5</b>	<b>Business Licenses and Regulations</b>
<b>Title 6</b>	<b>Animals</b>
<b>Title 7</b>	<b>(Reserved)</b>
<b>Title 8</b>	<b>Health and Safety</b>
<b>Title 9</b>	<b>Public Peace, Morals and Welfare</b>
<b>Title 10</b>	<b>Vehicles and Traffic</b>
<b>Title 11</b>	<b>(Reserved)</b>
<b>Title 12</b>	<b>Streets, Sidewalks and Public Places</b>
<b>Title 13</b>	<b>Public Services</b>
<b>Title 14</b>	<b>(Reserved)</b>
<b>Title 15</b>	<b>Buildings and Construction</b>
<b>Title 16</b>	<b>Subdivisions</b>
<b>Title 17</b>	<b>(Reserved)</b>
<b>Title 18</b>	<b>Zoning</b>
	<b>Statutory References</b>
	<b>Tables</b>
	<b>Index</b>

## **Title 1**

### **GENERAL PROVISIONS**

#### **Chapters:**

- 1.01 Code Adoption**
- 1.04 General Provisions**
- 1.08 City Seal**
- 1.12 Elections**
- 1.16 General Penalty**

## Chapter 1.01

## CODE ADOPTION

## Sections:

- 1.01.010 Adoption.
- 1.01.020 Title—Citation—Reference
- 1.01.030 Codification authority.
- 1.01.040 Ordinances passed prior to adoption of the code.
- 1.01.050 Reference applies to all amendments.
- 1.01.060 Title, chapter and section headings.
- 1.01.070 Reference to specific ordinances.
- 1.01.080 References to prior code.
- 1.01.090 Specific repeal of prior codes and ordinances.
- 1.01.100 Effect of code on past actions and obligations.
- 1.01.110 Constitutionality.

**1.01.010 Adoption.**

Pursuant to the provisions of Section 50022.1 – 50022.8 and 50022.10 of the Government Code, there is hereby adopted the “Dorris Municipal Code”, as compiled, edited and published by Book Publishing Company, Seattle, Washington, together with those secondary codes as adopted by reference as authorized by the California State Legislature, save and except those portions of the secondary codes as are deleted or modified by the provisions of the “Dorris Municipal Code”. (Ord. 200 § 1, 2001)

**1.01.020 Title—Citation—Reference.**

This code shall be known as the “Dorris Municipal Code” and it shall be sufficient to refer to said code as the “Dorris Municipal Code” in any prosecution for the violation of any provision thereof or in any proceeding at

law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting or repealing all or any part or portion thereof as an addition to, amendment to, correction or repeal of the “Dorris Municipal Code”. References may be made to the titles, chapters, sections and subsections of the “Dorris Municipal Code” and such references shall apply to those titles, chapters, sections or subsections as they appear in the code. (Ord. 200 § 2, 2001)

**1.01.030 Codification authority.**

This code consists of all the regulatory and penal ordinances and certain of the administrative ordinances of the City of Dorris, California, codified pursuant to the provisions of Section 50022.1 – 50022.8 and 50022.10 of the Government Code. (Ord. 200 § 1.1, 2001)

**1.01.040 Ordinances passed prior to adoption of the code.**

The last ordinance included in this code was Ordinance 197, adopted June, 1999. The following ordinances, passed subsequent to Ordinance 197, but prior to adoption of this code, are hereby adopted and made a part of this code: Amended Ordinance 182, adopted January 1999, Amended Ordinance 196 adopted April 2001, Amended Ordinance 191 adopted May 2001, and Amended Ordinance 155 adopted, August, 2001. (Ord. 200 § 6, 2001)

**1.01.050 Reference Applies to All Amendments.**

Whenever a reference is made to this code as the “Dorris Municipal Code” or to any portion thereof, or to any ordinance of the City of Dorris, California, codified herein, the reference shall apply to all amendments, corrections and additions heretofore, now or hereafter made. (Ord. 200 § 3, 2001)

**1.01.060 Title, Chapter and Section Headings.**

Title, chapter and section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any title, chapter or section hereof. (Ord. 200 § 4, 2001)

**1.01.070 Reference to Specific Ordinances.**

The provisions of this code shall not in any manner affect matters of record which refer to, or are otherwise connected with ordinances which are therein specifically designated by number or otherwise and which are included within the code, but such reference shall be construed to apply to the corresponding provisions contained within this code. (Ord. 200 § 5, 2001)

**1.01.080 References to prior code.**

References in city forms, documents and regulations to the chapters and sections of the former city code and ordinances shall be construed to apply to the corresponding provisions contained within this code. (Ord. 200 § 10, 2001)

**1.01.90 Specific repeal of prior codes and ordinances.**

The following Code Sections of the 1953 Municipal Code are being repealed: Section 1501, 1301, 1404-1407, 4111, 4113, 4114, 2200-2202, 2100-2143, 3310-3313, 3300-3302, 3320-3322, 5100-5108, 5120-5127, 6105-6124, 5200, 5202, 5203, 5204, 5300, 5205-5207, 5201, 5210, 4220, 4288, 4268, 7401, 6201, 4118, 9100-9105.

The following Ordinances or Sections of Ordinances are being repealed: Ordinance 161 Sections 2 and 3, Ordinance 172 Sections 2, 3 and 4, Ordinance 128,

Ordinance 136, Ordinance 180. Section 3, Ordinance 184 Section 3. (Ord. 200 § 7, 2001)

**1.01.100 Effect of Code on Past Actions and Obligations.**

The adoption of this code does not affect prosecutions for ordinance violations committed prior to the effective date of this code, does not waive any fee or penalty due and unpaid on the effective date of this code, and does not affect the validity of any bond or cash deposit posted, filed or deposited pursuant to the requirements of any ordinance. (Ord. 200 § 8, 2001)

**1.01.110 Constitutionality.**

If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code. (Ord. 200 § 9, 2001)



## Chapter 1.04

### GENERAL PROVISIONS

#### Sections:

- 1.04.010 Provisions governing construction.**
- 1.04.020 Definitions.**
- 1.04.030 Grammatical interpretation.**
- 1.04.040 Reference to acts or omissions within this city.**
- 1.04.050 Prohibited acts.**
- 1.04.060 Acts by deputy.**
- 1.04.070 Proof of notice.**

#### **1.04.010 Provisions governing construction.**

Unless the provisions of the context otherwise require, these general provisions, rules of construction and definitions shall govern the construction of this code. The provisions of this code and all proceedings under it are to be construed with a view to effect its objects and to promote justice. (Prior code § 1200)

#### **1.04.020 Definitions.**

As used in this code:

"City" is the city of Dorris.

"Council" is the city council of this city.

"County" is the county of Siskiyou.

"Goods" means and includes wares or merchandise.

Office. The use of the title of any officer, employee, office or ordinance means such officer, employee, office or ordinance of the city of Dorris.

"Operate" includes carry on, keep, conduct or maintain.

"Person," as used in this code or in any uniform code adopted hereby, includes any person, firm, association, organization, partnership, company or corporation, district, body or agency, other than the city of Dorris.

"Sale" includes any sale, exchange, barter or offer for sale.

Shall and May. "Shall" is mandatory and "may" is permissive.

"State" is the state of California. (Prior code §§ 1210—1219)

#### **1.04.030 Grammatical interpretation.**

A. Tenses. The present tense includes the past and future tenses, and the future, the present.

B. Gender. The masculine gender includes the feminine and neuter.

C. Number. The singular number includes the plural, and the plural, the singular. (Prior code §§ 1207—1209)

#### **1.04.040 Reference to acts or omissions within this city.**

This code shall refer only to the omission or commission of acts within the territorial limits of the city and to that territory outside of the city over which the city has jurisdiction or control by virtue of the Constitution, or any law, or by reason of ownership or control of property. (Prior code § 1202)

#### **1.04.050 Prohibited acts.**

Whenever in this code any act or omission is made unlawful, it shall include causing, permitting, aiding, abetting, suffering or concealing such act or omission. (Prior code § 1203)

**1.04.060 Acts by deputy.**

Whenever a power is granted to, or a jury is imposed upon a public officer, or employee, the power may be exercised, or the duty may be performed by a deputy of such officer or employee or by a person otherwise duly authorized pursuant to law or ordinance, unless this code expressly provides otherwise. (Prior code § 1204)

**1.04.070 Proof of notice.**

Proof of giving any notice may be made by the certificate of any officer or employee of the city, or by affidavit of any person over the age of eighteen (18) years, which shows service in conformity with this code, or other provisions of law applicable to the subject matter concerned. (Prior code § 1206)

**Chapter 1.08**

**CITY SEAL**

**Sections:**

**1.08.010      City seal.**

**1.08.020      Custodian of the seal.**

**1.08.010      City seal.**

The city does adopt an official seal which is described as follows: A pine tree above the word "Incorporated" and underneath it the words, "December 21, 1908," surrounded by the inscription "City of Dorris, Siskiyou Co., Cal." (Ord. 145, 1963: prior code § 1302)

**1.08.020      Custodian of the seal.**

The city clerk shall be the custodian of the city seal. (Prior code § 1303)

**Chapter 1.12**

**ELECTIONS**

**Sections:**

**1.12.010 Election precincts.**

**1.12.010 Election precincts.**

For the purpose of general and special elections, the municipal election precinct, number one, is created. Such precinct shall comprise all of the city. (Prior code § 1500)

## Chapter 1.16

### GENERAL PENALTY

#### Sections:

- 1.16.010      Violations.**
- 1.16.020      Penalty.**
- 1.16.030      Continuing offenses.**

#### **1.16.010      Violations.**

It is unlawful for any person to violate any provision or to fail to comply with any requirements of this code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this code is guilty of a misdemeanor, unless the offense is specifically classified in this code or by state law as an infraction, or the city attorney reduces the charge to an infraction, in which case the person shall be guilty of an infraction. Each day that any condition caused or permitted to exist in violation of this code continues shall constitute a new and separate violation and offense. (Ord. 201 (part), 2003)

#### **1.16.020      Penalty.**

A. Any person convicted of a misdemeanor under the provisions of this code, unless provision is otherwise made in this code, shall be punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment in the county jail for a period not more than six months, or by both such fine and imprisonment.

B. Any person convicted of an infraction of the provisions of this code, unless provision is otherwise made in this code, shall be punishable upon a first conviction by a fine of not more than one hundred dollars (\$100.00), and for a second conviction within a period of one year by a fine of not more than two hundred

dollars (\$200.00), and for a third or any subsequent conviction within a period of one year by a fine of not more than five hundred dollars (\$500.00).

C. A bail schedule for parking violations shall be adopted by the city council and amended from time to time by resolution. (Ord. 201 (part), 2003)

#### **1.16.030      Continuing offenses.**

Each person convicted of a misdemeanor or infraction under the provisions of this code shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this code is committed, continued or permitted by the person, and shall be punished accordingly. (Ord. 201 (part), 2003)

## **Title 2**

### **ADMINISTRATION AND PERSONNEL**

#### **Chapters:**

- 2.04 City Council**
- 2.08 City Officers Generally**
- 2.12 City Administrator**
- 2.16 City Clerk**
- 2.20 City Treasurer**
- 2.24 Public Works Director**
- 2.28 Conflict of Interest Code**
- 2.32 Police Department**
- 2.36 Fire Department**
- 2.37 Emergency and Nonemergency Services  
Deployment**
- 2.40 Health Officer and Board of Health**
- 2.44 Civil Defense**
- 2.48 Peace Officer Standards and Training**

**Chapter 2.04****CITY COUNCIL****Sections:**

- 2.04.010 Meeting place.**
- 2.04.020 Meeting time.**
- 2.04.030 Councilmembers' compensation.**

**2.04.010 Meeting place.**

The meeting place of the city council shall be in the Council Chambers of the City Hall.  
(Prior code § 1300)

**2.04.020 Meeting time.**

There shall be two regular meetings of the city council during each calendar month and such meetings shall be held on the first and third Mondays of each month; provided, however, if such Monday is a legal holiday, the scheduled meeting shall be held on the following Tuesday. The hour of the meeting shall be six-thirty p.m. (Amended § 2.04.020 2002)

**2.04.030 Councilmembers' compensation.**

Each month each city councilmember will have eighty dollars (\$80.00) credited to that member's utility account. (Ord. 224 § 1, 2016)

**Chapter 2.08**

**CITY OFFICERS GENERALLY**

**Sections:**

**2.08.010      Official bonds.**

**2.08.010      Official bonds.**

A. The several officers hereinafter named, must, when entering upon the discharge of the duties of their respective offices, each execute a bond in favor of the city, or in the alternative the City may cover such office with similar "Fidelity Coverage", conditioned for the faithful performance of all duties required of them by the law or the ordinances of this city and in the penal sums set by Resolution and reviewed annually by the City Attorney:

City clerk

City treasurer

City administrator

(Amended § 2.08.010 2002)

B. Any sums for such bonds for Fidelity Coverage shall be a charge upon the City's General Fund. (Amended § 2.08.010 2002 )



**Chapter 2.12****CITY ADMINISTRATOR****Sections:**

- 2.12.010 Office of city administrator/ chief fiscal officer created.**
- 2.12.020 Eligibility.**
- 2.12.030 Bond.**
- 2.12.040 Acting city administrator.**
- 2.12.050 Compensation.**
- 2.12.060 Power and duties generally.**
- 2.12.070 Specific duties.**
- 2.12.080 Internal relations.**
- 2.12.090 Limitations.**

**2.12.010 Office of city administrator/ chief fiscal officer created.**

The office and position of the city administrator/chief fiscal officer of the city is created and established. The positions may be full-time or part-time and filled by contracted management services or by exempt city employee as may from time to time be decided by the city council. The city administrator/chief fiscal officer shall be appointed by the city council wholly on the basis of his or her administrative and executive ability, suitability and qualifications and shall hold office for and at the will of the city council. (Ord. 197 § 1, 1999; Ord. 188 § 1, 1996)

**2.12.020 Eligibility.**

No member of the city council shall be eligible for appointment as the city administrator until one year has elapsed after the council member has ceased to be a member

of the city council. (Ord. 197 § 2, 1999; Ord. 188 § 2, 1996)

**2.12.030 Bond.**

The city administrator and acting city administrator, if any, shall establish a corporate surety bond to be approved by the city council in such sum as may be determined by the city council, and shall be conditioned upon faithful performance of the duties imposed upon the city administrator or acting city administrator as prescribed in this chapter. Any premium for such bond shall be a proper charge against the city. (Ord. 197 § 3, 1999; Ord. 188 § 3, 1996)

**2.12.040 Acting city administrator.**

The city administrator may appoint a qualified city employee to serve as administrator pro tempore during any temporary absence or disability of the city administrator with the approval of the city council. It shall be the responsibility of the city administrator pro tempore, during the disability or the temporary absence to attend all meetings of the city council and the planning commission unless excused by the mayor, the council or the planning commission. (Ord. 197 § 4, 1999; Ord. 188 § 4, 1996)

**2.12.050 Compensation.**

A. The city administrator shall receive such compensation as the city council shall from time to time determine.

B. In addition the city administrator shall be reimbursed for all actual and necessary expenses incurred by him or her in the performance of his or her official duties subject to prior council approval.

C. On termination of services/ employment of the city administrator by reason of involuntary removal from service other than wilful misconduct in office, the city administrator may receive cash severance payment in a lump sum, if any, to be determined at the sole discretion of the city council. The city council reserves the right not to award any severance pay.

D. The city council may from time to time adjust the city administrator's compensation based upon performance, particularly the securing and administering grants for the benefit of the city. (Ord. 197 § 5, 1999; Ord. 188 § 5, 1996)

#### **2.12.060 Power and duties generally.**

The city administrator shall be the head of the government under the direction and control of the city council except as otherwise provided in this chapter. He or she shall be responsible for the efficient administration of all the affairs of the city which are under his or her control. In addition to his or her general powers as administrative head, and not as a limitation thereon, it shall be his or her duty and he or she shall have the powers set forth in Section 2.12.070. (Ord. 197 § 6, 1999; Ord. 188 § 6, 1996)

#### **2.12.070 Specific duties.**

A. Law Enforcement. It shall be the duty of the city administrator and he or she shall be responsible to enforce the ordinances of the city and to see that all franchises, contracts, permits and privileges granted by the city council are faithfully observed and performed.

B. Authority over Employees. It shall be the duty of the city administrator and he or

she shall have authority to control, order and give direction to all heads of departments and to, through the department heads, subordinate officers and employees of the city under his or her jurisdiction.

C. Power of Appointment and Removal. It shall be the duty of the city administrator to appoint, remove, promote and demote any or all officers and employees of the city, with the following limitations. Such appointments, promotions, demotions or dismissal shall be subject to prior approval of the city council and shall conform to all applicable personnel ordinances rules and procedures. The city administrator shall have no authority with respect to tenure of the city attorney, fire chief and chief of police and his or her officers, all of whom serve at the will of the city council. The city administrator has no authority over any elected official.

D. Administrative Reorganization of the Offices. It shall be the duty and responsibility of the city administrator to conduct studies and effect such administrative reorganization of the offices, and positions under his or her direction as may be indicated in the interest of efficient, effective and economical conduct of the city's business subject to the prior approval of the city council.

E. Ordinances. It shall be the responsibility of the city administrator to recommend and prepare for the city council for adoption such resolutions, measures and ordinances as he or she deems necessary in cooperation with the city attorney and Small Cities Organized Risk Effort.

F. Attendance at Meetings. It shall be the responsibility of the city administrator to attend all meetings of the city council and the planning commission unless, at his or her

request he or she is excused therefrom by the mayor individually or the city council or the planning commission. In the event of disability or temporary absence of the city administrator, the pro tempore city administrator may take his or her place.

G. Financial Reports. It shall be the duty and responsibility of the city administrator to keep the city council at all times fully advised as to the financial condition and needs of the city in accordance with all state and federal laws and to provide timely financial reports to the city council.

H. Budget. It shall be the duty and responsibility of the city administrator to prepare and submit the proposed annual budget to the city council in a timely manner and to publish and administer the adopted final annual budget according to all applicable government codes.

I. Contracts, Franchises and Agreements. The city administrator shall design, prepare and execute in the name of the city council and for the city any contracts, franchises or agreements authorized and approved by the city council unless the city council shall expressly provide for other manner of execution of such contracts, franchises or agreements.

J. Expenditure Control and Purchasing. It shall be the duty of the city administrator to see that all expenditures be submitted to the city council for approval, after review and recommendation of the city administrator, or the city employee to whom the city administrator has delegated this responsibility. The city administrator shall be responsible for the purchase of all equipment and supplies for all department or divisions of the city under his or her control. Before authorizing any purchase over two hundred dollars, the city ad-

ministrator shall seek council approval. All expenditures must be made within the budgetary limitations.

K. Investigation and Complaints. It shall be the responsibility of the city administrator to make investigations into the affairs of the city and any department or division under his or her control thereof and any contract for the proper performance of an obligation to the city. Further it shall be the duty of the city administrator to investigate all complaints in relation to the matters concerning the administration of the city government and in regard to the services maintained by public utilities in the city.

L. Personnel Policy. It shall be the responsibility of the city administrator to prepare and maintain the city's personnel policies and procedures and prepare the job and position descriptions, appointment, removal and promotion and compensation schedules for all positions and employees of the city for approval by the city council.

M. Public Buildings. It shall be the responsibility of the city administrator to exercise general supervisions and maintenance over all the public buildings, public parks and all other public property which are under the control and jurisdiction of the city council.

N. Community and Economic Development. It shall be the duty and responsibility of the city administrator to develop, establish and administer community and economic development programs and grants.

O. Risk Management. It shall be the responsibility of the city administrator to inventory the assets of the city and develop and implement a risk management plan in cooperation with SCORE.

P. Additional Duties. It shall be the duty of the city administrator to perform such other duties and exercise such other powers as may be delegated to him or her from time to time by ordinance or resolution or other official action of the city council. (Ord. 197 § 7, 1999; Ord. 188 § 7, 1996)

#### **2.12.080 Internal relations.**

A. Council-Administrator Relations. The city council and its members shall deal with the administrative services of the city through the city administrator except for purpose of inquiry and neither the city council nor any of its members thereof shall give orders or instructions to any subordinate of the city administrator. The city administrator shall take his orders and instructions from the City Council only when sitting in a duly convened meeting of the City Council and no individual Council member shall give orders or instructions to the City Administrator.

B. Departmental Cooperation. It shall be the duty of all subordinate officers, elected officials, city attorney and law enforcement to assist the city administrator in administering the affairs of the city efficiently, economically and harmoniously.

#### **C. Attendant Commission Meetings.**

The city administrator may attend any or all meetings of commissions, boards and committees created by the city council upon the administrator's own volition or upon direction from the city council. At such meetings which the city administrator attends, the administrator shall be heard by such bodies as to all matters upon which he or she wishes to address the members thereof and the administrator shall inform the members as to the status of any matter being considered by the

city council, and he or she shall cooperate to the fullest extent with the members of all commissions, boards or committees appointed by the city council. (Ord. 197 § 8, 1999; Ord. 188 § 8, 1996)

#### **2.12.090 Limitations.**

Nothing in this chapter shall be construed as a limitation on the power or authority of the city council to enter into any supplemental agreement with the city administrator delineating additional terms and conditions of employment not inconsistent with the provisions of this chapter. (Ord. 197 § 9, 1999; Ord. 188 § 10, 1996)

**Chapter 2.16****CITY CLERK****Sections:**

- 2.16.010      Established.**
- 2.16.020      Election—Vacancies.**
- 2.16.030      Duties and responsibilities.**

finance director, to the city council of the proper receipt, processing, storage and maintenance of the records of the city's business. (Editorially amended during 1999 codification; Ord. 193 Att. B (part), 1998)

**2.16.010      Established.**

The position of city clerk is established by Government Code of the State of California, Section 36501. (Editorially amended during 1999 codification; Ord. 193 Att. B (part), 1998)

**2.16.020      Election—Vacancies.**

The position of city clerk is elected. Vacancies in the elected office can be filled by the city council within thirty days of the vacancy. If not appointed within thirty days, an election is required. The person appointed or elected to fill the vacancy holds office for the unexpired term of the vacating clerk. (Editorially amended during 1999 codification; Ord. 193 Art. B (part), 1998)

**2.16.030      Duties and responsibilities.**

A. The duties and responsibilities of the city clerk are established and defined into two categories. The first category is statutory as established in the California Government Code. The second category is additional duties assigned to the position by ordinance of the city council.

B. Additional Duties—City's Business and Administrative Records. The city clerk shall be responsible for the verification, in cooperation with the city administrator and

**Chapter 2.20****CITY TREASURER****Sections:**

- 2.20.010      Established.**
- 2.20.020      Election—Vacancies.**
- 2.20.030      Duties and responsibilities.**

**2.20.010      Established.**

The position of city treasurer is established by the Government Code of the State of California, Section 36501. (Editorially amended during 1999 codification; Ord. 193 Att. C (part), 1998)

**2.20.020      Election—Vacancies.**

The position of city treasurer is elected. Vacancies in the elected office can be filled by the city council within thirty days of the vacancy. If not appointed within thirty days, an election is required. The person appointed or elected to fill the vacancy holds office for the unexpired term of the vacating treasurer. (Editorially amended during 1999 codification; Ord. 193 Att. C (part), 1998)

**2.20.030      Duties and responsibilities.**

The duties and responsibilities of the city treasurer are established and defined into two categories. The first category is statutory as established in the California Government Code. The second category are additional duties assigned to the position by ordinance of the city council. (Editorially amended during 1999 codification; Ord. 193 Att. C (part), 1998)

## Chapter 2.24

### PUBLIC WORKS DIRECTOR

#### Sections:

- 2.24.010**      **Established.**
- 2.24.020**      **Appointment.**
- 2.24.030**      **Duties and responsibilities.**

#### **2.24.010**      **Established.**

The position of public works director is established. (Editorially amended during 1999 codification; Ord. 193 Att. D (part), 1998)

#### **2.24.020**      **Appointment.**

The position of public works director is selected and appointed by the city council until such time as the city council funds and fills the position of city administrator, at which time the city administrator shall be responsible to appoint subject to confirmation by the city council, the public works director. (Editorially amended during 1999 codification; Ord. 193 Att. D (part), 1998)

#### **2.24.030**      **Duties and responsibilities.**

The duties and responsibilities of the public works director of the city are established and defined into three categories: administrative, supervisory and operational.

##### **A. Administrative Duties.**

1. The public works director shall be responsible for the development, establishment and maintenance of all public records, correspondence and local, state and federal reporting requirements pertaining to the funding and operations of the city public works department.

2. The director is responsible for the preparation of an annual departmental budget proposal to be included in the city administrator's annual budget proposal to the city council. The public works director shall also be responsible, upon the approval and adoption of the annual budget by city council, for the administration and accountability of the department of public works.

B. Supervisory Duties. The public works director shall be responsible for the selection, hiring, promotion and firing of all city maintenance personnel as have been deemed necessary and approved for hire by the city council. He/she shall be responsible for all appropriate and legally required personnel records and reports required pertaining to such personnel.

C. Operational Duties. The public works director shall be fully qualified, able and available to perform all such operations activities needed to construct, repair and/or maintain all the city's public facilities and properties. (Editorially amended during 1999 codification; Ord. 193 Att. D (part), 1998)

## Chapter 2.28

## CONFLICT OF INTEREST CODE

## Sections:

- 2.28.010      **Designated positions**  
 2.28.020      **Categories of financial  
interests to be disclosed.**  
 2.28.030      **Categories to be reported  
by officials.**

2.28.010      **Designated positions.**

The following officials within the city are subject to this code, and shall disclose the financial interests as hereinafter set forth:

- A. Council Members;
- B. Planning Commissioners;
- C. City Clerk;
- D. City Treasurer;
- E. City Attorney;
- F. Finance Director;
- G. Building Inspector;
- H. Public Safety Officer;
- I. Director of Public Works;
- J. Any Officer, Employee, Member or

Consultant because the position entails the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest (See Gov't Code 82019). (Ord. 182, ¶ 1, 1999)

2.28.020      **Categories of financial  
interests to be disclosed.**

A. The following categories of financial interests shall be disclosed by the officials specified by Section 2.28.030:

Category A: Investments in business entities and sources of income which have done business in the City of Dorris within the reporting period. A business entity is doing business within the city if it manufactures, distributes, sells, or purchases products or services within the city, or plans to do business with the city, or has done business within the city within the two previous years,

or has an interest in real property within the city, or has an office within the city.

Category B. Interests in real property, and including liens and encumbrances thereon, located within the city. An interest in real property includes a leasehold, a beneficial ownership interest, a deed of trust, an easement, an option to acquire any interest, an interest in real property held by an IRA in which the officer has a ten percent or greater interest.

Category C. Interests in real property located within the city, and investments in businesses doing business within the city, held by a business entity or trust.

Category D. Income from any source located in, or doing business within, the city, if equal to two hundred fifty dollars (\$250.00) or more for the reporting period and including payment for travel, lodging, or subsistence, if equal to fifty dollars (\$50.00) or more for the reporting period.

Category E. Loans to the officials from any source located in, or doing business within, the City, equal to two hundred fifty dollars (\$250.00) or more from any single source during the reporting period.

Category F. Gifts from any single person or entity, whether inside or outside the jurisdiction, if equal to fifty dollars (\$50.00) or more during the reporting period.

Category G. Honoraria from any single person or entity, if equal to fifty dollars (\$50.00) or more during the reporting period.

Category H. Commission income received from brokers, agents, and salespersons; income and loans to business entities or trusts; income from rental property.

B. Reference is made to Fair Political Practices Commission form 721, dated 1991-1992, and any successor thereto, for clarification of the above disclosure categories.

C. If any official specified herein is required by state law to disclose financial information in addition to that required by this chapter, such state law shall supersede



these requirements. Any official may disclose more information than the minimum required by this chapter.

D. If any official not specified herein is required by state law to disclose financial information, such official shall do so. (Ord. 182, ¶ 2, 1999)

**2.28.030 Categories to be reported by officials.**

The following city officials shall disclose those categories of financial interests indicated:

<b>Official</b>	<b>Disclosure Categories Required</b>
Council members	A through H
Planning Commissioners	A through H
City clerk	A through D, H
City treasurer	A through H
City attorney	A through H
(Ord. 182, ¶ 3, 1999)	

**Chapter 2.32****POLICE DEPARTMENT****Sections:**

- 2.32.010**      **Appointment of deputies.**  
**2.32.020**      **Powers and duties of the chief of police.**  
**2.32.030**      **Restrictions on police chief and deputies.**

**2.32.010**      **Appointment of deputies.**

Such deputies as occasion shall demand shall be recommended by the chief of police to the council. The appointment of such deputies is subject to the approval of the council meeting in regular session. (Prior code § 1400)

**2.32.020**      **Powers and duties of the chief of police.**

A. The chief of police, for the suppression of any riot, public tumult, disturbances of the peace, or resistance against the laws or public authorities in the lawful exercise of their functions, shall have the powers that are now, or may hereafter be, conferred upon sheriffs by the laws of the state, and shall be entitled to the same protection.

B. Authority to Direct Deputies and Citizens. The lawful orders of the chief of police shall be promptly executed by any deputies, police officers and citizens, when required for the arrest of offenders and the maintenance of public order.

C. Duty to Prosecute Violators. It shall be the duty of the chief of police to prosecute before any court of competent jurisdiction all violations of this code or of any ordinance. He or she shall serve and return all process

issued and directed to him or her by any legal authority.

D. Supervision of Jail and Prisoners. The chief of police shall supervise the city jail and all prisoners.

E. Duty to Patrol Streets. The chief of police, or his or her deputy, shall patrol the streets of Dorris and shall be on call twenty-four (24) hours a day. (Prior code §§ 1401—1403, 1408, 1409)

**2.32.030**      **Restrictions on police chief and deputies.**

The chief of police, or his or her deputies, shall not enter any saloon except in the discharge of duty. They shall not drink any intoxicating liquor or engage in any game of cards or billiards while on duty. (Prior code § 1410)

## Chapter 2.36

### FIRE DEPARTMENT

#### Sections:

- 2.36.010 Established.
- 2.36.020 Membership.
- 2.36.030 Suspension or discharge.
- 2.36.040 Equipment.
- 2.36.050 Badges.
- 2.36.060 Automobile insignia.
- 2.36.070 Fire chief—Appointment.
- 2.36.080 Accountability.
- 2.36.090 Fire chief—Powers and duties.
- 2.36.100 Authority to enter premises—Notice of abatement.
- 2.36.110 Compliance required.
- 2.36.120 Use of fire equipment.
- 2.36.130 False alarms.
- 2.36.140 Special police powers.
- 2.36.150 Special duty of police.
- 2.36.160 Violation—Penalty.

#### 2.36.010 Established.

A department to be hereafter known as the Dorris fire department, the object of which shall be the prevention of fire and the protection of life and property within the limits of the city is created. The department shall consist of a chief, two assistant chiefs and other officers as the chief and council may deem necessary for the effective operation of the department. (Ord. 129 (part), 1953: prior code § 4100)

#### 2.36.020 Membership.

The membership of the department shall consist of such persons as may be appointed

by the chief and shall be able-bodied citizens residing within the city, preferably property owners whose business activities are normally within the city limits, and who have telephones in their homes. Determination of whether candidates for appointment are able-bodied shall be made by the chief after a medical and physical examination has been made in a manner prescribed by the chief and approved by the council. (Ord. 129 (part), 1953; prior code § 4106)\*

\* Editor's Note: At the time of codification, this section was editorially amended to be gender neutral.

#### 2.36.030 Suspension or discharge.

Any member of the department may be suspended or discharged from the department by the chief at any time the chief may deem such action necessary for the good of the department. On written request of such member to the city council such member shall be given a public hearing on the charges brought by the chief. (Ord. 129 (part), 1953; prior code § 4107)

#### 2.36.040 Equipment.

The department shall be equipped with such apparatus and other equipment as may be required from time to time to maintain its efficiency and properly protect life and property from fire. Recommendations of apparatus and equipment needed shall be made by the chief, and after approval by the council shall be purchased in such manner as may be designated by the council. All equipment of the department shall be safely and conveniently housed in such places as may be designated by the council. Such places shall be heated during the winter season. Suitable

arrangement or equipment shall be provided for citizens to turn in an alarm, and for notifying all members of the department so that they may promptly respond. (Ord. 129 (part), 1953; prior code § 4108)

#### **2.36.050 Badges.**

Each member of the department shall be issued a badge designating his or her rank. (Ord. 129 (part), 1953; prior code § 4110)

#### **2.36.060 Automobile insignia.**

Each member of the department driving a car shall be issued a suitable insignia to be attached to the car. (Ord. 129 (part), 1953; prior code § 4112)

#### **2.36.070 Fire chief—Appointment.**

The chief shall be appointed by the council for an indefinite period of time, and his or her tenure of office shall depend upon his or her good conduct and efficiency. The chief shall be technically qualified by training and experience and shall have ability to command men and women and hold their respect and confidence. The fire chief shall be removed only for just cause and after a public hearing before the council. (Ord. 129 (part), 1953; prior code § 4101)

#### **2.36.080 Accountability.**

The chief shall be held accountable to the council only, and shall make written and verbal reports thereto as the council may require. All other department officers shall be accountable to the chief only. The assistant chiefs and all other department officers shall be appointed by the chief. Such officers shall be accountable only to the chief, and subject

to removal by him. (Ord. 129 (part), 1953; prior code § 4102)

#### **2.36.090 Fire chief—Powers and duties.**

The chief shall formulate a set of rules and regulations to govern the department, and shall be responsible to the council for the personnel, morale and general efficiency of the department. The chief shall determine the number and kind of companies of which the department is to be composed and shall determine the response of such companies to alarms. The chief shall at least once a month conduct suitable drills or instruction in the operation and handling of equipment, first aid and rescue work, salvage, a study of buildings in the city, fire prevention, water supplies, and all other matters generally considered essential to good firemanship and safety of life and property from fire. The chief shall see that complete records are kept of all fires, inspections, apparatus and minor equipment, personnel and other information about the work of the department. The chief shall report monthly to the council the condition of the apparatus and equipment; the number of firms during the month, their location and cause, the date of same and loss occasioned thereby; the number and purpose of all other runs made; and the number of members responding to each fire or other run, and any changes in membership. The chief shall make a complete annual report to the council within one month after the close of the fiscal year, such report to include the information specified herein, together with comparative data for previous years and recommendations for improving the effectiveness of the depart-

ment. (Ord. 129 (part), 1953; prior code § 4103)

**2.36.100 Authority to enter premises—Notice of abatement.**

The chief is empowered to enter any and all buildings and premises at any reasonable hour for the purpose of making inspections and to serve written notice upon the owner or occupant to abate, within a specified time, any and all fire hazards that may be found. (Ord. 129 (part), 1953; prior code § 4104)

**2.36.110 Compliance required.**

Any person so served with a notice to abate any fire hazard or hazards, shall comply therewith and promptly notify the chief. (Ord. 129 (part), 1953; prior code § 4105)

**2.36.120 Use of fire equipment.**

No person shall use any fire apparatus or equipment for any private purpose, nor shall any person wilfully and without proper authority take away or conceal any article used in any way by the department. No person shall enter any place where fire apparatus is housed or handle any apparatus or equipment belonging to the department unless accompanied by, or having the special permission of, an officer or authorized member of the department. (Ord. 129 (part), 1953; prior code § 4109)

**2.36.130 False alarms.**

No person shall maliciously turn in or cause to be turned in a false alarm. (Ord. 129 (part), 1953; prior code § 4115)

**2.36.140 Special police powers.**

All regularly appointed members of the department are given the necessary special police powers for the purpose of enforcing the provisions of this chapter. (Ord. 129 (part), 1953; prior code § 4116)

**2.36.150 Special duty of police.**

It is made the special duty of the chief of police and/or other peace officers who may be on duty and available for fire duty, to respond to all fire alarms and assist the department in the protection of life and property, in regulating traffic, maintaining order, and in enforcing observance of all sections of this chapter. (Ord. 129 (part), 1953; prior code § 4117)

**2.36.160 Violation—Penalty.**

Any person violating the provisions of this chapter shall, upon conviction in a court of competent jurisdiction, pay a fine of not less than ten dollars (\$10.00) or more than one hundred dollars (\$100.00) for each offense. (Ord. 129 (part), 1953; prior code § 4119)

**Chapter 2.37****EMERGENCY AND NONEMERGENCY  
SERVICES DEPLOYMENT****Sections:****2.37.010      Adopted.****2.37.010      Adopted.**

A. The city of Dorris shall by resolution adopt rates for the delivery of emergency and nonemergency services by the fire department to reimburse the department for personnel, supplies and equipment employed for emergency and nonemergency incidents.

B. A claim shall be filed to the responsible party through their insurance carrier. In some circumstances, the responsible party will be billed directly.

C. The city council of the city of Dorris by resolution may make rules or regulations and from time to time may amend, revoke or add rules and regulations, not consistent with this section, as they may deem necessary or expedient in respect to billing for these mitigation rates or the collection thereof. (Ord. 218 §§ 1—3, 2013)

**Chapter 2.40****HEALTH OFFICER AND BOARD OF  
HEALTH****Sections:**

- 2.40.010 Health officer and board of health created.**
- 2.40.020 Board of health—Duties.**
- 2.40.030 Health officer—Appointment.**
- 2.40.040 Health officer—Powers and duties.**

**2.40.010 Health officer and board of health created.**

The office of health officer of the city is created. The city council and the health officer are made the board of health. The city clerk shall act as secretary of the board of health. The board of health shall hold their meetings on dates set for regular meetings of the council. (Prior code § 6100)

**2.40.020 Board of health—Duties.**

The board of health shall supervise all matters pertaining to the sanitary condition of the city and shall make such rules and regulations relative thereto as are necessary and proper, and shall report to the Secretary of the State Board of Health the matters required by Sections 500—504, 506—508, and 10510 of the State Revenue and Taxation Code, and shall have such duties and powers as may be prescribed by this code or order of the council. The board of health may enforce compulsory vaccination whenever, in its judgment, it may become necessary. (Prior code § 6101)

**2.40.030 Health officer—Appointment.**

The city council shall appoint some suitable person to serve as health officer, who shall hold office during the pleasure of the council. (Prior code § 6102)

**2.40.040 Health officer—Powers and duties.**

A. Powers. The health officer shall have all the powers and perform all the duties specified and imposed by applicable provisions of the State Health and Safety Code and this code.

B. Recommendations. It shall be the duty of the health officer to recommend in writing, to the council, such sanitary measures as he or she may consider advisable, to cooperate with the council in carrying the same into effect, to enforce all lawful rules and regulations which promote the health of the inhabitants of the city, and to perform all other duties as may be prescribed by law and ordinance. (Prior code §§ 6103, 6104)

**Chapter 2.44****CIVIL DEFENSE****Sections:**

- 2.44.010 Purposes.**
- 2.44.020 Definitions.**
- 2.44.030 Civil defense and disaster council—Membership.**
- 2.44.040 Civil defense and disaster council—Powers and duties.**
- 2.44.050 Director of civil defense and disaster—Powers and duties.**
- 2.44.060 Director of civil defense and disaster—Additional powers.**
- 2.44.070 Civil defense and disaster organization.**
- 2.44.080 Divisions, services and staff of the civil defense and disaster organization.**
- 2.44.090 Violation—Penalty.**

**2.44.010 Purposes.**

The declared purposes of this chapter are to provide for the preparation and carrying out of plans for the civil defense of persons and property within this city in the event of a disaster, and to provide for the coordination of the civil defense and disaster functions of this city with all other public agencies and affected private persons, corporations and organizations. Any expenditures made in connection with such civil defense and disaster activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabi-

tants and property by the city of Dorris. (Ord. 137A § 1, 1957)

**2.44.020 Definitions.**

**Civil Defense.** As used in this chapter, the term "civil defense" means the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize and repair injury and damage resulting from disasters. It shall not include, nor does any provision of this chapter apply to any condition relating to a labor controversy.

**Disasters.** As used in this chapter, the term "disaster" means actual or threatened enemy attack, sabotage, extraordinary fire, flood, storm, epidemic, riot, earthquake or other similar public calamity. (Ord. 137A § 2, 1957)

**2.44.030 Civil defense and disaster council—Membership.**

The Dorris civil defense and disaster council is created and shall consist of the following:

- A. The mayor, who shall be chairman;
- B. The director of civil defense and disaster, who shall be vice-chairman;
- C. The assistant director, appointed by the chairman with the advice and consent of the city council who, under the supervision of the director, shall develop civil defense and disaster plans and organize the civil defense and disaster program of this city, and shall have such other duties as may be assigned by the director.
- D. Such deputy director and chiefs of operating civil defense and disaster depart-



ments, services or divisions as are provided for by resolution pursuant to this chapter.

E. Such representatives of civic, business, labor, veterans, professional or other organizations having an official group or organization civil defense and disaster responsibility as may be appointed by the mayor with the advice and consent of the city council. (Ord. 137A § 3, 1957)

**2.44.040 Civil defense and disaster council—Powers and duties.**

It shall be the duty of the city civil defense and disaster council and it is empowered, to review and recommend for adoption by the city council, civil defense and mutual aid plans and agreements and such ordinances, and resolutions and rules and regulations as are necessary to implement such plans and agreements. The civil defense and disaster council shall meet upon call of the chairman or in his or her absence from the city or inability to call such meeting, upon the call of the vice-chairman. (Ord. 137A § 4, 1957)

**2.44.050 Director of civil defense and disaster—Powers and duties.**

There is created the office of director of civil defense and disaster. Such officer shall be appointed by the mayor with the advice and consent of the city council. The director is empowered:

A. To request the city council to proclaim the existence or threatened existence of a disaster and the termination thereof, if the city council is in session, or to issue such proclamation if the city council is not in session, subject to confirmation by the city council at the earliest practicable time;

B. To recommend to the mayor that he or she request the Governor to proclaim a state of extreme emergency when in the opinion of the director the resources of the area or region are inadequate to cope with the disaster;

C. To control and direct the effort of the civil defense and disaster organization of this city for the accomplishment of the purposes of this chapter;

D. To direct coordination and cooperation between divisions, services and staff of the civil defense and disaster organization of this city, and to resolve questions of authority and responsibility that may arise between them;

E. To represent the civil defense and disaster organization of this city in all dealings with public or private agencies pertaining to civil defense and disaster. (Ord. 137A § 5, 1957)

**2.44.060 Director of civil defense and disaster—Additional powers.**

In the event of the proclamation of a disaster as provided in this chapter, or the proclamation of a state of extreme emergency by the Governor or the State Director of Civil Defense, the director is empowered:

A. To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such disasters; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the city council;

B. To obtain vital supplies, equipment and such other properties found lacking and needed for the protection of the life and property of the people, and bind the city for the fair value thereof, and if required immediately, to commandeer the same for public use;

C. To require emergency services of any city officer or employee and, in the event of the proclamation of a state of extreme emergency by the Governor in the region in which this city is located, to command the aid of as many citizens of this community as he or she thinks necessary in the execution of his or her duties; such persons shall be entitled to all privileges, benefits and immunities as are provided by state law for registered civil defense and disaster worker volunteers;

D. To requisition necessary personnel or material of any city department or agency;

E. To execute all of his or her ordinary powers as director of civil defense, all of the special powers conferred upon him or her by this chapter or by resolution adopted pursuant thereto, all powers conferred upon him or her by any statute, agreement approved by the city council, or by any other lawful authority, and in conformity with Section 38791 of the Government Code, to exercise complete authority over the city and to exercise all police power vested in the city by the Constitution and general laws. (Ord. 137A § 6, 1957)

#### **2.44.070 Civil defense and disaster organization.**

All officers and employees of this city, together with those volunteer forces enrolled to aid them during a disaster, and all groups, organizations and persons who may by agreement or operation of law, including persons pressed into service under the provisions of Section 2.44.060(C) of this chapter, be charged with duties incident to the protection of life and property in this city during such disaster, shall constitute the civil defense and disaster organization of the city. (Ord. 137A § 7, 1957)

#### **2.44.080 Divisions, services and staff of the civil defense and disaster organization.**

A. The functions and duties of the city civil defense and disaster organization shall be distributed among such divisions, services and special staff as the city council shall prescribe by resolution.

B. The city council shall concurrently with the adoption of this chapter, adopt a resolution setting forth the form or organization, establishment and designation of divisions and services, the assignment of functions, duties and powers, the designation of divisions and services, the assignment of functions, duties and powers, the designation of officers and employees. Insofar as possible, the form of organization, titles and terminology shall conform to the recommendations of the federal government and the Civil Defense Agency of the state of California. (Ord. 137A § 8, 1957)

#### **2.44.090 Violation—Penalty.**

It shall be a misdemeanor, punishable by a fine of not to exceed five hundred dollars (\$500.00), or by imprisonment for not to exceed six months, or both, for any person during a disaster:

A. Wilfully to obstruct, hinder or delay any member of the civil defense and disaster organization in the enforcement of any lawful rule or regulation issued pursuant to this chapter, or in the performance of any duty imposed upon him by virtue of this chapter;

B. To do any act forbidden by lawful rules or regulations issued pursuant to this chapter, if such act is of such a nature as to give, or be likely to give assistance to the enemy, or to imperil the lives or property of

inhabitants of this city, or to prevent, hinder or delay the defense or protection thereof;

C. To wear, carry or display, without authority, any means of identification specified by the civil defense and disaster agency of the state. (Ord. 137A § 9, 1957)

**Chapter 2.48****PEACE OFFICER STANDARDS AND  
TRAINING****Sections:**

- 2.48.010 Election to receive state aid.**
- 2.48.020 Adherence to standards for recruitment and training.**

**2.48.010 Election to receive state aid.**

The City of Dorris declares that it desires to qualify to receive aid from the state under the provisions of Chapter 1 of Title 4, part 4 of the California Penal Code. (Ord. 162 § 1, 1974)

**2.48.020 Adherence to standards for recruitment and training.**

Pursuant to Section 13522 of such Chapter 1, the city will adhere to the standards for recruitment and training established by the California Commission on Peace Officer Standards and Training. (Ord. 162 § 2, 1974)

## **Title 3**

### **REVENUE AND FINANCE**

#### **Chapters:**

- 3.04    Transfer of Tax Assessment and Collection  
         Duties to County**
- 3.08    Real Property Transfer Tax**
- 3.12    Sales and Use Tax**
- 3.16    Transient Occupancy Tax**
- 3.20    Special Gas Tax Street Improvement Fund**
- 3.24    Claims**

**Chapter 3.04****TRANSFER OF TAX ASSESSMENT  
AND COLLECTION DUTIES TO  
COUNTY****Sections:**

- 3.04.010**     **Definitions.**  
**3.04.020**     **Transfer of duties.**  
**3.04.030**     **Abolition of offices of city  
assessor and city tax  
collector.**

**3.04.010**     **Definitions.**

The following words and expressions when used in this chapter shall for the purpose of this chapter have the meanings respectively ascribed to them as follows:

**City.** The word "city" as used in this chapter means the city of Dorris, a municipal corporation, situated in the county of Siskiyou, state of California.

**County.** The word "county" as used in this chapter shall mean the county of Siskiyou, a political subdivision of the state of California. (Ord. 156 § 1, 1967)

**3.04.020**     **Transfer of duties.**

The assessment and tax collection duties, and the collection of assessments levied for municipal improvements, shall be performed by the assessor and the tax collector of the county for the purpose of assessment and collection of and for ad valorem property taxes that become a lien after November 6, 1967, and the collection of assessments for municipal improvements becoming due and payable on and after assessments for municipal improvements becoming due and payable on and after July 1, 1968. (Ord. 156 § 2, 1967)

**3.04.030**     **Abolition of offices of city  
assessor and city tax  
collector.**

The offices of city assessor and city tax collector are abolished as of the first day of July 1968, and thereafter all duties performed by the city assessor other than the assessing of property in the city, and all duties performed by the city tax collector other than the collection of ad valorem taxes on property that become a lien after November 6, 1967, and the collection of assessments for municipal improvements becoming due and payable on and after July 1, 1968, are transferred to and are to be performed by the city clerk. (Ord. 156 § 3, 1967)

**Chapter 3.08****REAL PROPERTY TRANSFER TAX****Sections:**

- 3.08.010 Title and authority.**
- 3.08.020 Tax imposed.**
- 3.08.030 Applicability.**
- 3.08.040 Exemptions.**
- 3.08.050 Administration.**
- 3.08.060 Claims for refunds.**

**3.08.010 Title and authority.**

This chapter shall be known as the Real Property Transfer Tax Ordinance of the City of Dorris. It is adopted pursuant to the authority contained in Part 6.7 (commencing with Section 11901) of Division 2 of the Revenue and Taxation Code of the state of California. (Ord. 157 § 1, 1968)

**3.08.020 Tax imposed.**

There is imposed on each deed, instrument or writing by which any lands, tenements, or other realty sold within the city shall be granted, assigned, transferred or otherwise conveyed to, or vested in, the purchaser or purchasers, or any other person or persons, by his or their direction, when the consideration or value of the interest or property conveyed (exclusive of the value of any lien or encumbrances remaining thereon at the time of sale) exceeds one hundred dollars (\$100.00), a tax at the rate of twenty seven and one-half cents (\$0.275) for each five hundred dollars (\$500.00) or fractional part thereof. (Ord. 157 § 2, 1968)

**3.08.030 Applicability.**

Any tax imposed pursuant to Section

3.08.020 shall be paid by any person who makes, signs or issues any document or instrument subject to the tax, or for whose use or benefit the same is made, signed or issued. (Ord. 157 § 3, 1968)

**3.08.040 Exemptions.**

A. Any tax imposed pursuant to this chapter shall not apply to any instrument in writing given to secure a debt.

B. The United States or any agency or instrumentality thereof, any state or territory, or political subdivision thereof, or the District of Columbia shall not be liable for any tax imposed pursuant to this chapter with respect to any deed, instrument or writing to which it is a party, but the tax may be collected by assessment from any other party liable therefor.

C. 1. Any tax imposed pursuant to this chapter shall not apply to the making, delivering or filing of conveyances to make effective any plan of reorganization or adjustment:

a. Confirmed under the Federal Bankruptcy Act, as amended;

b. Approved in an equity receivership proceeding in a court involving a railroad corporation, as defined in subdivision (m) of Section 205 of Title 11 of the United States Code, as amended:

c. Approved in an equity receivership proceeding in a court involving a corporation, as defined in subdivision (3) of Section 506 of Title 11 of the United States Code, as amended; or

d. Whereby a mere change in identity, form or place of organization is effected.

2. Subdivisions (1)(a) through (1)(d), inclusive, of this subsection shall only apply if the making, delivery or filing of

instruments of transfer or conveyances occurs within five years from the date of such confirmation, approval or change.

D. Any tax imposed pursuant to this chapter shall not apply to the making or delivery of conveyances to make effective any order of the Securities and Exchange Commission, as defined in subdivision (a) of Section 1083 of the Internal Revenue Code of 1954; but only if:

1. The order of the Securities and Exchange Commission in obedience to which such conveyance is made recites that such conveyance is necessary or appropriate to effectuate the provisions of Section 79k of Title 15 of the United States Code, relating to the Public Utility Holding Company Act of 1935;

2. Such order specifies the property which is ordered to be conveyed;

3. Such conveyance is made in obedience to such order.

E. 1. In the case of any realty held by a partnership, no levy shall be imposed pursuant to this chapter by reason of any transfer of any interest in a partnership or otherwise, if:

- a. Such partnership (or another partnership) is considered a continuing partnership within the meaning of Section 708 of the Internal Revenue Code of 1954;

- b. Such continuing partnership continues to hold the realty concerned.

2. If there is a termination of any partnership within the meaning of Section 708 of the Internal Revenue Code of 1954, for purposes of this chapter, such partnership shall be treated as having executed an instrument whereby there was conveyed, for fair market value (exclusive of the value of any lien or encumbrance remaining thereon),

all realty held by such partnership at the time of such termination.

3. Not more than one tax shall be imposed pursuant to this chapter by reason of a termination described in subsection (E)(2) of this section, and any transfer pursuant thereto, with respect to the realty held by such partnership at the time of such termination. (Ord. 157 §§ 4—8, 1968)

### **3.08.050 Administration.**

The county recorder shall administer this chapter in conformity with the provisions of Part 6.7 of Division 2 of the Revenue and Taxation Code and the provisions of any county ordinance adopted pursuant thereto. (Ord. 157 § 9, 1968)

### **3.08.060 Claims for refunds.**

Claims for refund of taxes imposed pursuant to this chapter shall be governed by the provisions of Chapter 5 (commencing with Section 5096) of Part 9 of Division 1 of the Revenue and Taxation Code of the state of California. (Ord. 157 § 10, 1968)



## Chapter 3.12

### SALES AND USE TAX

#### Sections:

- 3.12.010**      **Short title.**
- 3.12.020**      **Purpose and interpretation.**
- 3.12.030**      **Operative date defined.**
- 3.12.040**      **Rate.**
- 3.12.050**      **Contract with state.**
- 3.12.060**      **Sales tax imposed.**
- 3.12.070**      **Place of sale.**
- 3.12.080**      **Use tax imposed.**
- 3.12.090**      **State law provisions.**
- 3.12.100**      **Additional permit not required.**
- 3.12.110**      **Exclusions and exemptions.**
- 3.12.120**      **Enjoining collection forbidden.**
- 3.12.130**      **Violation—Penalty.**

#### **3.12.010      Short title.**

This chapter shall be known as the Uniform Local Sales and Use Tax Ordinance of the City of Dorris. (Ord. 142 § 1, 1961)

#### **3.12.020      Purpose and interpretation.**

The city council declares that the ordinance codified in this chapter is adopted to achieve the following, among other, purposes, and directs that the provisions of this chapter be interpreted in order to accomplish those purposes:

A. Complies with the requirements and limitations contained in Part 1.5 of Division 2 of the Revenue and Taxation Code;

B. Incorporates provisions identical to those of the Sales and Use Tax Law of the

State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.5 of Division 2 of the Revenue and Taxation Code;

C. Imposes a tax and provides a measure therefor that can be administered and collected by the State Board of Equalization in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from the existing statutory and administrative procedures followed by the State Board of Equalization in administering and collecting the California State Sales and Use Taxes;

D. Can be administered in a manner that will, to the degree possible consistent with the provisions of Part 1.5 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting city sales and use taxes and at the same time minimize the burden of recordkeeping upon persons subject to taxation under the provisions of this chapter. (Ord. 142 § 4, 1961)

#### **3.12.030      Operative date defined.**

"Operative date" means January 1, 1962, or the operative date of the Siskiyou County Uniform Local Sales and Use Tax Ordinance, whichever is later. (Ord. 142 § 3, 1961)

#### **3.12.040      Rate.**

The rate of sales tax and use tax imposed by this chapter shall be one percent. (Ord. 142 § 2, 1961)

#### **3.12.050      Contract with state.**

Prior to the operative date the city shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of this sales and use tax; provided, that if this city shall not have contracted with the State Board of Equalization

prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract rather than the date stated in Section 3.12.030. (Ord. 142 § 5, 1961)

### **3.12.060 Sales tax imposed.**

For the privilege of selling tangible personal property at retail, a tax is imposed upon all retailers in the city at the rate stated in Section 3.12.040 of the gross receipts of the retailer from the sale of all tangible personal property sold at retail in this city on and after the operative date. (Ord. 142 § 6, 1961)

### **3.12.070 Place of sale.**

For the purposes of this chapter, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the state or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the State Board of Equalization. (Ord. 142 § 7, 1961)

### **3.12.080 Use tax imposed.**

An excise tax is imposed on the storage, use or other consumption in this city of tangible personal property purchased from any retailer

on and after the operative date for storage, use or other consumption in this city at the rate stated in Section 3.12.040 of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made. (Ord. 142 § 8, 1961)

### **3.12.090 State law provisions.**

A. Adoption of Provisions of State Law. Except as otherwise provided in this chapter and except insofar as they are inconsistent with the provisions of Part 1.5 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 of Division 2 of the Revenue and Taxation Code are adopted and made a part of this chapter as though fully set forth herein.

B. Limitations on Adoption of State Law. In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, wherever the state of California is named or referred to as the taxing agency, the name of this city shall be substituted therefor. The substitution, however, shall not be made when the word "state" is used as part of the title of the State Controller, the State Treasurer, the State Board of Control, the State Board of Equalization, the State Treasury, or the Constitution of the State of California; the substitution shall not be made when the result of that substitution would require action to be taken by or against the city or any agency thereof rather than by or against the State Board of Equalization, in performing the functions incident to the administration or operation of this chapter; the substitution shall not be made in those sections, including, but not necessarily limited to, sections referring to the exterior boundaries of the state of California, where the result of the

substitution would be to provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the state under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or to impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the provisions of that code; the substitution shall not be made in Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code; and the substitution shall not be made for the word "state" in the phrase "retailer engaged in business in this state" in Section 6203 or in the definition of that phrase in Section 6203.

C. Amendments. All subsequent amendments of the Revenue and Taxation Code which relate to the sales and use tax and which are not inconsistent with Part 1 of Division 2 of the Revenue and Taxation Code shall automatically become a part of this chapter. (Ord. 142 §§ 9, 10, 13, 1961)

### **3.12.100 Additional permit not required.**

If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional seller's permit shall not be required by this chapter. (Ord. 161 § 1, 1973; Ord. 142 § 11, 1961)

### **3.12.110 Exclusions and exemptions.**

A. The amount subject to tax shall not include any sales or use tax imposed by the

state of California upon a retailer or consumer.

B. The storage, use, or other consumption of tangible personal property, the gross receipts from the sale of which have been subject to tax under a sales and use tax ordinance enacted in accordance with Part 1.5 of Division 2 of the Revenue and Taxation Code by any city and county, county, or city, in this state shall be exempt from the tax due under this chapter.

C. There are exempted from the computation of the amount of the sales tax the gross receipts from the sale of tangible personal property to operators of aircraft to be used or consumed principally outside the city in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this state, the United States, or any foreign government.

D. In addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code the storage, use, or other consumption of tangible personal property purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this state, the United States, or any foreign government is exempted from the use tax. (Ord. 172 § 1, 1983; Ord. 142 § 12, 1961)

### **3.12.120 Enjoining collection forbidden.**

No injunction or writ of mandate or other legal or equitable process shall issue in any

suit, action or proceeding in any court against the state or this city, or against any officer of the state or this city, to prevent or enjoin the collection under this chapter, or Part 1.5 of Division 2 of Revenue and Taxation Code, of any tax or any amount of tax required to be collected. (Ord. 142 § 14, 1961)

**3.12.130 Violation—Penalty.**

Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine or by imprisonment for a period of not more than six months, or by both such fine and imprisonment. (Ord. 142 § 15, 1961)

## Chapter 3.16

### TRANSIENT OCCUPANCY TAX

#### Sections:

3.16.010	Title.
3.16.020	Definitions.
3.16.030	Tax imposed.
3.16.040	Operator's duties.
3.16.050	Registration.
3.16.060	Reporting and remitting.
3.16.070	Penalties and interest.
3.16.080	Failure to collect and report tax—Determination of tax by tax administrator.
3.16.090	Appeals.
3.16.100	Records.
3.16.110	Refunds.
3.16.120	Actions to collect.
3.16.130	Violations—Penalties.

#### 3.16.010 Title.

This chapter shall be known as the Uniform Transient Occupancy Tax Ordinance of the city of Dorris. (Ord. 177 § 1, 1989)

#### 3.16.020 Definitions.

Except where the context otherwise requires, the definitions given in this section govern the construction of this chapter.

"Hotel" means any structure, or any portion of any structure, which is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes, and includes any hotel, inn, tourist home or house, motel, studio hotel, bachelor hotel, lodging house, rooming house, apartment house, dormitory, public or private club, mobilehome or house trailer at a fixed location, or other

similar structure or portion thereof; and shall further include any space, lot, area, or site in any trailer court, camp, park or lot where a trailer, recreational vehicle, mobilehome, motorhome, or other similar conveyance, is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes.

"Occupancy" means the use or possession, or the right to the use or possession of any room or rooms or portion thereof, in any hotel for dwelling, lodging or sleeping purposes.

"Operator" means the person who is proprietor of the hotel, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee, or any other capacity. Where the operator performs his or her functions through a managing agent of any type or character other than an employee, the managing agent shall also be deemed an operator for the purposes of this chapter and shall have the same duties and liabilities as his or her principal. Compliance with the provisions of this chapter by either the principal or the managing agent, shall, however, be considered to be compliance by both.

"Person" means any individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit.

"Rent" means the consideration charged, whether or not received for the occupancy of space in a hotel valued in money, whether to be received in money, goods, labor or otherwise, including all receipts, cash, credits and property and services of any kind or nature, without any deduction therefrom whatsoever.

"Tax administrator" means the city clerk.

"Transient" means any person who exercises occupancy or is entitled to occupy by reason of concession, permit, right of access, license or other agreement for a period of thirty (30) consecutive calendar days or less, counting portions of calendar days as full days. Any such person so occupying space in a hotel shall be deemed to be a transient until the period of thirty (30) days has expired unless there is an agreement in writing between the operator and the occupant providing for a longer period of occupancy. In determining whether a person is a transient, uninterrupted periods of time extending both prior and subsequent to the effective date of the ordinance codified in this chapter may be considered. (Ord. 177 § 2, 1989)

### **3.16.030 Tax imposed.**

For the privilege of occupancy in any hotel, each transient is subject to and shall pay a tax in the amount of five percent of the rent charged by the operator. Such tax constitutes a debt owed by the transient to the city which is extinguished only by payment to the operator or to the city. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy space in the hotel. If for any reason the tax is not paid to the operator of the hotel, the tax administrator may require that such tax shall be paid directly to the tax administrator. (Ord. 177 § 3, 1989)

### **3.16.040 Operator's duties.**

Each operator shall collect the tax imposed by this chapter to the same extent and at the

same time as the rent is collected from every transient. The amount of tax shall be separately stated from the amount of the rent charged, and each transient shall receive a receipt for payment from the operator. No operator of a hotel shall advertise or state in the any manner, whether directly or indirectly, that the tax or any part thereof will be assumed or absorbed by the operator, or that it will not be added to the rent, or that, if added, any part will be refunded except in the manner provided in this chapter. (Ord. 177 § 4, 1989)

### **3.16.050 Registration.**

Within thirty (30) days after the effective date of the ordinance codified in this chapter, or within thirty (30) days after commencing business, whichever is later, each operator of any hotel renting occupancy to transients shall register such hotel with the tax administrator and obtain from him or her a transient occupancy registration certificate to be at all times posted in a conspicuous place on the premises. Such certificate shall, among other things, state the following:

- A. The name of the operator;
- B. The address of the hotel;
- C. The date upon which the certificate was issued;

D. "This Transient Occupancy Registration Certificate signifies that the person named on the face hereof has fulfilled the requirements of the Uniform Transient Occupancy Tax Ordinance by registering with the Tax Administrator for the purpose of collecting from transients the Transient Occupancy Tax and remitting said tax to the Tax Administrator. This certificate does not authorize any person to conduct any unlawful business or to conduct any lawful business in an unlawful manner, nor

to operate a hotel without strictly complying with all local applicable laws, including but not limited to those requiring a permit from any board, commission, department or office of this city. This certificate does not constitute a permit." (Ord. 177 § 5, 1989)

### **3.16.060 Reporting and remitting.**

A. Each operator shall, on or before the last day of the month following the close of each calendar quarter, or at the close of any shorter reporting period which may be established by the tax administrator, make a return to the tax administrator on forms provided by him or her of the total rents charged and received and the amount of tax collected for transient occupancies.

B. At the time the return is filed, the full amount of the tax collected shall be remitted to the tax administrator. The tax administrator may establish shorter reporting periods for any certificate holder if he or she deems it necessary in order to insure collection of the tax and he or she may require further information in the return. Returns and payments are due immediately upon cessation of business for any reason. All taxes collected by operators pursuant to this chapter shall be held in trust for the account of the city until payment thereof is made to the tax administrator. An extension of time, not to exceed thirty (30) days, to file a return and to pay the tax, shall be granted by the tax administrator upon receipt of a written application showing good cause. Six percent interest, per year, shall be added commencing with regular due date, minimum of one-half percent. (Ord. 177 § 6, 1989)

### **3.16.070 Penalties and interest.**

A. Original Delinquency. Any operator who fails to remit any tax imposed by this chapter within the time required shall pay a penalty of ten (10) percent of the amount of the tax in addition to the amount of the tax.

B. Continued Delinquency. Any operator who fails to remit any delinquent remittance on or before a period of thirty (30) days following the date on which the remittance first became delinquent shall pay a second delinquency penalty of ten (10) percent of the amount of the tax in addition to the amount of the tax and the ten (10) percent penalty first imposed.

C. Fraud. If the tax administrator determines that the nonpayment of any remittance due under this chapter is due to fraud, a penalty of twenty-five (25) percent of the amount of the tax shall be added thereto in addition to the penalties stated in subsections A and B of this section.

D. Interest. In addition to the penalties imposed, any operator who fails to remit any tax imposed by this chapter shall pay interest at the rate of one-half of one percent per month or fraction thereof on the amount of the tax, exclusive of penalties, from the date on which the remittance first became delinquent until paid.

E. Penalties Merged With Tax. Every penalty imposed and such interest as accrues under the provisions of this section shall become a part of the tax herein required to be paid. (Ord. 177 § 7, 1989)

### **3.16.080 Failure to collect and report tax—Determination of tax by tax administrator.**

If any operator shall fail or refuse to collect the tax and to make, within the time provided

in this chapter, any report and remittance of such tax or any portion thereof required by this chapter, the tax administrator shall proceed in such manner as he or she may deem best to obtain facts and information on which to base his or her estimate of the tax due. As soon as the tax administrator shall procure such facts and information as he or she is able to obtain upon which to base the assessment of any tax imposed by this chapter and payable by any operator who has failed or refused to collect the same and to make such report and remittance, he or she shall proceed to determine and assess against such operator the tax, interest and penalties provided for by this chapter. In case such determination is made, the tax administrator shall give a notice of the amount so assessed by serving it personally or by depositing it in the United States mail, postage prepaid, addressed to the operator so assessed at his or her last known place of address. Such operator may within ten (10) days after the serving or mailing of such notice make application in writing to the tax administrator for a hearing on the amount assessed. If application by the operator for a hearing is not made within the time prescribed, the tax, interest and penalties, if any, determined by the tax administrator shall become final and conclusive and immediately due and payable. If such application is made, the tax administrator shall give not less than five days' written notice in the manner prescribed in this section to the operator to show cause at a time and place fixed in such notice why such amount specified therein should not be fixed for such tax, interest and penalties. The amount determined to be due shall be payable after fifteen (15) days unless an appeal is taken as

provided in Section 3.16.090. (Ord. 177 § 8, 1989)

### **3.16.090 Appeals.**

Any operator aggrieved by any decision of the tax administrator with respect to the amount of such tax, interest and penalties, if any, may appeal to the council by filing a notice of appeal with the city clerk within fifteen (15) days of the serving or mailing of the determination of tax due. The council shall fix a time and place for hearing such appeal, and the city clerk shall give notice in writing to such operator at his or her last known place of address. The findings of the council shall be final and conclusive and shall be served upon the appellant in the manner prescribed in Section 3.16.080 for service of notice of hearing. Any amount found to be due shall be immediately due and payable upon the service of notice. (Ord. 177 § 9, 1989)

### **3.16.100 Records.**

It shall be the duty of every operator liable for the collection and payment to the city of any tax imposed by this chapter to keep and preserve, for a period of three years, all records as may be necessary to determine the amount of such tax as he or she may have been liable for the collection of and payment to the city, which records the tax administrator shall have the right to inspect at all reasonable times. (Ord. 177 § 10, 1989)

### **3.16.110 Refunds.**

A. Whenever the amount of any tax, interest or penalty has been overpaid or paid more than once or has been erroneously or illegally collected or received by the city under



this chapter it may be refunded as provided in subsections B or C of this section provided a claim in writing therefor, stating under penalty of perjury the specific grounds upon which the claim is founded is filed with the tax administrator within three years of the date of payment. The claim shall be on forms furnished by the tax administrator.

B. An operator may claim a refund or take as credit against taxes collected and remitted the amount overpaid, paid more than once or erroneously or illegally collected or received when it is established in a manner prescribed by the tax administrator that the person from whom the tax has been collected was not a transient; provided however that neither a refund nor a credit shall be allowed unless the amount of the tax so collected has either been refunded to the transient or credited to rent subsequently payable by the transient to the operator.

C. A transient may obtain a refund of taxes overpaid or paid more than once or erroneously or illegally collected or received by the city by filing a claim in the manner provided in subsection A of this section, but only when the tax was paid by the transient directly to the tax administrator, or when the transient having paid the tax to the operator, establishes to the satisfaction of the tax administrator that the transient has been unable to obtain a refund from the operator who collected the tax.

D. No refund shall be paid under the provisions of this section unless the claimant establishes his or her right thereto by written records showing entitlement thereto. (Ord. 177 § 11, 1989)

### **3.16.120 Actions to collect.**

Any tax required to be paid by any transient under the provisions of this chapter shall be deemed a debt owed by the transient to the city. Any such tax collected by an operator which has not been paid to the city shall be deemed a debt owed by the operator to the city. Any person owing money to the city under the provisions of this chapter shall be liable to an action brought in the name of the city for the recovery of such amount. (Ord. 177 § 12, 1989)

### **3.16.130 Violations—Penalties.**

A. Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor and shall be punishable therefor by a fine of not more than five hundred dollars (\$500.00) or by imprisonment in the county jail for a period of not more than six months or by both such fine and imprisonment.

B. Any operator or other person who fails or refuses to register as required in this chapter, or to furnish any return required to be made, or who fails or refuses to furnish a supplemental return or other data required by the tax administrator, or who renders a false or fraudulent return or claim, is guilty of a misdemeanor, and is punishable as set out in subsection A of this section. Any person required to make, render, sign or verify any report or claim who makes any false or fraudulent report or claim with intent to defeat or evade the determination of any amount due required by this chapter to be made, is guilty of a misdemeanor and is punishable as set out in subsection A of this section. (Ord. 177 § 13, 1989)

**Chapter 3.20****SPECIAL GAS TAX STREET  
IMPROVEMENT FUND****Sections:**

- 3.20.010      Created.**
- 3.20.020      Source of revenues.**
- 3.20.030      Expenditures.**

**3.20.010      Created.**

To comply with the provisions of the state Streets and Highways Code, there is created in the city treasury a special fund to be known as the special gas tax street improvement fund. (Prior code § 1600)

**3.20.020      Source of revenues.**

All moneys received by the city from the state under the provisions of the Streets and Highways Code for the acquisition of real property or interests therein, or the construction, maintenance or improvement of streets and highways, other than state highways, shall be paid into such fund. (Prior code § 1601)

**3.20.030      Expenditures.**

All moneys in the special gas tax street improvement fund shall be expended exclusively for the purposes authorized by, and subject to, all of the applicable provisions of the State Streets and Highways Code. (Prior code § 1602)

## Chapter 3.24

### CLAIMS

#### Sections:

- 3.24.010 Scope.**
- 3.24.020 Form of claim.**
- 3.24.030 Timing of claim.**
- 3.24.040 Written agreement.**
- 3.24.050 Claim prerequisite to suit.**
- 3.24.060 Suit.**
- 3.24.070 No reinstatement or revival.**
- 3.24.080 Retroactivity.**

#### **3.24.010 Scope.**

This chapter shall govern all claims against the city for money or damages not otherwise governed by the Tort Claims Act, California Government Code Section 900 et seq., or another state law (hereinafter in this chapter “claims”). (Ord. 216 § 1, 2012)

#### **3.24.020 Form of claim.**

All claims shall be made in writing and verified by the claimant or by his or her guardian, conservator, executor, or administrator. No claims may be filed on behalf of a class of persons unless verified by every member of that class as required by this chapter. In addition, all claims shall contain all of the following as required under California Government Code Section 910:

- A. The name and post office address of the claimant.
- B. The post office address to which the person presenting the claim desires the notices to be sent.
- C. The date, place, and other circumstances of the occurrence or transaction which gave rise to the claim asserted.

D. A general description of the indebtedness, obligation, injury, damage, or loss incurred so far as it may be known at the time of presentation of the claim.

E. The name or names of the public employee or employees causing the injury, damage, or loss, if known.

F. The amount claimed if it totals less than ten thousand dollars (\$10,000) as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or other loss, insofar as it may be known at the time of presentation of the claim, together with the basis of computation of the amount claimed. If the amount exceeds ten thousand dollars (\$10,000), no dollar amount shall be included in the claim. However, it shall indicate whether the claim would be a limited civil case. (Ord. 216 § 2, 2012)

#### **3.24.030 Timing of claim.**

All claims for money damages shall be brought according to the following requirements:

A. Claims for personal or property injury shall be brought not later than six months after the accrual of the cause of action.

B. All other types of claims shall be brought not later than one year after the accrual of the cause of action. (Ord. 216 § 3, 2012)

#### **3.24.040 Written agreement.**

Pursuant to Chapter 5 (commencing with Section 930) of Part 3 of Division 3.6 of Title 1 of the Government Code, written agreements entered into by or on behalf of the city may provide that all claims arising out of or related to the agreement must be presented not later than one year after the accrual of the cause of action. Such claims shall be governed by this chapter. (Ord. 216 § 4, 2012)

**3.24.050 Claim prerequisite to suit.**

In accordance with California Government Code Sections 935(b) and 945.6, all claims shall be presented as provided in this chapter and acted upon by the city council prior to filing of any action on such claims and no such action may be maintained by a person who has not complied with the requirements of this chapter. (Ord. 216 § 5, 2012)

**3.24.060 Suit.**

Any action brought against the city/county/district upon any claim or demand shall conform to the requirements of Sections 940 through 949 of the California Government Code. Any action brought against any employee of the city shall conform with the requirements of Sections 950 and 951 of the California Government Code. (Ord. 216 § 6, 2012)

**3.24.070 No reinstatement or revival.**

Nothing in this section revives or reinstates any cause of action which, on the effective date of the ordinance codified in this section, is barred by either (A) failure to comply with an applicable statute, regulation or ordinance requiring the presentation of a claim; or (B) failure to commence an action thereon within the period prescribed by an applicable statute of limitations. (Ord. 216 § 7, 2012)

**3.24.080 Retroactivity.**

Subject to Section 3.24.070, where a cause of action accrued prior to the effective date of the ordinance codified in this section, the provisions of this section shall apply retroactively to such cause of action, and to any claim heretofore or hereafter presented relating to such cause of action. (Ord. 216 § 8, 2012)

**Title 4**  
**(Reserved)**

**Title 5**

**BUSINESS LICENSES AND REGULATIONS**

**Chapters:**

- 5.04 Business Licenses Generally**
- 5.08 CATV Franchises**

**Chapter 5.04****BUSINESS LICENSES GENERALLY****Sections:**

<b>5.04.010</b>	<b>Purpose.</b>
<b>5.04.020</b>	<b>Definitions.</b>
<b>5.04.030</b>	<b>License required.</b>
<b>5.04.040</b>	<b>Separate license for each place of business.</b>
<b>5.04.050</b>	<b>Exemptions.</b>
<b>5.04.060</b>	<b>License—Application and issuance.</b>
<b>5.04.070</b>	<b>Duty of the chief of police to make inquiry.</b>
<b>5.04.080</b>	<b>Unlawful business.</b>
<b>5.04.090</b>	<b>License nontransferable.</b>
<b>5.04.100</b>	<b>Clerk's ledger for licenses.</b>
<b>5.04.110</b>	<b>Exhibition of license required.</b>
<b>5.04.120</b>	<b>License fees—Payment.</b>
<b>5.04.130</b>	<b>License fees for certain businesses designated.</b>
<b>5.04.140</b>	<b>License fees for persons without fixed place of business.</b>
<b>5.04.150</b>	<b>License fees for businesses or occupations not specifically enumerated in Section 5.04.130.</b>
<b>5.04.160</b>	<b>License fees for persons located outside of the city.</b>
<b>5.04.170</b>	<b>Investigative procedures.</b>
<b>5.04.180</b>	<b>Failure to file—Determination of amount due—Hearing.</b>
<b>5.04.190</b>	<b>Civil obligation.</b>
<b>5.04.200</b>	<b>Conviction—Effect on debt.</b>

<b>5.04.210</b>	<b>Collection of delinquent accounts.</b>
<b>5.04.220</b>	<b>Report of license collector.</b>
<b>5.04.230</b>	<b>Duty of officers to enforce.</b>
<b>5.04.240</b>	<b>Each day separate violation.</b>
<b>5.04.250</b>	<b>Violation—Penalty.</b>

**5.04.010 Purpose.**

This chapter is enacted for both regulatory and revenue purposes pursuant to the applicable laws of the state of California and all other applicable laws. It requires the registration and licensing of all business not expressly excluded therefrom, and the payment of license fees by all businesses not specifically exempted therefrom. (Ord. 155 Ch. 1, § 1, 1967)

**5.04.020 Definitions.**

Unless it is apparent from the context that another meaning is intended, the following words, when used in this chapter, shall have the meaning attached to them by the following:

“Advertising vehicle” means the business of operating upon the streets, any wheeled vehicle equipped with music or a musical device, loudspeaker or other device for attracting attention, or who operates upon the streets any wheeled vehicle for advertising purposes, and to which wheeled vehicle there are attached signs, placards, billboards, or other advertising matter.

“Business” means professions, trades, lessors and occupations and all and every kind of calling carried on for profits or livelihood where the gross income is one hundred fifty dollars (\$150.00) per quarter or more.

"Business by vehicle" means the business of running, driving or operating any automobile, automobile truck, automobile tank wagon or any vehicle used for transportation, selling, collection or delivery of goods, wares, merchandise or other personal property of any kind from a vehicle, either as his or her or its principal business, or in connection with any other business, or of soliciting for work, labor or services to be performed upon the public streets in or from a vehicle, or to be performed on goods, wares, or other personal property to be taken for such purpose to a plant or establishment inside or outside of the city limits. The term shall not be deemed to apply to the delivery of goods, wares or merchandise purchased by retail merchants in the city of Dorris at wholesale prices and delivered to such merchants in the city for resale by them for use or consumption by the public off the premises, nor to persons, firms or corporations operating such vehicles together and in conjunction with a fixed place of business within the city of Dorris for which such business a license fee is paid under other provisions of this chapter. The provisions of this chapter are not to be construed as imposing a tax upon vehicles, but as a method of classification of businesses and distribution between those maintaining a fixed place of business in the conduct of which vehicles are used and those maintaining a business in which vehicles are used but who do not have a fixed place of business in the city.

"City" means the city of Dorris.

"Engaged in business" means conducting, managing or carrying on of any profession, trade, calling, occupation or commercial enterprise in the city for which a license is required under the provisions of this chapter as

owner, officer, agent, manager, employee, servant or lessee of any of them.

"Fortuneteller" means a person who practices or professes to practice, the business or art of astrology, palmistry, phrenology, card reading, fortunetelling, cartomancy, clairvoyance, crystal gazing, hypnotism, mediumship, prophecy, augury, divination, magic or necromancy, or who receives a gift or fee for such practice, or where admission is charged.

"Itinerant vendor" means any person who engages in a temporary or transient business in the city, selling goods, wares, merchandise or any other thing of value, with the intention of conducting such business in the city for a period of not more than ninety (90) days, and who, for the purpose of carrying on such business, hires, leases or occupies any room, doorway, vacant lot, building or other place for the exhibition or sale of goods, wares, merchandise or other thing of value. If the place in which a business is rented or leased for a period of ninety (90) days or less, such fact shall be presumptive evidence that the business carried on therein is a transient business. A person or firm shall not be relieved from the provisions of this section by reason of associating temporarily with any local dealer, trader, merchant or auctioneer or conducting such temporary business in connection with, or as a part of, or in the name of any local dealer, trader, merchant or auctioneer. The provisions of this section shall not apply to commercial travelers or selling agents, selling their goods to dealers, whether selling for present or future delivery, by sample or otherwise, nor to persons selling fruits, vegetables, eggs, butter or other farm or ranch products of their own production.



"Licensee" means any person to whom a license has been issued under this chapter.

"Medicine show" means the business of dealing in medicines other than as conducted by a regular established drugstore, or peddling the same, or treating diseases of the human body, or calling attention to wares or methods or treatment or advertising the same by use of music, entertainment, speech, or other device.

"Peddler" means any person who goes from house to house, place to place, or in or along the streets, within the city selling and making immediate delivery, or offering for sale and immediate delivery, any goods, wares, merchandise or anything of value, in possession of the peddler to persons other than manufacturers, wholesalers, jobbers or retailers in such commodities.

"Person" means all domestic and foreign corporations, associations, syndicates, joint stock corporations, partnerships of every kind, corporations, Massachusetts business or common law trusts, societies and individuals engaged in any business, as defined in this section, in the city.

"Solicitor" means any person who engages in the business of going from house to house, place to place, or in or along the streets, within the city, selling or taking orders for goods, wares, merchandise, or other things of value for future delivery, or for services to be performed in the future.

"Streets" means and includes all streets, avenues, highways, alleys, courts, lanes, places, squares, curbing, sidewalks or other public ways in this city which have been, or may hereafter be dedicated as such, or which though not dedicated, are open to public use.

"Within the city" means within the corporate limits of the city as they now exist, or

may hereafter be made to exist, by subsequent exclusion or addition. (Ord. 155 Ch. 2, 1967)

#### **5.04.030 License required.**

It is unlawful for any person to be engaged in business in the city without having an unrevoked license from the city so to do, valid and in effect at the time, and in compliance with any and all regulations of such business contained in this chapter, unless such person is exempt under the provisions of this chapter. No person who is an employee or who is the direct representative of a licensee shall be required to pay a license fee for the doing of any part of the work of such licensee. (Ord. 155 Ch. 2(a), § 1, 1967)

#### **5.04.040 Separate license for each place of business.**

Separate licenses must be obtained for each branch, establishment or separate place of business in which the business is carried on. (Ord. 155 Ch. 2(a), § 3, 1967)

#### **5.04.050 Exemptions.**

A. Nonprofit Organizations. The provisions of this chapter shall not be deemed or construed to require the payment of a license to conduct, manage or carry on any business, or require the payment of any license fee from any institution or organization which is conducted, managed or carried on wholly for the benefit of charitable purposes and from which profit is not derived, either directly or indirectly by any individual, firm or corporation; nor shall any license be required for the conducting of any entertainment, dance, concert, exhibition or lecture on scientific, historical, literary, reli-

gious or moral subjects whenever the receipts from the same are to be appropriated to any church or school, or to any religious or benevolent purpose within the city, nor shall any license be required for the conducting of any entertainment, dance, concert, exhibition or lecture, whenever the receipts from the same are to be appropriated for the purpose and objects for which such association or organization was formed, and from which profit is not derived, either directly or indirectly, by any individual, firm or corporation. Nothing in this chapter contained shall be deemed to exempt any such institutions from complying with the provisions of this chapter requiring such institution or organization to obtain a permit from the city council or proper officer to conduct, manage or carry on any business.

B. Interstate Commerce. Every person claiming to be entitled to exemption from payment of any license fee provided for in this chapter upon the grounds that the imposition of such fees casts an unlawful burden upon his or her right to engage in commerce with foreign nations or among the several states or conflicts with the regulation of interstate commerce by the United States, shall file a verified statement with the officer or employee of the city having charge of the collection of licenses, disclosing the interstate or other character of his or her business entitling such exemption. Such statement shall state the name and location of the person for which the orders are to be solicited or secured, the name of the nearest local or state manager, if any, and his or her address, the kind of goods, wares, merchandise, or services to be delivered to performed, the place from which the same are to be shipped or forwarded or the services performed, the method of solicitation or taking orders, the location of

any warehouse, factory or plant within the state of California, the method of delivery, the name and location of the residence of the applicant and any other facts necessary to establish such claim of exemption. A copy of the orderblank, contract, form, or other papers used by such persons in taking orders shall be attached to the affidavit. If it appears that the applicant is entitled to such exemption, such applicant shall be issued a free license.

C. Disabled Veterans. Disabled war veterans shall be entitled to receive a free license for peddling or soliciting, provided that such persons first exhibit to the chief of police evidence of such character as shall satisfy the collector that the veteran applying therefor has received an honorable discharge from the United States service, and of service-connected disability. Applicants for free licenses under this section shall be required to comply with all other provisions of this chapter pertaining to the licensing of peddlers or solicitors.

D. Farmers and Poultrymen. The provisions of this chapter shall not be construed as requiring farmers, poultrymen or horticulturists residing and doing business in Siskiyou County to procure a license hereunder for the privilege of selling exclusively their own products. This exemption shall not apply to nurseries or other commercial establishments who buy goods for resale as well as selling their own produce.

E. Council Discretion. In all cases of doubt as to any applicant being entitled to an exemption from any license tax, or from the application of any of the provisions of this chapter, the burden of establishing the right of such exemption shall be upon the applicant. All applications for exemption in such cases shall be referred to the city council, which shall

consider and act upon the same and grant or refuse such exemption as in the use of its discretion it shall deem just. In the event the city council refuses an exemption, the applicant therefor shall be entitled to a hearing before the council upon request therefor, at which time the council shall review the matter. (Ord. 155 Ch. 2(b), §§ 1—5, 1967)

**5.04.060 License—Application and issuance.**

A. Every person required to have a license under the provisions of this chapter shall make application for the same to the city clerk, and upon payment of the prescribed tax, the city clerk shall issue to such person a license which shall contain: (1) the name of the person to whom the license is issued; (2) the business licensed; (3) the place where such business is to transacted and carried on; (4) the date of the expiration of such license; and (5) such other information as may be necessary for the enforcement of the provisions of this chapter.

B. The city clerk must affix his or her official seal to, number and sign all licenses. (Ord. 155 Ch. 2(a), § 6, 1967)

**5.04.070 Duty of the chief of police to make inquiry.**

It shall be the duty of the chief of police and all police officers of the city to make diligent inquiry as to all persons in this city liable to pay a license as provided in this chapter. (Ord. 155 Ch. 2(a), § 10, 1967)

**5.04.080 Unlawful business.**

The issuance of a license under this chapter shall not entitle the licensee to engage in any business which for any reason is in

violation of any law or chapter. (Ord. 155 Ch. 2(a), § 4, 1967)

**5.04.090 License nontransferable.**

No license hereunder shall be transferred or assigned, nor shall such license be construed as authorizing any person other than the licensee, to engage in the licensed business. (Ord. 155 Ch. 2(a), § 5, 1967)

**5.04.100 Clerk's ledger for licenses.**

The city clerk shall keep in his or her office a ledger in which he or she shall keep the account of all matters pertaining to the licenses mentioned in this chapter. (Ord. 155 Ch. 2(a), § 8, 1967)

**5.04.110 Exhibition of license required.**

Every person having a license under the provisions of this chapter for engaging in business at a fixed place of business, shall keep such license posted for exhibition while in force in some conspicuous place in his or her place of business. Every person having such a license, and not having a fixed place of business, shall carry such a license with him or her at all times while carrying on the business for which the same was granted. Every person having a license shall produce and exhibit the same, when applying for a renewal thereof, and whenever requested to do so by any police officer or any person authorized to issue or inspect licenses or collect license fees. (Ord. 155 Ch. 2(a), § 13, 1967)

**5.04.120 License fees—Payment.**

**License Fees—When Due.** The annual license fees in this chapter provided shall be due and payable to the city on the first day of July of each year, and delinquent thirty (30) days thereafter. The quarterly license fees in this chapter provided shall be due and payable to the city on the first days of January, April, July and October of each year, and delinquent thirty (30) days thereafter.

**B. License Fees—Prorating and Temporary.** In all cases, the license fee shall be prorated as of the first day of the month in which the profession, trade, calling, occupation or business within the city for a period less than three months of any calendar year shall, in those instances in which a license fee in excess of a quarterly fee has been paid in accordance with the provisions of this chapter may, at the discretion of the city clerk, be entitled to a refund of that portion of the fee in excess of a quarterly fee. A request for such refund shall be submitted to the city clerk in writing, setting forth the pertinent facts and shall be verified by the claimant.

**C. Monthly and Daily Licenses.** The monthly licenses in this chapter provided shall be due and payable to the city on the first day of each month, and delinquent five days hereafter. Likewise, daily licenses shall be due and payable to the city each day in advance. (Ord. 155 Ch. 2(b), §§ 7 – 9, 1967)

**D.** All fees listed herein, pro-ratio, due dates, and categories of businesses, profession, or callings, may be changed by resolution of the city council. Fees set by resolution may include late charges, penalties for bad check payments, and additional fees, charges, or penalties if an account is sent to another agency for collection. (Ord 155, Ch. 2(b), § 10, 2001)

**5.04.130 License fees for certain businesses designated.**

**A.** The amount of license fees to be paid to the city by any person engaged in or carrying on any profession, trade, calling, occupation or business designated in this section are fixed and established as hereinafter designated and as herein provided. Such license fees shall be paid by every person engaged in carrying on or maintaining any such profession, trade, calling, occupation or retail or wholesale business in the city.

**B.** As used in this section and parts thereof, the term “employee” means all persons engaged in the operation or conduct of any business, whether as owner, any member or the owner’s family, partner, agent, manager, solicitor, and any and all other persons employed or working in such business.

**C.** As used in this section and parts thereof, in determining the number of employees for the purpose of fixing the license tax due under this chapter, the employer shall take the number of employees earning wages during pay periods ending the nearest fifteenth day of each month as shown by Form DE3 of the State of California, Department of Employment, or other form which may hereafter be adopted for reporting payments due under the unemployment insurance Act for each month on the previous calendar year, adding the same and dividing by twelve (12); if the employer has been in business less than one year, he may use the average number of employees as shown by such form for the last quarter; if the employer has not previously engaged in business, he may estimate the average number of employees who will be employed by him during the remainder of the calendar year

D. The license fees for the enumerated businesses, professions, callings, etc., shall be set by resolution per 5.04.120.D:

1. Retail and Wholesale Sales and Miscellaneous. For every person carrying on specifically licensed by other subdivisions of this section or of this code.

2. Manufacturers and Processors. For each person carrying on a business consisting mainly of manufacturing, packing, processing, canning or fabricating any goods, wares, merchandise or produce.

3. Business and Professions Enumerated. For conducting, managing, carrying on or engaging in any business, profession or occupation enumerated in this subdivision, and having a fixed place of business in the city.

Accountant  
Advertising agent  
Appraiser  
Architect  
Artist  
Assayer  
Attorney and counselor at law  
Auditor  
Bacteriologist  
Bail bond broker  
Blueprinter  
Resident book agent  
Broker or commission agent  
Chemist  
Certified public accountant  
Chiropodist  
Chiropractor  
Civil, electrical, mining, chemical, structural, consulting or hydraulic engineer  
Collection agency and/or credit reporting bureau  
Dentist  
Designer, illustrator or decorator  
Detective agency  
Draftsman  
Drugless practitioner  
Electrologist  
Engineer  
Engraver

a business consisting of selling at retail or wholesale any goods, wares, and merchandise or commodities, or in conducting, maintaining or carrying on any trade, occupation, calling or business, not otherwise

Entomologist  
Feed, grain and fruit broker  
Geologist  
Illustrator or show card writer  
Insurance or claims adjuster  
Interpreter  
Lapidary  
Lithographer  
Masseuse  
Mercantile agency  
Midwife  
Money lender or broker  
Mortician  
Naturopath  
Occulist  
Optician  
Optometrist  
Osteopath  
Photographer  
Physician or surgeon  
Physiotherapist  
Piano tuner  
Public stenographer  
Real estate broker  
Roentgenologist  
Sign painter  
Surgeon or physician  
Surveyor  
Taxidermist  
Termite inspector  
Title abstractors and/or insurance company  
Upholsterer  
Veterinarian

4. Advertising by Special Methods. Advertising by methods set forth in this subdivision shall require payment of a license fee:

- a. Advertising by vehicle;
- b. Billboards or other similar outdoor advertising structures.

c. Bill posting or sniping: Advertising by posting, pasting, staking, tacking, affixing or placing colored paper or cardboard bills, cards or posters or tin signs against or upon fences, posts, trees, buildings or other structures or surfaces other than advertising surfaces with the written consent of the owner of the property upon which such bill posting is done, provided that this section shall not be held to apply to signs or notices issued by any county or public officer or posted by a public officer in performance of a legal duty or by a private person in giving a legal notice.

5. Amusements. For conducting amusements and places of amusement as enumerated in this subdivision:

- a. Billiard rooms and pool halls;
- b. Bowling alleys;
- c. Carnivals or exhibitions of a similar Nature;
- d. Circus or menageries making an admission charge;
- e. Dance halls or dance operators;
- f. Theater exhibitions on a limited basis;
- g. Theaters and motion picture theaters: For conducting, managing or carrying on a motion picture theater, or any other type of theater;
- h. Shooting galleries;
- i. Skating rinks;
- j. Wrestling or boxing exhibitions.

6. Barbershops and Beauty Shops. Every person operating a barber shop or beauty shop.

7. Contractors (Builders, Electricians, Plumbers, etc.). For every person who is engaged in the business of general contractor or builder, including subcontractors.

8. Cosmetology or hairdressing schools where instruction is given in the use of cosmetics and/or art of hairdressing.

9. Hospitals (charitable organizations operated on a nonprofit basis are exempt).

10. Hotels, Motels, Apartment Houses, Rooming Houses and Trailer Camps. Every

person engaged in the business of conducting or operating any hotel or motel or rooming house, boarding house, apartment house, lodging house, house court or bungalow court or trailer camp or engaged in the business of renting or letting rooms, apartments, trailer spaces or other accommodations for dwelling, sleeping, housekeeping, or lodging, having four or more units or rooms:

11. Junk dealers or dealers in rags, bones, bottles, sacks, cans, papers, scrap iron or metal.

12. Medicine shows. The sale of merchandise or advertisement by traveling merchants, hawkers, vendors, or peddlers, street fakirs, or the advertising of goods, wares or merchandise of any description by the aid of music, singing, dancing, jugglery, tricks, sleight-of-hand, buffoonery or gymnastics, or by the aid of spectacular displays, shows, or performances, or speeches, declarations, or oratory or any performances on the street or at any public place in the city calculated to draw a crowd about the person selling or advertising as aforesaid.

13. Pawnbrokers.

14. Peddlers at retail of fruits, vegetables, butter, eggs, meat, poultry, or any other agricultural products.

15. Refreshment stands. . (Ord. 155 Ch.2(c), 1967)

16. Renters of Real Property. Every person owning, operating, leasing, or otherwise in the business of renting real property of a residential and/or commercial nature which real property includes a total of three or more rentals shall pay a business license fee of thirty dollars (\$30.00) per year. This provision shall not apply to a licensed real estate broker who is not the owner of the rental units and who holds a Dorris business license as a real estate broker. (Ord 155 Ch. 2(c) § 1.p., 2001)

17. Selling By Skill Games. Selling or disposing of goods, wares or merchandise of any kind or description whatsoever by means of any device of skill or by games, involving skill.

18. Shoeshine stands.

19. Solicitors. All solicitors, including book agents, for the sale of books, maps, or pictures, and itinerant photographers.

20. Taxicabs. Taxicab owners shall pay an annual license fee. Taxicab drivers or operators shall an annual license fee.

21. Telephone Companies and Other Public Utilities Directly Serving Customers Within the City. Telephone companies and other public utilities directly serving customers within the city, unless the public utility concerned pays franchise or other tax to the city, in which case no business license tax shall apply. (Ord. 155 Ch.2(c), 1967)

**5.04.140 License fees for persons without fixed place of business.**

Except as may be otherwise provided for in this chapter and in this code, persons not having a fixed place of business within the city and regularly doing business within the city shall pay a license tax in accordance with Section 5.04.130 according to the person's occupation or business, as though such person actually had a fixed business within the city. (Ord. 155 Ch. 2(d) § 1, 1967)

**5.04.150 License fees for businesses or occupations not specifically enumerated in Section 5.04.130**

Any person conducting a business or following an occupation within the city of a type or kind not specifically enumerated in Section 5.04.130, and by law subject to licensing by the city, whether same is conducted on a commission basis or otherwise, shall pay a license fee in accordance with the

schedule set forth in Section 5.04.130(D)(1). (Ord. 155 Ch. 2(d), § 2, 1967)

**5.04.160 License fees for persons located outside of the city**

Every person whose business is located outside of the city limits but nevertheless is engaged in or carrying on any profession; trade, calling, occupation or business within the city, shall pay a license tax based upon the schedule of fees set forth in Section 5.04.130. (Ord. 155 Ch. 2 (d), § 3, 1967)

**5.04.170 Investigative procedures.**

A. No statement pertaining to any business or occupation shall be conclusive as to the matters set forth therein, nor shall the filing of the same preclude the city from collecting by appropriate action such sum as is actually due and payable under this chapter. Such statement and each of the several items therein contained shall be subject to audit and verification by the city clerk, his or her deputies, or authorized employees of the city, who are authorized to examine, audit and inspect such books and records of any license or applicant for license, as may be necessary in their judgment to verify or ascertain the amount of license fee due.

B. All licenses, applicants for licenses, and persons engaged in business in the city are required to permit an examination of such books and records for the purposes aforesaid.

C. The information furnished or secured pursuant to this section or Sections 5.04.050 and 5.04.060 shall be confidential. Any unwarranted disclosure or use of such information by any officer or employee of the city shall constitute a misdemeanor and such officer or employee shall be subject to the penalty provisions of this chapter. (Ord. 155 Ch. 2(d), § 4(a), 1967)

**5.04.180 Failure to file—  
Determination of amount  
due—Hearing.**

A. If any person fails to file any required statement within the time prescribed or if after demand therefor made by the city clerk such person fails to file a corrected statement, the city clerk may determine the amount of license tax due from such person by means of

such information as he or she may be able to obtain.

B. In case such a determination is made, the city clerk shall give notice of the amount so assessed by serving it personally or by depositing it in the United States Post Office at Dorris, California, postage prepaid, addressed to the person so assessed at his or her last known address. Such person may, within thirty (30) days after the mailing or serving of such notice, make application in writing to the city clerk for a hearing before the city council on the amount of the license tax. If such application is made, the city clerk must cause the matter to be set for hearing within fifteen (15) days. (Ord. 155 Ch. 2(d), § 4(b), 1967)

**5.04.190 Civil obligation.**

The amount of any license fee imposed under this chapter shall constitute a debt to the city and any person engaging in business in the city without having a license from the city so to do, shall be subject to an action in the name of the city in any court of competent jurisdiction for the collection of the amount of the license fee imposed by this chapter. (Ord. 155 Ch. 2(a), § 11, 1967)

**5.04.200 Conviction—Effect on debt.**

The conviction and punishment of any person having engaged in business without a license shall not excuse or exempt such person from the payment of any license fee due or unpaid at the time of conviction and nothing in this chapter shall prevent criminal prosecution for any violation of any provisions of this chapter. (Ord. 155 Ch. 2(a), § 12, 1967)



**5.04.210 Collection of delinquent accounts.**

Whenever a business license holder or prospective application fails to make the payment required by the provisions of this chapter, the city clerk shall take steps to collect such delinquent accounts by means of letters written to the license holder or prospective applicant. If collection is not effected by means of letters, the city clerk shall make a written report of such delinquency local accounts to the chief of police. The chief of police shall make every effort to collect such delinquent accounts by telephone and personal contact. Upon failure of such efforts to effect collection, the list of delinquent accounts shall be reported by the city clerk to the city attorney for such legal action as may be necessary, including the employment of police officers as hereinafter provided for in Section 5.04.220. (Ord. 155 Ch. 2(a), § 7, 1967)

**5.04.220 Report of license collector.**

Each month the chief of police shall render a report of the results of his or her efforts to collect the delinquent accounts as provided for in Section 5.04.210 of this chapter. The report shall be made to the city clerk on forms provided by the city clerk and shall be accompanied by all license monies collected by the chief of police. (Ord. 155 Ch. 2(a), § 9, 1967)

**5.04.230 Duty of officers to enforce.**

It is made the duty of the chief of police or of any other lawfully authorized police officer or other lawfully authorized officer or employee of the city, to enforce the

provisions of this chapter. (Ord. 155 Ch. 2(b), § 6, 1967)

**5.04.240 Each day separate violation.**

The engaging in business without first having procured a license from the city to do so, or without complying with any and all regulations of such business as contained in this chapter, shall be deemed a separate violation of this chapter for each and every day that such business is carried on. (Ord. 155 Ch. 2, § 2, 1967)

**5.04.250 Violation—Penalty.**

A. Arrests for Violations, Collection of License Fees.

1. The chief of police and all police officers of the city shall have and exercise the power to make arrests for the violation of any of the provisions of this chapter and to enter upon business premises, free of charge, at any time a license is required by this chapter and demand the exhibition of such license for the current term by any person engaged or employed in the transaction of such businesses; and if such person shall then and there fail to exhibit such license, such person shall be liable to the penalties provided in this section for as a violation thereof.

2. Criminal Penalty. Any persons violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and shall be punished upon conviction by a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) or by imprisonment in the county jail for not more than six months or by both such fine and imprisonment.

B. Civil Penalties. If any such annual or quarterly or monthly or daily licenses shall

remain unpaid at the end of the calendar month in which it becomes due and payable, a penalty of five percent per month shall be added to the same for each month that it remains unpaid, not exceeding in the aggregate a total penalty of fifty (50) percent of the amount of the license fee. Any such penalty so imposed shall be collected by the person in charge of the collection of the license to which the penalty is added. (Ord. 155 Ch. 2(e), §§ 2, 3, 1967)

## Chapter 5.08

### CATV FRANCHISES

#### Sections:

- 5.08.010 Franchise to operate.**
  - 5.08.020 Uses permitted by grantee.**
  - 5.08.030 Duration of franchise.**
  - 5.08.040 Franchise payments.**
  - 5.08.050 Limitations of franchise.**
  - 5.08.060 Rights reserved to the city.**
  - 5.08.070 Permits, installation and service.**
  - 5.08.080 Location of property of grantee.**
  - 5.08.090 Removal and abandonment of property of grantee.**
  - 5.08.100 Faithful performance bond.**
  - 5.08.110 Indemnification of city.**
  - 5.08.120 Inspection of property and records.**
  - 5.08.130 Operational standards.**
  - 5.08.140 Grantee to maintain office.**
  - 5.08.150 Refusal of service prohibited.**
  - 5.08.160 Application for franchise.**
  - 5.08.170 Franchise renewal.**
  - 5.08.180 Acceptance and effective date of franchise.**
  - 5.08.190 Violations.**
- 5.08.010 Franchise to operate.**

An exclusive or nonexclusive franchise to construct, operate and maintain a community antenna television system (hereinafter CATV) within all or any portion of the city may be granted by the city to any person, firm or corporation, whether operating under an

existing franchise or not, who or which offers to furnish and provide such system under and pursuant to the terms and provisions of this chapter. (Ord. 167 § 1, 1980)

#### **5.08.020 Uses permitted by grantee.**

A. Any franchise granted pursuant to the provisions of this chapter shall authorize and permit the grantee to engage in the business of operating and providing a CATV system in the city, and for that purpose to erect, install, construct, repair, replace, reconstruct, maintain and retain in, on, over, under, upon, across, and along any public street, such poles, wires, cable, conductors, ducts, conduit, manholes, amplifiers, appliances, attachments, and other property as may be necessary and appurtenant to the CATV system: or corporations, including but not limited to any public utility or other grantee franchised or permitted to do business in the city.

B. The grantee may make a charge to subscribers for installation or connection to its CATV system and fixed monthly charge as filed and approved as provided in this chapter. No increase in the rates and charges to subscribers as set forth in the schedule filed and approved with grantee's application may be made without the prior approval of the city expressed by resolution. (Ord. 167 § 2, 1980)

#### **5.08.030 Duration of franchise.**

A. No franchise granted by the city under this chapter shall be for a term longer than fifteen (15) years following the date of acceptance of such franchise by the grantee or the renewal thereof.

B. Any such franchise granted under this chapter may be terminated prior to its date of expiration by the city in the event that the city

shall have found, after thirty (30) days' notice of and proposed termination and public hearing that:

1. The grantee has failed to comply with the provisions of this chapter, or has, by act or omission, violated any term or condition of any franchise or permit issued hereunder; or
2. Any provision of this chapter has become invalid or unenforceable and the city further finds that such provision constitutes a consideration material to the grant of the franchise; or
3. The city acquires the CATV system property of the grantee. (Ord. 167 § 3, 1980)

#### **5.08.040 Franchise payments.**

A. Any grantee granted a franchise under this chapter may be required to pay to the city, during the life of such franchise, a sum equal to zero percent of the gross annual receipts of the grantee for the first two years' operation, and then negotiable thereafter. Such payment by the grantee to the city shall be made annually, or as otherwise provided in the grantee's franchise, by delivery of the same to the city clerk. "Gross receipts" shall not include installation fees.

B. The grantee shall file with the city, within thirty (30) days after the expiration of any calendar year or portion thereof during which such franchise is in force, a financial statement prepared by a certified public accountant, or person otherwise satisfactory to the city, showing in detail the gross annual receipts, as defined in this chapter, of grantee during the preceding calendar year or portion thereof. It shall be the duty of the grantee to pay to the city, within fifteen (15) days after the time for filing such statements, the sum hereinabove prescribed or any unpaid balance

thereof for the calendar year or portion thereof covered by such statements.

C. The city shall have the right to inspect the grantee's records showing the gross receipts from which its franchise payments are computed and the right of audit and recomputation of any and all amounts paid under this chapter. No acceptance of any payment shall be construed as a release or as an accord and satisfaction of any claim the city may have for further or additional sums payable under this chapter or for the performance of any other obligation under this chapter.

D. In the event of any holding over after expiration of other termination of any franchise granted under this chapter, without the consent of the city, the grantee shall pay to the city reasonable compensation and damages, of not less than one hundred (100) percent of its total gross profits during such period. (Ord. 167 § 4, 1980)

#### **5.08.050 Limitations of franchise.**

A. Any privilege claimed under any such franchise by the grantee in any street or other public property shall be subordinate to any prior lawful occupancy of the streets or other public property.

B. Any such franchise shall be a privilege to be held in personal trust by the original grantee. It cannot in any event be sold, transferred, leased, assigned or disposed of, in whole or in part, either by forced or involuntary sale, or by voluntary sale, merger, consolidation or otherwise, without the prior consent of the city expressed by resolution, and then only under such conditions as may therein be prescribed. Any such transfer of assignment shall be made only by an instrument in writing,

a duly executed copy of which shall be filed in the office of the city clerk within thirty (30) days after such transfer of assignment. The consent of the city may not be arbitrarily refused; provided, however, the proposed assignee must show financial responsibility and must agree to comply with the provisions of this chapter; and provided, further, that no such consent shall be required for a transfer in trust, mortgage, or other hypothecation as a whole, to secure an indebtedness.

C. Time shall be of the essence of any franchise granted hereunder. The grantee shall not be relieved of the grantee's obligation to comply promptly with and of the provisions of this chapter or by any failure of the city to enforce prompt compliance.

D. Any right or power in, or duty impressed upon, any officer, employee, department or council of the city shall be subject to transfer by the city to any other officer, employee, department or council of the city.

E. The grantee shall have no recourse whatsoever against the city for any loss, cost, expense or damage arising out of any provision or requirement of this chapter or of any franchise issued under this chapter or because of its enforcement.

F. The grantee shall be subject to all requirements of city ordinances, rules, regulations and specifications heretofore or hereafter enacted or established.

G. Any such franchise granted shall not relieve the grantee of any obligation involved in obtaining pole space from any department of the city utility company, or from others maintaining poles in streets.

H. Grantee is to avoid monopolistic practices and unfair competition and is not to

solicit television sales or service as part of hookup contract with the subscriber. (Ord. 167 § 5, 1980)

#### **5.08.060 Rights reserved to the city.**

There is reserved to the city the power to amend any section or part of this chapter so as to require additional or greater standards of construction, operation, maintenance, or otherwise, on the part of the grantee. (Ord. 167 § 6, 1980)

#### **5.08.070 Permits, installation and service.**

A. Within thirty (30) days after acceptance of any franchise, the grantee shall proceed with due diligence to obtain all necessary permits and authorizations which are required in the conduct of its business, including, but not limited to, any utility joint use attachment agreements, microwave carrier licenses, and any other permits, licenses and authorizations to be granted by duly constituted regulatory agencies having jurisdiction over the operation of CATV systems, or their associated microwave transmission facilities.

B. Within ninety (90) days after obtaining all necessary permits, licenses and authorizations, grantee shall commence construction and installation of the CATV system.

C. Within ninety (90) days after the commencement of construction and installation of the system, grantee shall proceed to render service to subscribers, and the completion of the construction and installation shall be pursued with reasonable diligence thereafter, so that service shall be provided within one year from the date of the granting of a franchise.

D. Failure on the part of the grantee to commence and diligently pursue each of the foregoing requirements and to complete each of the matters set forth in this chapter, shall be grounds for termination of such franchise, under and pursuant to the terms of Section 5.08.030; provided, however, that the council in its discretion may extend the time for the commencement and completion of construction and installation for additional periods in the event the grantee, acting in good faith, experiences delays by reason of circumstances beyond the grantee's control. (Ord. 167 § 7, 1980)

**5.08.080      Location of property of grantee.**

A. Any poles, wires, cable lines, conduits or other properties of the grantee to be constructed or installed in streets, shall be so constructed or installed only at such locations and in such manner as shall be approved by the director of public works acting in the exercise of his or her reasonable discretion.

B. In those areas and portions of the city where the transmission of distribution facilities of both the public utility providing telephone service and those of the utility providing electric service are underground or hereafter may be placed underground, then the grantee shall likewise construct, operate and maintain all of its transmission and distribution facilities underground. For the purpose of this subsection, "underground" shall include a partial underground system, e.g., streamlining. Amplifiers in grantee's transmission and distribution lines may be in appropriate housings upon the surface of the ground approved by the director of public works. (Ord. 167 § 8, 1980)

**5.08.090      Removal and abandonment of property of grantee.**

A. In the event that the use of any part of the CATV system is discontinued for any reason for a continuous period of twelve (12) months, or in the event such system of property has been installed in any street or public place without complying with the requirements of grantee's franchise or this chapter, or the franchise has been terminated, cancelled or has expired, the grantee shall promptly, upon being given ten (10) days' notice, remove from the streets or public places all such property and poles of such system other than any which the director of public works may permit to be abandoned in place. In the event of such removal, the grantee shall promptly restore the street or other area from which such property has been removed to a condition satisfactory to the director of public works.

B. Any property of the grantee remaining in place thirty (30) days after the termination or expiration of the franchise shall be considered permanently abandoned. The director of public works may extend such time not to exceed an additional thirty (30) days.

C. Any property of the grantee to be abandoned in place shall be abandoned in such manner as the director of public works shall prescribe. Upon permanent abandonment of the property of the grantee in place, the property shall become that of the city, and the grantee shall submit to the director of public works an instrument in writing, to be approved by the city council, transferring to the city the ownership of such property. (Ord. 167 § 9, 1980)

**5.08.100 Faithful performance bond.**

A. The grantee shall, concurrently with the filing of and acceptance of award of any franchise granted under this chapter, file with the city clerk, and at all times thereafter maintain in full force and effect for the term of such franchise or any renewal thereof, at grantee's sole expense, a corporate surety bond in a company and in a form approved by the city council, in the amount of two thousand five hundred dollars (\$2,500.00), renewable annually, and conditioned upon the faithful performance of grantee, and upon the further condition that in the event grantee shall fail to comply with any one or more of the provisions of this chapter, or of any franchise issued to the grantee hereunder, there shall be recoverable jointly and severally from the principle and surety of such bond any damages or loss suffered by the city as a result thereof, including the full amount of any compensation, indemnification, or cost of removal or abandonment of any property of the grantee as prescribed by this ordinance which may be in default, plus a reasonable allowance for attorney's fees and costs, up to the full amount of the bond; such condition to be a continuing obligation for the duration of such franchise and any renewal thereof and thereafter until the grantee has liquidated all of its obligations with the city that may have arisen from the acceptance of the franchise or renewal by the grantee or from its exercise of any privilege therein granted. The bond shall provide that thirty (30) days' prior written notice of intention not to renew, cancellation, or material change, be given to the city.

B. Neither the provisions of this section, nor any bond accepted by the city pursuant to this section, nor any damages recovered by the

city thereunder, shall be construed to excuse faithful performance by the grantee or limit the liability of the grantee under any franchise issued under this chapter or for damages, either to the full amount of the bond or otherwise. (Ord. 167 § 10, 1980)

**5.08.110 Indemnification of city.**

A. The grantee shall, concurrently with the filing of an acceptance of award of any franchise granted under this chapter, furnish to the city and file with the city clerk, and at all times during the existence of any franchise granted under this chapter, maintain in full force and effect, at its own cost and expense, a liability insurance policy in the amount of two hundred thousand dollars (\$200,000.00), in a company approved by, and in a form satisfactory to, the city council, indemnifying and saving harmless the city, its officers and employees from and against any and all claims, demands, actions, suits and proceedings by others, against all liability to others, including but not limited to any liability for damages by reason of or arising out of any failure by the grantee to secure consents from the owners, authorized distributors or licensees of programs to be delivered by the grantee's CATV system, and against any loss, cost, expense and damages resulting therefrom, including reasonable attorney's fees, arising out of the exercise of enjoyment of its franchise, irrespective of the amount of the comprehensive liability insurance policy required under this chapter.

B. The grantee shall, concurrently with the filing of an acceptance of award of any franchise granted under this chapter, furnish to the city and file with the city clerk, and at all times during the exercise of any franchise

granted under this chapter, maintain in full force and effect, at its own cost and expense, a general comprehensive liability insurance policy, in protection of the city, its officers, council, commissions, agents and employees, in a company approved by, and a form satisfactory to, the city council, protecting the city and all persons against liability for loss or damage for personal injury, death and property damage, occasioned by the operations of grantee under such franchise, with minimum liability limits of two hundred thousand dollars (\$200,000.00) for personal injury or death of any one person and three hundred thousand dollars (\$300,000.00) for personal injury or death of two or more persons in any one occurrence, and fifty thousand dollars (\$50,000.00) for damage to property resulting from any one occurrence.

C. The policies mentioned in subsection B of this section shall name the city, its officers, council, commissions, agents and employees as additional insured and shall contain a provision that a written notice of cancellation or reduction of coverage of such policy shall be delivered to the city ten (10) days in advance of the effective day thereof; if such insurance is provided by a policy which also covers grantee or any other entity or person other than those above named, then such policy shall contain the standard cross-liability endorsement. (Ord. 167 § 11, 1980)

#### **5.08.120 Inspection of property and records.**

A. The grantee shall at all times make and keep in the city full and complete plans and records showing the exact location of all CATV system equipment installed or in use in streets and other public places in the city.

B. The grantee shall file with the director of public works, on or before the last day in March of each year, a current map or set of maps drawn to scale, showing all CATV system equipment installed and in place in streets and other public places of the city. (Ord. 167 § 12, 1980)

#### **5.08.130 Operational standards.**

The CATV system shall be installed and maintained in accordance with the highest and best accepted standards of the industry to the effect that subscribers shall receive the highest possible service. (Ord. 167 § 13, 1980)

#### **5.08.140 Grantee to maintain office.**

The grantee shall maintain an office so that CATV maintenance service shall be promptly available to subscribers. (Ord. 167 § 14(a), 1980)

#### **5.08.150 Refusal of service prohibited.**

No person, firm or corporation in the existing service area of the grantee shall be arbitrarily refused service; provided, however, that the grantee shall not be required to provide service to any subscriber who does not pay the applicable connection fee or monthly service charge. (Ord. 167 § 14(b), 1980)

#### **5.08.160 Application for franchise.**

A. Application for a franchise under this chapter shall be in writing, shall be filed with the city clerk, and shall contain the following information:

1. The name and address of the applicant. If the applicant is a partnership, the name and address of each partner shall also be set forth. If the applicant is a corporation, the application



shall also state the names and addresses of its directors, main officers, major stockholders and associates and names and addresses of parent and subsidiary companies;

2. A statement and description of the CATV system proposed to be constructed, installed, maintained or operated by the applicant; the proposed location of such system and its various components; the manner in which applicant proposes to construct, install, maintain and operate the same; and particularly, the extent and manner in which existing or future poles or other facilities of other public utilities will be used for such system;

3. A description, in detail, of the public streets, public places and proposed public streets within which applicant proposes or seeks authority to construct, install or maintain CATV equipment or facilities; a detailed description of the equipment or facilities proposed to be constructed, installed or maintained therein; and the proposed specific location thereof;

4. A map specifically showing and delineating the proposed service area or areas within which applicant proposes to provide CATV services and for which a franchise is requested;

5. A statement of schedule in a form approved by the director of public works of proposed rates and charges to subscribers for installation and services, and a copy of proposed service agreements between the grantee and its subscribers shall accompany the application. For unusual circumstances, such as underground cable required, or more than one hundred fifty (150) feet of distance from cable to connection of service to subscribers, an additional installment charge over that

normally charged for installation as specified in the applicant's proposal may be charged, with easements to be supplied by subscribers. For remote, relatively inaccessible subscribers within the city, service may be made available on the basis of cost of materials, labor and easements if required by the grantee;

6. A financial statement prepared by a certified public accountant, public accountant, or person otherwise satisfactory to the council showing applicant's financial status and financial ability to complete the construction and installation of the proposed CATV system;

7. The council may at any time demand, and applicant shall provide, such supplementary, additional or other information as the council may deem reasonably necessary to determine whether the requested franchise should be granted.

B. Upon consideration of any such application, the council may refuse to grant the requested franchise or the council may by ordinance grant a franchise for a CATV system to any such applicant as may appear from such application to be in its opinion best qualified to render proper and efficient CATV service to television viewers and subscribers in the city. The council's decision in the matter shall be final. If favorably considered, the application submitted shall constitute and form part of the franchise granted. (Ord. 167 § 15, 1980)

#### **5.08.170 Franchise renewal.**

Any franchise granted under this chapter is renewable at the application of the grantee, in the same manner and upon the same terms and conditions as required in this chapter for obtaining the original franchise, except those which are by their terms expressly inapplicable provided that the council may at its option

waive compliance with any or all of the requirements of Section 5.08.150. (Ord. 167 § 16, 1980)

**5.08.180 Acceptance and effective date of franchise.**

A. No franchise granted pursuant to the provisions of this chapter shall become effective unless and until the chapter granting same has become effective.

B. Within thirty (30) days after the effective date of the ordinance awarding a franchise, or within such extended period of time as the council in its discretion may authorize, the grantee shall file with the city clerk written acceptance, in form satisfactory to the city council, of the franchise, together with the bond and insurance policies provided for in this chapter, and the grantee's agreement to be bound by and to comply with and to do all things required of him by the provisions of this chapter and the franchise. Such acceptance and agreement shall be acknowledged by the grantee before a notary public, and shall in form and content be satisfactory to and approved by the city council. (Ord. 167 § 17, 1980)

**5.08.190 Violations.**

A. From and after the effective date of the ordinance codified in this chapter, it is unlawful for any person to establish, operate, or to carry on the business of distributing to any persons in this city any television signals or radio signals by means of a CATV system unless a franchise therefor has been first obtained pursuant to the provisions of this chapter, and unless such franchise is in full force and effect.

B. It is unlawful for any person, firm or corporation to make any unauthorized connection, whether physically, electrically, acoustically, inductively or otherwise, with any part of a franchised CATV system within this city for the purpose of taking or receiving television signals, radio signals, pictures, programs or sound.

C. It is unlawful for any person, firm or corporation to make any unauthorized connection, whether physically, electrically, acoustically, inductively or otherwise, with any part of a franchised CATV system within this city for the purpose of enabling himself or others to receive any television signal, radio signal, picture, program or sound, without payment to the owner of such system.

D. It is unlawful for any person, without the consent of the owner, to wilfully tamper with, remove or injure any cables, wires or equipment used for distribution of television signals, radio signals, pictures, programs or sound. (Ord. 167 § 18, 1980)

## **Title 6**

### **ANIMALS**

#### **Chapters:**

- 6.04 Definitions**
- 6.08 Animals Generally**
- 6.12 Vicious and potentially Dangerous Animals**
- 6.16 Dogs**
- 6.20 Livestock**
- 6.24 Impoundment and Enforcement**
- 6.28 Constitutionality and Conflict of Laws**

## Chapter 6.04

### DEFINITIONS

#### Sections:

#### 6.04.010 Definitions.

#### 6.04.010 Definitions

Unless the context clearly indicates otherwise, the following definitions shall apply in this title:

A. "Animal" means any non-human mammal, bird, reptile, amphibian or fish including but not limited to dog, cat, horse, goat, sheep and chicken and all animals defined in the California Food and Agriculture Code, Section 9502.

B. "Animal Control Officer" means the person appointed by the city council as animal control officer and any designated assistants, any peace officer and any designated police department employee.

C. "Bee" means a honey-producing insect of the species *apis mellifica*, including the adults, eggs, larvae, pupae or other immature states thereof.

D. "Beehive" means any receptacle or container made for use of bees, or box or similar container of which bees have taken possession.

E. "Cat" means a domestic cat (*felis catus*).

F. "Dog" means domestic dog (*canine familiaris*) of any age and either sex.

G. "Domestic fowl" means chickens, ducks, pigeons, geese, turkeys and/or other domesticated fowl.

H. "Impound" means to take into custody by the animal control officer as authorized in this chapter.

I. "Kennel" means an establishment where more than four dogs are bred, raised, trained or boarded, except for veterinary hospitals.

J. "Livestock" means horses, mules, jacks, cows, cattle, goats, rabbits, sheep or any other livestock, bovine, caprine, equine or ovine.

K. "Nuisance" means anything done by an animal that works or causes injury, damage, hurt, inconvenience, or discomfort to another in the legitimate enjoyment of his/her reasonable rights of person or property.

L. "Owner" means any person over eighteen years of age owning, keeping, harboring or having custody or possession of any animal. An animal shall be deemed to be harbored if it is fed or sheltered for thirty or more consecutive days. This definition shall not apply to a veterinarian in the regular practice of his profession as to any animal in his possession while being treated or cared for. This definition shall not apply to an operator of a commercial kennel as to any animal that is being boarded in the regular practice of his business.

M. "Person" means and includes any individual, firm, partnership, corporation or association of persons.

N. "Pet shop" means a premises wherein animals are kept for the purpose of wholesale or retail sale, exchange or hire to the public.

O. "Pet shop" does not include any place or premises where pet animals are occasionally sold. Pet animals means dogs, cat, monkeys and other primates, rabbits, birds, guinea pigs, hamsters, snakes, iguanas, turtles and any other species of animals sold or trained for the purpose of being kept as a household pet.

P. "Possessor" means any person other than the owner of an animal who has lawful custody or possession of the animal. "Premises" means and includes any dwelling, building, real property, vehicle or part thereof.

Q. "Rabies Control Act" means and refers to the California Health and Safety Code Section 121575 and sections following governing the identification, quarantine and control of rabid animals.

R. "Veterinarian" means a person licensed to practice veterinary medicine by the State of California.

S. "Veterinary hospital" means a premises operated by a veterinarian for the treatment of diseases and injuries to animals.

T. "Wild animal" means a species of animal not usually domesticated, regardless of [comparative] docility or familiarity of the individual animal with man; a species which is *ferae naturae*. (Ord. 191 § 6.04.010, 2001)

## Chapter 6.08.

### ANIMALS GENERALLY

#### Sections:

- 6.08.010      **Permits for wild and exotic animals and permits required regarding fowl.**
- 6.08.020      **Permittee considered owner.**
- 6.08.030      **Beehives and swarms.**
- 6.08.040      **Hogs, swine and pigs.**
- 6.08.050      **Sanitation of animal enclosures.**
- 6.08.060      **Animal noise.**
- 6.08.070      **Animals at large.**
- 6.08.080      **Animals in vehicles.**
- 6.08.090      **Rabies control.**
- 6.08.100      **Animals declared nuisances.**
- 6.08.010      **Permits for wild and exotic animals and permits required regarding fowl.**

#### A. Permits Required.

1. Permits are required for any animal considered to be wild or exotic.
2. No person shall keep or maintain any fowl, other than within a residential or commercial building, without having obtained a permit from the city clerk.
3. In addition to the requirements of Subsection 6.08.010.A.2, no person shall keep or maintain a wild or exotic animal, other than fowl, and other than in a commercial building, without first having obtained a permit from the city clerk.

B. Permit—Application—Fee—Duration. Permit fees shall be set by resolution of the Council. Application for Permits shall be made annually between June 1st and July 1st of each year or within thirty days after becoming subject to this ordinance, whichever occurs first. Permit application shall be made on a

form to be supplied by the city clerk and paid at the City Hall Office. Permits shall be valid for one year, beginning July 1, and ending June 30 of the following year. Fees for partial years will not be prorated. In the event application for license and registration is not made within the time prescribed in this ordinance, there shall be a late fee, which fee shall be set by resolution.

#### C. Conditions and Revocation.

1. Pursuant to the issuance of a permit, the Council may impose conditions on the keeping and maintaining of an animal necessary for the welfare of the animal, safety of the owner, and the protection of the general public. Failure of the owner to abide by such conditions shall be grounds for revocation of the permit by the clerk. In the event that sufficient conditions cannot be imposed, the clerk shall not issue a permit. Denial may be appealed to the Council.

2. If, from facts coming to the attention of the clerk, it is determined that the conditions of the permit have been or are being violated, the clerk shall notify the owner, by either certified mail or personal service, to remove the animal or fowl from the city within 10 days of such service.

3. The owner shall cause the animal or fowl to be removed, unless within the 10 day period the owner appeals the order to the city council which shall then determine whether the animal or fowl should be removed.

4. Revocation of the permit shall not be the exclusive remedy for the violation of the conditions of the permit. (Ord. 191 §§ 6.04.230—6.04.233, 2000)

#### 6.08.020      **Permittee considered owner.**

It shall be presumed that any person who signs an application for a license or permit for any animal is the owner of the animal or animals described in the application. Applications shall be signed by persons eighteen (18) years of age or older. (Ord. 191 § 6.04.160, 2001)

**6.08.030 Beehives and swarms.**

It is unlawful to have beehives and swarms within the city limits. (Ord. 191 § 6.04.170, 2001)

**6.08.040 Hogs, swine and pigs.**

It is unlawful to keep, maintain or harbor within the city any hog, swine or pig without a permit. (Ord. 191 § 6.04.190, 2001)

**6.08.050 Sanitation of animal enclosures.**

It is unlawful for any person to maintain any animal on his premises a manner so as to cause the accumulation of manure, offal or feces which causes the attraction of flies or vermin, or creates smells which interfere with the use and enjoyment of any neighboring properties. All yards and other enclosures in which dogs or other animals are kept shall be maintained in a sanitary manner. (Ord. 191 § 6.04.320, 2001)

**6.08.060 Animal noise.**

A. It is unlawful for the owner and/or possessor of any dog, domestic fowl or other animal to suffer or permit the animal to bark, cry, howl or make other frequent or long-continued noise that disturbs the peace and quiet of persons who reside or work in the neighborhood, provided that at the time the animal is making such noise, no person is trespassing or threatening to trespass on the premises where the animal is kept or no person is teasing or provoking the animal. Such noise constitutes a public nuisance and each day that the animal is suffered or permitted to continue the aforesaid described noise constitutes a separate offense. Exceptions: Nothing herein shall be construed to apply to noise levels emanating from a legally operated veterinary hospital, humane society, or animal control

shelter.

For purposes of this Section, three or more written reports received by the city within any thirty (30) day period shall constitute evidence of habitual behavior and a public nuisance. (Ord. 191 § 6.04.240, 2001)

**6.08.070 Animals at large.**

A. It is unlawful for any owner and/or possessor of any animal to suffer or permit such animal to be at large as defined in this section. Violation of this section, as authorized by Sections 6.24.010 through 6.24.090 and Section 6.08.020, is subject to impoundment, and the owner may be subject to citation for repeated violations. When the animal control officer sees a dog at large but is unable to impound the dog, a notice to the owner/possessor if known shall be placed on the owner's/possessor's front door with the time and place the animal was observed at large a copy of this notice will be kept in the city offices

B. In the case of dogs, at large" means a dog that is not on the premises of its owner and/or possessor or the premises of another with permission of the owner or occupant thereof, or not under physical restraint by a person capable of controlling the dog by means of a leash not exceeding six feet in length. This definition shall not apply to:

1. Guide dogs for the blind or hearing-impaired or duly licensed companion dogs while their duties;
2. Dogs participating in field or obedience trials or animal exhibitions;
3. Dogs assisting their owner and/or possessor in the herding of livestock;
4. Dogs assisting a security guard or assisting a peace officer engaged in law enforcement duties.

C. In the case of animals other than dogs, "at large" means an animal which is off the premises of its owner and/or possessor while

under the physical restraint of a person capable of controlling the animal. This definition shall not apply to any animal which is on the premises of another person with the consent of the owner or occupant thereof.

D. In the case of any animal, "at large" also means an animal which is tethered, leashed or otherwise present on property which is not owned or controlled by the owner and/or possessor of the animal without the permission of the owner or occupant thereof.

E. In the case of any animal, "at large" also means an animal which is tethered or leashed on any city street, or other city property not set aside for such tethering or leashing in such a way as to block a public walkway or thoroughfare.

F. It is declared to be a nuisance and no person shall suffer or permit any chickens, geese, ducks, turkeys, pheasants, doves, pigeons, squab, peafowl or similar fowl or rabbits owned and controlled by him to run or fly at large or go upon the premises of any other person in the city.

G. This section shall not apply to cats. (Ord. 191 §§ 6.04.180, 6.04.270, 2001)

#### **6.08.080 Animals in vehicles.**

No owner and/or possessor of a dog or other animal shall leave the animal in a motor vehicle without adequate ventilation, or in such a manner as to expose the animal to extremes of heat or cold. The animal control officer may issue a citation for such violation or the animal control officer may contact the law enforcement agency. (Ord. 191 § 6.04.300, 2001)

#### **6.08.090 Rabies control.**

A. Any person having knowledge that any animal capable of transmitting rabies has bitten a human being within the city shall immediately report the fact to the animal control officer and shall furnish complete information thereof.

B. The animal control officer shall ensure that all animals falling into any of the following

categories shall be isolated or quarantined at the place and under the conditions prescribed by the health officer and pertinent to state laws and regulations:

1. Known rabid animals;
2. Suspected rabid animals;
3. Animals that have bitten or otherwise exposed a human being to rabies;
4. Animals, of a species subject to rabies, which have been bitten.

C. It is unlawful for the owner or keeper of an animal to violate any of the conditions of isolation or quarantine prescribed by the health officer, or the animal control officer or their duly authorized representatives. (Ord. 191 § 6.04.290, 2001)

#### **6.08.100 Animals declared nuisances.**

A. An animal which habitually molests persons or property within the City or habitually follows or otherwise molests motor vehicles or bicycles while upon the public ways of the city, or habitually molests children, is hereby declared to be a nuisance; and no owner shall have or keep any such animal.

B. For purposes of this Section, three or more written reports received by the city within any 30-day period shall constitute evidence of habitual behavior. Such complaints are a matter of public record.

C. Potentially dangerous and vicious will be determined by Chapter 6.12 and/or per the California State Food and Agriculture Code.

D. After three notices of animal at large with no impoundment a dog will be considered a nuisance and a citation may be issued pursuant to section 6.08.070A without an additional violation.

E. For any violation of this section 6.08.100 the animal control officer must present evidence before a hearing committee appointed by the City Council. (Ord. 191 § 6.04.260, 2001)



## Chapter 6.12

VICIOUS AND POTENTIALLY  
DANGEROUS ANIMALS

## Sections:

6.12.010	Determination—Hearing.
6.12.020	Appeal of determination—Appeals board.
6.12.030	Determination-- Exclusions.
6.10.040	Licensing and disposition.
6.10.050	Violations--Penalties

## 6.12.010 Determination--Hearing

A. "Vicious animal" means an animal, except a dog assisting a peace officer engaged in law enforcement duties, which demonstrates any or all of the following behavior:

1. An attack, without provocation, which requires a defensive action by any person to prevent bodily injury and/or property damage in a place where such person is conducting himself peaceably and lawfully;

2. An attack, without provocation, on another animal or livestock which occurs off the property of the owner of the attacking animal;

3. An attack, without provocation, that results in an injury to a person in a place where such person is conducting himself peaceably and lawfully;

4. Any behavior, without provocation, that constitutes a physical threat of bodily harm to a person in a place where such person is conducting himself peaceably and lawfully.

B. It is unlawful for the owner and/or possessor of a vicious animal to maintain the animal within the city limits except: In the event that an animal which has been declared or found to be vicious is found to be in the city, and the owner thereof declares that he is entitled to keep such animal within the city,

then the owner shall be entitled to a hearing before a hearing committee appointed by the city council, at which hearing it shall be determined:

1. Whether under any circumstances the owner should be allowed to keep the said vicious animal;

2. If allowed, the specific requirements for maintaining the animal, including any additional fees; and

3. The specific sanctions for failure of the owner to maintain the animal within and pursuant to the limits set forth.

C. A dog determined to be a vicious dog may be destroyed by the animal control department when it is found after proceedings conducted under Section 6.12.020 that the release of the dog would create a significant threat to the public health, safety and welfare.

1. If it is determined that the dog found to be vicious shall not be destroyed, the appeals board shall impose conditions upon the ownership of the dog that protect the public health, safety and welfare.

2. Licensing and registration requirements for a vicious dog which is not destroyed shall be set forth in Section 6.04.040 for potentially dangerous dogs. (Ord. 191 § 6.04.280, 2001)

6.12.020 Appeal of determination--  
Appeals board.

F. If the animal control officer or other enforcement officer has investigated and determines that there exists probable cause to believe that a dog is potentially dangerous or vicious, the owner or keeper of the dog shall be served with a notice of such determination, either personally or by first class mail. If the owner or keeper of the dog contests the determination, he or she may, within five days of the receipt of notice of determination, appeal the determination to an appeals board consisting of a city council member, city clerk

and the Siskiyou County Animal Control Officer, or their designee/s. The determination of the appeals board shall be final and conclusive upon all parties. (Ord. 191 § 6.04.281, 2001)

**6.12.030 Determination—Exclusions.**

A. No dog may be declared potentially dangerous or vicious if any injury or damage is sustained by a person who, at the time the injury or damage was sustained, was committing a willful trespass or other tort upon premises occupied by the owner or keeper of the dog, or was teasing, tormenting, abusing or assaulting the dog, or was committing or attempting to commit a crime. No dog may be declared potentially dangerous or vicious if the dog was protecting or defending a person within the immediate vicinity of the dog from an unjustified attack or assault. No dog may be declared potentially dangerous or vicious if an injury or damage was sustained by a domestic animal which at the time the injury or damage was sustained was teasing or tormenting, abusing or assaulting the dog.

B. No dog may be declared potentially dangerous or vicious if the injury or damage to a domestic animal was sustained while the dog was working as a hunting dog, herding dog, or predator control dog on the property of, or under the control of, its owner or keeper, and the damage or injury was to the species or type of domestic animal appropriate to the work of the dog. (Ord. 191 § 6.04.282, 2001)

**6.12.040 Licensing and disposition.**

A. Any dog which has been determined to be potentially dangerous shall be property licensed and vaccinated. The designation of potentially dangerous shall be included in the registration records of the dog. The animal control officer shall charge an addition fee of one hundred dollars (\$100.00) in addition to the regular licensing fee charged in Section

6.16.030 for the first year's license following designation as potentially dangerous or vicious and an additional fifty dollar (\$50.00) fee each year thereafter.

B. A dog determined to be potentially dangerous or vicious, while on the owner's property shall at all times be kept indoors, or in a secured fenced yard from which the dog cannot escape and into which children and mentally handicapped people cannot trespass.

A potentially dangerous or vicious dog may be off the owner's premises only if it is restrained by a substantial leash of appropriate length and if it is under the control of a responsible adult. (Ord. 191 § 6.04.283, 2001)

**6.12.050 Violations—Penalties.**

Violations involving a potentially dangerous dog shall be punished by a fine not to exceed five hundred dollars (\$500.00). Violations involving a vicious dog shall be punished by a fine not to exceed one thousand dollars (\$1,000.00). (Ord. 191 § 6.04.284, 2001)

## Chapter 6.16

### DOGS

#### Sections:

- 6.16.010 Dog license—Required.
- 6.16.020 Dog license—Not required when.
- 6.16.030 Dog license—Fee and issuance.
- 6.16.040 Lost or stray dogs.
- 6.16.050 Commercial kennels.
- 6.16.060 Confinement of dogs during heat.

#### 6.16.010 Dog license—Required.

A. Every person owning, harboring or having custody of a dog four (4) months of age or older shall obtain a dog license as follows:

1. Within thirty (30) days after the dog reaches the age of four months.
2. Within thirty (30) days of becoming a resident of the city.

B. All dogs under the age of four (4) months shall be strictly confined to the premises of or kept under physical restraint by the owner, keeper or person harboring the puppies. A fee shall not be levied for any dog license issued for a Seeing Eye Dog or a dog for the deaf providing such dog is owned by a blind or hearing-impaired person or is in training for such purpose or a companion dog holding a license as such. (Ord. 191 § 6.04.030, 2001)

#### 6.16.020 Dog license—Not required when

The provisions of Section 6.16.010 shall not apply to any of the following:

A. Any dog brought into the city for the purpose of participation in any dog show, dog exhibition, field trials or competitions scheduled not more than thirty (30) days thereafter;

B. Any dog owned or in the possession of a

nonresident of the city which is not to be maintained in the city for a period exceeding thirty (30) days.

C. Any dog owned or in the possession of a resident of the city which is to be maintained in the city for a period not exceeding thirty (30) days. (Ord. 191 § 6.04.040, 2001)

#### 6.16.030 Dog license—Fee and issuance.

License fees and any late registration charges shall be in the amount established by city council resolution. The license shall be issued to the dog owner upon payment of the current license fee and

A. Upon showing proof of current rabies vaccination issued by a licensed veterinarian. The rabies vaccine must be approved for use in the State of California.

B. No dog shall be required to be vaccinated while such dog is afflicted with an illness or other condition which, in the opinion of a licensed veterinarian, would be detrimental to the dog. Such an animal shall be strictly confined to its resident premises or kept under physical restraint by the owner for the duration of the illness or condition. Immediately following the termination of the illness of the illness or the condition such dog shall be vaccinated by a licensed veterinarian with rabies vaccine approved for use in the State of California. Should the annual license fall due during such period of illness, the City clerk shall issue a dog license upon the presentation by the applicant of a letter from the licensed veterinarian dated within 2 months [of the termination of the condition] indicating the reason for non-vaccination.

C. Upon showing proof of a certificate from a licensed veterinarian that the dog to be licensed has been spayed or neutered, the license fee shall be at the reduced rate for a spayed or neutered dog.

D. Application for license and registration shall be made annually between June 1st and July 1st of each year or within thirty days after the dog becomes subject to licensing and registration under this ordinance, whichever occurs first. Licenses shall be valid for one year beginning July 1, and ending June 30 of the following year. Fees for partial years will not be prorated. In the event application for license and registration is not made within the time prescribed in this ordinance, there shall be a late fee, which fee shall be set by resolution.

E. Upon payment of the license fee, a license certification and metallic tag shall be issued to the owner of each dog so licensed. The tag shall have stamped thereon the year it expires and the number corresponding with the number of the certificate.

F. The dog owner and/or possessor shall secure the current tag to a collar, harness or similar device attached to the dog for which the license was issued. The dog owner and/or possessor shall ensure that the dog wears such license tag at all times except when the dog is being exhibited at field or obedience trials or other dog shows and exhibitions.

G. Whenever a license tag is lost or damaged, the owner shall apply for and secure a replacement from the city clerk or animal control officer upon payment of the prescribed lost tag fee, as set by resolution of the city council.

H. License tags shall not be transferable from one dog to another.

I. No refunds shall be made on any dog license because of the death or other loss of the dog, or the owner leaving the city before the expiration of the license. (Ord. 191 § 6.04.050, 2001)

#### **6.16.040. Lost or stray dogs.**

If any dog becomes lost or strays from its home and is permitted to make its home with any person not its owner, it shall be the duty of such person to notify the city clerk or animal

control officer within 3 days of giving harbor to the dog to give the name and address of the person having the care or custody of the dog, together with a full description of the dog, and to surrender the same to the animal control officer on demand. The city clerk shall keep a record of such notices in a convenient form and shall permit any person interested therein, or any person searching for a lost dog, to have free access to the notices. (Ord. 191 § 6.04.060, 2001)

#### **6.16.050 Commercial kennels**

A. Possessing four or more dogs used for commercial breeding purposes shall constitute a kennel and require a business license and be inspected by the animal control officer at the expense of the kennel owner.

B. Possessing 4 or more dogs with a maximum of 8 dogs NOT used for commercial breeding purposes shall be considered to require a pack license. Each dog must be individually licensed per Section 6.16.010 through Section 6.16.030. The owner shall obtain a pack license to be issued by the City Clerk's Office. Pack Licenses shall be issued at the discretion animal control officer. Denial of a pack license may be appealed the city council within 30 days.

Application for license shall be made annually between June 1st and July 1st of each year or within thirty days of becoming subject to licensing under this section, whichever occurs first. Licenses shall be valid for one year, beginning July 1 and ending June 30 of the following year. Fees for partial years will not be prorated. In the event application for license is not made within the time prescribed in this ordinance, there shall be a late fee, which fee shall be set by resolution. (Ord. 191 § 6.04.310, 2001)

**6.16.060      Confinement of dogs during  
                         heat.**

Any person owning and/or possessing a female unspayed dog in heat shall securely confine the dog within an enclosure, unless the dog is under the immediate physical restraint of its owner and/or possessor to prevent unplanned access by male dogs or attraction of male dogs in the vicinity. (Ord. 191 § 6.04.250, 2001)

## Chapter 6.20

### LIVESTOCK

#### Sections:

- 6.20.010 Purpose of provisions
- 6.20.020 Permitted—Location--  
Requirements.
- 6.20.030 Private pasturing.

#### 6.20.010 Purpose of provisions.

The intent of Sections 6.20.020 and 6.20.0300 is to establish standard for the keeping of livestock, animals and fowl on a noncommercial basis and in a manner which will not endanger the health, peace and safety of the citizens of the city and which will assure that such livestock, animals and fowl are kept in a clean and sanitary condition and not subject to suffering, cruelty or abuse. . (Ord. 191 § 6.04.200, 2001)

#### 6.20.020 Permitted—Location-- Requirements

Livestock may be permitted in a residential area on a minimum parcel size of one acre. In the case of fowls, or a rabbit hutch, it may be maintained on a city lot provided that in no case shall the pen, rabbit hutch or livestock confinement area be closer than twenty (20) feet from the nearest residence, measured from the pen or enclosure to the nearest residence, not including the owner's residence. Other livestock shall be permitted on a city lot by permit obtained from the city council and the permit is to be issued at the discretion of the council and within the following guidelines:

A. That the animals are kept in a clean and safe manner; and

B. That the applicant for a permit has obtained the consent of the affected neighbors; and

C. That the number of animals shall be determined by the city council. . (Ord. 191 § 6.04.210, 2001)

#### 6.20.030 Private pasturing.

A. It is unlawful to tie, stake or pasture or permit the tying, staking or pasturing of any animal upon any private property within the city without the consent of the owner or lawful occupant of such property or in such a way as to permit such animal to trespass upon any street or public place or upon any such private property

B. It is unlawful to permit any such animals to be or remain during the nighttime secured by a stake or secured in any manner other than by enclosing such animal in a pen, corral or barn sufficient and adequate to restrain such animal. (Ord. 191 § 6.04.220, 2001)

## Chapter 6.24

### IMPOUNDMENT AND ENFORCEMENT

#### Sections:

- 6.24.010 Impoundment—General grounds.**
- 6.24.020 Impoundment—Specific grounds.**
- 6.24.030 Impoundment—Notice.**
- 6.24.040 Impoundment—Registry.**
- 6.24.050 Impoundment—Minimum holding period.**
- 6.24.060 Impoundment—Care of animals.**
- 6.24.070 Impoundment—Redemption.**
- 6.24.080 Impoundment—Fees.**
- 6.24.090 Impoundment—Disposition.**
- 6.24.100 Animal control officers—Powers and duties.**
- 6.24.110 Hindrance of animal control officer.**
- 6.24.120 Complaints.**
- 6.24.130 Right of entry for enforcement.**
- 6.24.140 Violation—Penalty.**
- 6.24.150 Citations.**

#### **6.24.010 Impoundment—General grounds.**

A. The animal control officer may seize and impound an animal which is at large as defined in Section 6.08.070. If the owner and/or possessor is not at home at the time of impoundment, the dog may still be impounded, but the animal control officer shall post a notice of such impoundment on the front of the owner's and/or possessor's dwelling. Such notice shall contain the information required by California Government Code Section 53074,

i.e., that the dog has been impounded, where the dog is being held, the name, address and telephone number of the agency or person to be contacted regarding release of the dog, and an indication of the ultimate disposition of the dog if no action is taken within the specified period of time to regain the dog by its owner or by the person who has a right to control the dog.

B. Except as provided in subsection (A) of this section, an animal may be impounded for violation of any provisions of the ordinance, or the laws of this state, in accordance with the procedure specified in Section 6.04.020. (Ord. 191 § 6.04.070, 2001)

#### **6.24.020 Impoundment—Specific grounds.**

The animal control officer may immediately seize and impound an animal for violation of this ordinance or the laws of this state under the following circumstances:

A. The owner and/or possessor of the animal provides consent for the impoundment;

B. The animal is at large and immediate impoundment of an animal is authorized under Section 6.08.070;

C. The animal control officer has reasonable grounds to believe that the animal may be rabid;

D. The animal control officer has reasonable grounds to believe that the animal is a vicious animal as defined in Section 6.12.010 and that immediate impoundment of the animal is required for any of the reasons specified in Section 6.12.010;

E. To protect an animal which is injured, sick, starving or suffering from heat, cold or confinement which is in need of immediate care;

F. When the animal control officer has reasonable grounds to believe that immediate impoundment to protect the public health or

safety of any person or animal. (Ord. 191 § 6.04.080, 2001)

#### **6.24.030 Impoundment—Notice.**

The animal control officer shall within twenty-four (24) hours of the impoundment serve in person or attach to the owner's door a notice of impoundment to the owner and/or possessor of the animal if the owner has been ascertained and located. The notice shall state:

A. The information required by California Government Code Section 53074, i.e., that the dog has been impounded, where the dog is being held, the name, address and telephone number of the agency or person to be contacted regarding release of the dog, and an indication of the ultimate disposition of the dog if no action is taken within the specified period of time to regain the dog by its owner or by the person who has a right to control the dog.

B. The period the animal will be held pursuant to Section 6.24.050 before being humanely destroyed or otherwise disposed of. (Ord. 191 § 6.04.090, 2001)

#### **6.24.040 Impoundment—Registry.**

The animal control officer shall maintain a registry of impounded animals describing the type, sex and other identifying characteristics of the animals, the date of impoundment, if licensed, the license number of the dog, the date and manner of disposition of the animal, the name and address of the person redeeming or purchasing the animal, and any fees or charges paid. (Ord. 191 § 6.04.100, 2001)

#### **6.24.050 Impoundment—Minimum holding period.**

Except as provided in Section 6.08.090, governing impoundment of rabid animals, impounded animals shall be maintained at an

animal shelter for a minimum holding period as designated below prior to disposition by the animal control officer pursuant to Section 6.24.090:

A. Unlicensed dogs shall be maintained a minimum of four days following the date of impoundment.

B. Licensed dogs shall be maintained a minimum of four days following the date of impoundment.

C. All other animals shall be maintained a minimum of five days following the date of impoundment. (Ord. 191 § 6.04.110, 2001)

#### **6.24.060 Impoundment—Care of animals.**

The animal control officers shall ensure that all impounded animals receive suitable and adequate food, water and shelter. (Ord. 191 § 6.04.120, 2001)

#### **6.24.070 Impoundment—Redemption.**

The owner of an impounded animal may redeem the animal at any time prior to its legal disposition by providing proper identification, obtaining a dog license and paying all fees and the charges for the care, feeding and veterinary treatment of the animal. If the owner fails to pay the required fees or charges, or to obtain any required license, the animal shall be treated as unredeemed by the owner. (Ord. 191 § 6.04.130, 2001)

#### **6.24.080 Impoundment—Fees.**

Fees for redemption, care and feeding of animals shall be set by city council resolution. Greater redemption fees shall be charged for animals redeemed more than once. (Ord. 191 § 6.04.140, 2001)



**6.24.090 Impoundment—Disposition.**

After the holding period specified in Section 6.24.050 has expired, the animal control officer is authorized to dispose of the animal by sale, adoption of the animal, or by humane destruction. Exception: If an appeal of the impoundment is pending, the animal control officer may not dispose of the animal until after a determination is made by the city council. (Ord. 191 § 6.04.150, 2001)

**6.24.100 Animal control officers—  
Powers and duties.**

A. Animal control officers shall enforce all provisions of this title, the Zoning Ordinance, or the laws of this state relating to the care, control and keeping of animals and investigate complaints of the violation thereof. Animal control officers are authorized to issue warnings or citations for the violation of the aforesaid ordinances and state laws.

B. Animal control officers shall enforce the Rabies Control Act and provisions of this ordinance relating to rabies control.

C. Animal control officers and/or the city clerk or designees shall issue licenses and permits, and collect fees and charges as authorized by this chapter.

D. Animal control officers may seize, impound and humanely destroy any animal when authorized by provisions of this ordinance and/or the laws of this state relating to the care and keeping of animals. (Ord. 191 § 6.04.020, 2001)

**6.24.110 Hindrance of animal control  
officer**

A. No person shall refuse to present any animal located on his premises for inspection by any animal control officer acting within the scope of his authority under Section 6.24.100,

or any other provision of this title, the Zoning Ordinance, or the laws of this state when so requested by the officer.

B. No person shall refuse to exhibit to an animal control officer acting within the scope of his authority under Section 6.24.100, or any provision of title, the Zoning Ordinance, or the laws of this state, any dog license or tag, or rabies vaccination certificate, when so directed by the officer.

C. No person shall knowingly interfere with, obstruct or hinder any animal control officer in the discharge of any of the duties imposed upon such officer pursuant to Section 6.24.100, or any other provision of title, the Zoning Ordinance, or the laws of the state.

D. It is unlawful for the owner and/or possessor of an animal to fail to relinquish the animal to the animal control officer for impoundment when impoundment of the animal is authorized pursuant to Sections 6.24.070 through 6.24.090 and 6.08.060, 6.08.070, 6.08.100, and 6.16.060 of this title, or the laws of the state. (Ord. 191 § 6.04.330, 2001)

**6.24.120 Complaints**

Any person who has cause to believe an animal is being maintained as a public nuisance may complain in writing, to the animal control officer. The complaint shall be considered sufficient cause for the animal control officer to investigate the matter and determine if the owner or keeper of the animal is in violation of this ordinance. Such complaints are a matter of public record. (Ord. 191 § 6.04.340, 2001)

### **6.24.130 Right of entry for enforcement.**

For the purpose of enforcement of this ordinance and laws specified herein, an animal control officer may seek entry upon private property. If the property is occupied, the animal control officer shall identify himself/herself, request entry, and explain the reasons therefor. If the property appears unoccupied, the animal control officer shall make a reasonable effort to locate the owner or occupant thereof. The animal control officer may enter property, without first securing a warrant, under the following circumstances and conditions:

A. When authorized by the laws of the state;

B. With the expressed permission of the owner or occupant of the property;

C. When there is probable cause to believe that any rabid animal is present upon the property and there is an immediate hazard to the animal, other animals or the public safety;

D. When there is probable cause to believe that the keeping or maintaining of the animal on the private property is so hazardous or dangerous as to require immediate inspection and/or impoundment of the animal to safeguard the safety of the animal, other animals or the public safety;

E. When in pursuit of an animal:

1. When the animal has been running at large on any highway or road or other public property, or on private property and the owner thereof has requested that the animal be apprehended,

2. When any dog is trespassing on private property and is liable to cause damage to livestock, other animals or other property,

3. If consent is denied for entrance on the property by the owner or occupant thereof, the animal control officer shall obtain a warrant as specified in subsection (F) of this section. If

the owner or occupant of the property cannot be located to obtain his consent for entrance on the property, nothing in this subsection shall authorize the entry into a dwelling except in accordance with subsection (F) of this section;

F. Except as authorized in subsections (A) through (E) of this section, the animal control officer may enter upon private property only upon obtaining an inspection warrant as authorized by California Code of Civil Procedure, Section 1822.50 et seq., or a search warrant from the court of competent jurisdiction authorizing the entry. (Ord. 191 § 6.04.350, 2001)

### **6.24.140 Violation—Penalty.**

A. All fines shall be in the amount established by resolution set forth by the city council.

B. All fines, impoundment fees, license fees, board fees and other fees are to be paid prior to the animal being released to the owner/possessor. All fees are to be paid to the city clerk's office. Fees for release of the animal from impoundment may be paid to the animal control officer during times the city offices are closed. A receipt will be issued by the animal control officer.

C. All fines or fees not paid within thirty (30) days of the last date timely due to the city shall be doubled. (Ord. 211, 2008; Ord. 191 § 6.04.360, 2001)

### **6.24.150 Citations.**

A. A citation shall be issued thirty (30) days after notice has been given that a dog requires a license if no license has been obtained per Section 6.04.030.

B. Citations may be issued for repeated violations of this title. (Ord. 191 § 6.04.370, 2001)

**Chapter 6.28**

**CONSTITUTIONALITY  
AND CONFLICT OF LAWS**

**Sections:**

- 6.28.010      Constitutionality.**
- 6.28.020      Conflict of laws.**

**6.28.010      Constitutionality.**

If any section, subsection, clause, phrase or sentence of this title is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining portions of the title. (Ord. 191 § 6.04.380, 2001)

**6.28.020      Conflict of laws.**

Where conflict occurs between any provision established by this ordinance and any provision of applicable state law, the more restrictive or stringent of such law shall apply. (Ord. 191 § 6.04.390, 2001)

**Title 7**

**(Reserved)**

## **Title 8**

### **HEALTH AND SAFETY**

#### **Chapters:**

- 8.04 Environmental Protection Regulations**
- 8.08 Garbage Collection and Disposal**
- 8.12 Nuisances**

## Chapter 8.04

### ENVIRONMENTAL PROTECTION REGULATIONS

#### Sections:

8.04.010	Definitions.
8.04.020	Purpose.
8.04.030	Construal of provisions.
8.04.040	Effect on past actions.
8.04.050	Fees.
8.04.060	Public comment on environmental documents.
8.04.070	Authority to sign findings.
8.04.080	Commencement of actions against city.
8.04.090	Filing of notices.
8.04.100	Ministerial projects.
8.04.110	Categorical exemptions.
8.04.120	Environmental assessment.
8.04.130	Environmental impact report.

#### 8.04.010 Definitions.

For the purpose of this chapter, the following terms and phrases are defined as set out in this section unless it is apparent from the context that a different meaning is intended.

"Categorical exemption" means the immunity of a class of projects from the necessity for an environmental assessment, either based upon an exemption under the Environmental Quality Act of 1970 or based upon a determination that the type of projects comprising the class normally will have no significant effect on the environment.

"Decisionmaker" means any agency, official or employee of the city who is authorized to take a governmental action on a project, including but not limited to the city council.

"Discretionary project" means a project for which the governmental action requested allows latitude of decision within which the decisionmaker determines issues for that project according to the circumstances and according to the judgment of the decisionmaker, that is, the decisionmaker is not expressly controlled by fixed rules of law.

"Environment" means the physical conditions which exist within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise and objects of historic or aesthetic significance. The general term "environment" is divided into the following categories:

1. The physical or inorganic environment, comprising such factors as climate and soil;
2. The biological environment, comprising wild plants and animals, including bacteria and other germs;
3. The social environment, comprising things due to human activity and divisible in turn into:

- a. The physiosocial environment, comprising buildings, roads and all manufactured objects,
- b. The biosocial environment, comprising domesticated plants and animals.

"Environmental assessment" means an evaluation of the characteristics of a project and of its proposed environment to determine whether the project may have a significant effect on the environment.

"Environmental documents" means all of the papers pertaining to a specific project which are prepared by the city and are relied upon as the basis, proof or support of the environmental impact of the project.

"Environmental impact report" means the detailed written statement and comments as

defined in the Environmental Quality Act of 1970.

"Environmental Quality Act of 1970" means Division 13 of the California Public Resources Code, as it may be amended from time to time, and any regulations adopted pursuant thereto.

"Governmental action" means the proposed authorization by the city of a project or a discrete part of a project. Such proposed authorization may be by ordinance, resolution, contract, lease, permit, license, or any other form of entitlement to proceed with the project proposed.

"Ministerial project" means a project for which the governmental action requested allows no latitude of decision within which the decisionmaker determines issues for that project according to the circumstances and according to the judgment of the decisionmaker; that is, the decisionmaker is expressly controlled by fixed rules of law.

"Person" means any person, firm, association, organization, partnership, business, trust, corporation, company, district, county, city and county, city, town, the state, and any of the agencies and political subdivisions of such entities.

"Project" means a planned undertaking requiring governmental action on the undertaking as a whole or on any discrete part of the undertaking authorizing land acquisition, site development, building alteration, building construction, or any significant intensification of the use of land. "Project" as defined by the Environmental Quality Act of 1970, includes the following:

1. Activities directly undertaken by the city;
2. Activities undertaken by a person other than the city which are supported in whole or

in part through contracts, grants, subsidies, loans, or other forms of assistance from the city;

3. Activities involving the issuance to a person other than the city of a lease, permit, license, certificate, or other entitlement for use by the city.

"Significant effect on the environment" means an important result, either beneficial or adverse, in the environment of a project which may be produced by the implementation of the project as proposed.

1. The significance of an effect generally is directly proportional to the following qualities of the effect:

- a. Its magnitude;
- b. Its duration;
- c. Its proximity to the project site;
- d. The number of individuals directly affected by it;
- e. The closeness of its relationship to the physical and biological environment.

2. In accordance with the legislative intent stated in the Environmental Quality Act of 1970, the effects on the following items are deemed to be more significant than other environmental effects:

- a. Aesthetic environmental qualities;
- b. Natural environmental qualities;
- c. Scenic environmental qualities;
- d. Historic environmental qualities, especially examples of the major periods of California history;
- e. The maintenance and perpetuation of fish and wildlife species;
- f. Freedom from excessive noise;
- g. Waste disposal and environmental pollution.

"Sponsor" means the person who submits a project or a discrete part of a project for governmental action. (Ord. 160 § 1, 1973)

#### **8.04.020 Purpose.**

The purpose of this chapter is to implement the Environmental Quality Act of 1970 insofar as it is applicable to the city. (Ord. 160 § 2.0, 1973)

#### **8.04.030 Construal of provisions.**

The provisions of this chapter shall be construed in accordance with the Environmental Quality Act of 1970 and any interpretations thereof by a competent tribunal. Any provision of this chapter which is less restrictive than required by such state law shall be construed to be as restrictive as required by such state law insofar as possible. Any provision of this chapter which is more restrictive than required by such state law shall be construed to be only as restrictive as required by such state law insofar as possible. Nothing in this chapter shall preclude the city from taking such other action in respect to projects as is deemed necessary by the city to obtain full compliance by the city with the provisions of the Environmental Quality Act of 1970. (Ord. 160 § 2.1, 1973)

#### **8.04.040 Effect on past actions.**

The adoption of the ordinance codified in this chapter shall not be construed to invalidate any past governmental action by the city which did not comply with the provisions of this chapter or of the Environmental Quality Act of 1970. Any past governmental action by the city on the following types of projects is ratified and approved:

A. Projects which would not have a significant effect on the environment;

B. Projects for which there was substantial compliance with the provisions of this chapter or of the Environmental Quality Act of 1970.

C. Projects which received environmental approval from the state or federal government;

D. Projects for which the environmental impact was considered by the city even though there was no environmental impact report prepared. (Ord. 160 § 2.2, 1973)

#### **8.04.050 Fees.**

A. Preliminary Environmental Assessment. There shall be no fee for a preliminary environmental assessment; provided, however, that the costs of making such assessment may be reflected in any other fee required for processing the project.

B. Environmental Assessment. The fee for an environmental assessment of a project sponsored entirely by a person other than the city shall be twenty-five dollars (\$25.00) and shall be paid prior to such environmental assessment.

C. Environmental Impact Report. The fee for the preparation of an environmental impact report for a project sponsored entirely by a person other than the city shall be the actual cost thereof to the city, including but not limited to time spent by city employees in preparing the report, typing and stenographic costs and expenses incurred in employing consultants to review and prepare the report. A deposit of two hundred dollars (\$200.00) to be applied towards the cost of preparing the environmental impact report shall be deposited with the city prior to the preparation thereof, or a greater sum may be required if in the opinion of the



city council the cost of the report will exceed the sum of two hundred dollars (\$200.00) in which event the estimated cost of the environmental impact report shall be required as a deposit. (Ord. 160 §§ 2.3, 1973)

**8.04.060      Public comment on  
environmental documents.**

All written comment or the record thereof by the public or by a governmental agency specifically on the environmental characteristics of a discretionary project shall be transmitted to the city council and, if not required to be a part of the environmental impact report by the Environmental Quality Act of 1970, may be included with the environmental documents for the project. (Ord. 160 § 2.4, 1973)

**8.04.070      Authority to sign findings.**

Whenever an agency of the city, such as the city council, is required by this chapter to make a finding, such finding may be made orally. The clerk or such agency is authorized to act on behalf of that agency in making the written finding in the appropriate language on the appropriate document and in signing such appropriate document. (Ord. 160 § 2.5, 1973)

**8.04.080      Commencement of actions  
against city.**

A. Any action or proceeding to attack, review, set aside, void or annul any determination, decision or governmental action by the city on the ground of noncompliance with this chapter or with the Environmental Quality Act of 1970 shall be commenced as follows:

1. Any action or proceeding alleging that the city is carrying out or has approved a project which may have a significant effect on the

environment without having determined whether the project may have a significant effect on the environment shall be commenced within one hundred eighty (180) days of the city's decision to carry out or approve the project or, if a project is undertaken without a formal decision by the city, within one hundred eighty (180) days after commencement of the project.

2. Any action or proceeding alleging that the city has improperly determined whether a project any have a significant effect on the environment shall be commenced within thirty (30) days after the filing of the notice with the county clerk required by the Environmental Quality Act of 1970.

3. Any action or proceeding alleging that an environmental impact report does not comply with legal requirements shall be commenced within thirty (30) days after the filing of the notice with the county clerk required by the Environmental Quality Act of 1970.

4. Any action or proceeding alleging any other violation of this chapter or of the Environmental Quality Act of 1970 shall be commenced within thirty (30) days of the alleged violation.

B. Proof of Service. Proof of prior service by mail upon the city of a written notice of the commencement of any action or proceeding described in subsection A of this section identifying the project shall be filed concurrently with the initial pleading in such action or proceeding. (Ord. 160 §§ 2.6, 2.7, 1973)

**8.04.090      Filing of notices.**

The clerk of the city council shall file any notices required by the Environmental Quality Act of 1970. (Ord. 160 § 2.8, 1973)

**8.04.100 Ministerial projects.**

The city council shall develop a list of classes of projects which are ministerial. The city clerk shall recommend to the council the list of ministerial projects. Approval of the list of ministerial projects shall be by resolution. Ministerial projects are not subject to the environmental impact procedures specified in this chapter or to the Environmental Quality Act of 1970. (Ord. 160 § 2.9, 1973)

**8.04.110 Categorical exemptions.**

A. Criteria. The criteria for granting a class of discretionary projects a categorical exemption shall be as follows:

1. The projects within the class occur frequently;
2. The projects within the class in general will not have a significant effect on the environment due to their nature;
3. For classes of projects which by their nature may have a significant effect on the environment, the projects within the class in general will not have a significant effect on the environment because sufficient guidelines for taking governmental action have been established by ordinance, by resolution, or by motion to insure the conformity of the projects with the Environmental Quality Act of 1970.

B. Development by City Council. The city council shall develop a list of classes of projects which may be granted categorical exemptions in addition to those classes of projects exempted by the Environmental Quality Act of 1970.

C. Adoption by Resolution. The city clerk shall recommend to the city council those classes of projects which should be granted categorical exemptions. The granting or revo-

cation of a categorical exemption for a class of projects shall be by resolution.

D. Effect of a Categorical Exemption. Any project which is within a class of projects granted a categorical exemption and which does not have environmental characteristics significantly different from the other members of such class is deemed to be a project which will not have a significant effect on the environment. No environmental assessment or environmental impact report is required for such a project. (Ord. 160 § 3, 1973)

**8.04.120 Environmental assessment.**

A. Development of Procedure by City Council. The city council shall develop a procedure for environmental assessments of projects. Such procedure may be in the form of a questionnaire, a matrix, or any other form.

B. Adoption of Procedure by Resolution. The city clerk shall recommend to the city council the procedure for environmental assessments of projects. The adoption or revision of such procedure shall be by resolution.

C. Environmental Assessment by City Council. The city council shall make an environmental assessment for the following after the payment of the appropriate fee:

1. Any project which does not qualify for a categorical exemption and which may require an environmental impact report under the Environmental Quality Act of 1970 and any regulations adopted pursuant thereto;

2. Any project which is submitted by the sponsor to the city council for an environmental assessment prior to the submittal of the project to the city for governmental action.

D. Data from Sponsor. The city council may require the sponsor of a project to provide all or a part of the base data on the project and

its proposed environment necessary for an environmental assessment of the project.

E. Recommendation by City Council. If the city council finds that a project may have a significant effect on the environment, it shall record this recommendation in writing and, after the payment of the appropriate fee, prepare an environmental impact report for the project.

F. Finding by Decisionmaker. If the city council recommends that a project does not have significant effect on the environment, each decisionmaker for the project shall confirm or reject this recommendation and record his finding in writing and forward the same to the city council. In the event of a negative declaration, the city council shall file a negative declaration pursuant to state regulations with the appropriate agency. (Ord. 160 § 4, 1973)

#### **8.04.130 Environmental impact report.**

A. Development of Procedure by City Council. The city council shall develop a procedure for the preparation of environmental impact reports. Such procedure may be in the form of a questionnaire, a matrix, or any other form.

B. Adoption of Procedure by Resolution. The city clerk shall recommend to the city council the procedure for the preparation of environmental impact reports. The adoption or revision of such procedure shall be by resolution.

C. Environmental Impact Report by City Council. The city council shall prepare an environmental impact report for the following after the payment of the appropriate deposit:

1. Any project which may have a significant effect on the environment and which re-

quires an environmental impact report under the Environmental Quality Act of 1970 and regulations adopted pursuant thereto;

2. Any project which is submitted by the sponsor to the city council for an environmental impact report prior to the submittal of the project to the city for governmental action.

D. Supplemental Environmental Impact Report. The city council shall prepare a supplemental environmental impact report for a project whenever the same is required by the Environmental Quality Act of 1970 or regulations adopted pursuant thereto, whenever there is any data on the project or its proposed environment which was not previously considered in the environmental impact report, or whenever it appears necessary to revise the original environmental impact report.

E. Data from Sponsor. The city council may require the sponsor of a project to provide all or a part of the base data on the project and its proposed environment necessary for an environmental impact report or a supplemental environmental impact report on the project.

F. Public Hearing. Before any governmental action may be taken on a project which may have a significant effect on the environment, a public hearing shall be held on the environmental impact report for the project and on any supplemental environmental impact report for the project which differs significantly from the original environmental impact report. After the city council has prepared a preliminary draft of the environmental impact report, it shall hold a public hearing in regard to the project. Notice of the time and place of the hearing shall be published at least once in a newspaper published and circulated in the city, the first publication of which shall be at least four days prior to the time set for the hearing. Any environ-

mental impact report to be considered shall be available in the City Hall for public inspection from the time of publication until the time of the hearing. At the time and place set for the hearing, evidence on the potential effect of the project on its proposed environment shall be received, the hearing may be continued from time to time. No decision on the environmental impact of the project or on the proposed governmental action is necessary at such a hearing.

G. Finding by Decisionmaker. Each decisionmaker for a project shall make a finding on the sufficiency of the environmental impact report and any supplemental environmental impact report for the project and shall record his or her findings in writing. If a decisionmaker finds that the environmental impact report or any supplemental environmental impact report is not sufficient, he or she shall transmit the project to the city council for a supplemental environmental impact report.

H. Use of Environmental Impact Report. Every decisionmaker for a project shall consider all environmental impact reports for the project prior to approving or disapproving the project. The environmental data supplied by these reports and by any other source may be used by the decisionmaker as follows:

1. Authorization of a project may be denied if, in the opinion of the city council and the decisionmaker:

- a. Its adverse environmental effect outweighs its beneficial environmental effect; or
- b. A feasible alternative exists having a lesser adverse environmental effect.

2. A project may be authorized subject to conditions reasonably calculated to:

- a. Minimize the adverse environmental effect of the project; or

- b. Maximize the beneficial environmental effect of the project. (Ord. 160 § 5, 1973)

## Chapter 8.08

### GARBAGE COLLECTION AND DISPOSAL

#### Sections:

8.08.010	Definitions.
8.08.020	Compliance required.
8.08.030	Garbage cans or receptacles required—Placement.
8.08.040	Rubbish and waste matter cans or receptacles required—Placement.
8.08.050	Collection along lane or road.
8.08.060	Disposal—Restrictions.
8.08.070	Garbage burning restrictions.
8.08.080	Weekly emptying required.
8.08.090	Hauler permit—Revocation.
8.08.100	Collection vehicles—Minimum specifications.
8.08.110	Manner of collection.
8.08.120	Rates.
8.08.130	Hauler—Contract with the city.
8.08.140	Enforcement.
8.08.150	Violation—Penalty.

#### 8.08.010 Definitions.

For the purposes of this chapter the following words and phrases, when used in this chapter, shall have the following meanings:

“Garbage” consists of every accumulation of animal, vegetable and other matter that attends or results from the preparation, consumption, or dealing in, or storage of, meats, fish,

fowl, birds, fruits or vegetables, or other food products.

“Hauler” means any person holding a permit from the city to engage in the occupation of collecting and disposing of garbage, rubbish and waste matter in the city in consideration of the payment to him of the charges for hauler services, as provided in Section 12.

“Rubbish” consists of woods, leaves, branches shrub trimmings, chips, shavings, woodenware, printed matter, paper, grass, cloth, straw, hay, leather, felt and plastic.

“Waste matter” consists of bottles, cans, crockery, screenware, china, glass, glassware, ashes, cinders, and shells. (Ord. 174 § 1, 1986)

#### 8.08.020 Compliance required.

It is unlawful for any person in the city to accumulate, remove or dispose of garbage, rubbish or waste matter, as defined in this chapter, except in accordance with the provisions of this chapter. (Ord. 174 § 2, 1986)

#### 8.08.030 Garbage cans or receptacles required—Placement.

A. It is unlawful for a tenant, lessee or occupant of a private or other dwelling house or building, or trailer residence or duplex, or the keeper of a hotel, motel, restaurant, eating house, boardinghouse or other building where meals or food are furnished or the owner of a furnished flat or apartment house or trailer park or any person or place having garbage in the city to fail to provide upon the premises, and at all times to keep and maintain within the building or on the lot on which the building is situated, suitable and sufficient water-tight metal or plastic cans or receptacles with suitable bails or handles, each can having a capacity of not less than ten (10) gallons nor more than thirty-

two (32) gallons, each having tight-fitting lids, for receiving and holding without leakage or escape of odors, and without being filled to within four inches or less of the top, all of the garbage which would ordinarily accumulate on the premises in one week's time. The cans or receptacles shall be located so that the same are readily accessible for removing and emptying the material therein and in no event shall such garbage cans weigh over seventy (70) pounds.

B. Garbage cans or receptacles must be furnished in the minimum number of one per resident family.

C. It is also unlawful for any person to fail to place such cans or receptacles so that the bottom thereof will be at least two inches above a well-drained surface, or so that the cans or receptacles are placed entirely beneath the surface of the ground and concrete forms made particularly for such purpose; or to place the same where they will not be a nuisance to any other person or to the public, or to any degree be offensive. (Ord. 174 § 3, 1986)

**8.08.040 Rubbish and waste matter cans or receptacles required—Placement.**

A. It is unlawful for a tenant, lessee or occupant of a private or other dwelling house or building, or trailer residence or duplex, or the keeper of a hotel, motel, restaurant, eating house, boardinghouse or other building facility where rubbish or waste matter accumulates in the city, or the owner of a furnished flat or apartment house or trailer park, or any person having trash in the city to fail to provide, upon the premises, and at all times to maintain suitable and sufficient enclosed metal or plastic cans or receptacles with suitable handles, each can or receptacle having a capacity of not more

than thirty-five (35) gallons, and having tight-fitting lids sufficient to hold the rubbish or waste matter that would ordinarily accumulate on such premises in one week's time. It is also unlawful for any person to fail to place all rubbish or waste matter accumulated on the premises in such or receptacles or to fail to place such cans or receptacles so that they are readily accessible for the removal of rubbish or waste matter therein, and must be close to the edge of the road, edge of the street or edge of the alley affording the garbage truck usual reasonable access to the premises.

B. Rubbish or waste matter not easily placed in containers must be neatly tied in bundles with a maximum length of four feet and must be able to be easily carried.

C. Commercial or industrial rubbish and waste matter produced in large quantities may be stored for collection in larger enclosed metal or wooden receptacles and be equipped with suitable lids or covers.

D. Rubbish and waste matter, as defined in this chapter, shall not be placed, disposed of or otherwise accumulated and commingled in the same receptacles. (Ord. 174 § 4, 1986)

**8.08.050 Collection along lane or road.**

Any person, firm or corporation maintaining a home, place of business or industrial establishment, access where to is had by a lane or roadway reasonably sufficient for the safe passage of the garbage collector's truck, may keep and locate the garbage cans or receptacles provided for in Sections 8.08.030 and 8.08.040 at a location not more than seventy-five (75) feet from such lane or road, but shall pay, in addition to all other rates and charges payable for garbage collection service, a rate or charge to

be fixed by resolution of the city council. (Ord. 174 § 5, 1986)

#### **8.08.060 Disposal—Restrictions.**

A. It is unlawful for any person to dispose of any garbage, rubbish or waste matter originating in the city, other than at a disposal area designated by the city council, excepting that the same may be placed in receptacle as provided by Section 8.08.030 and 8.08.040, provided that the same are emptied and the contents thereof removed and disposed of when filled within four inches of the top and, in any event, at least one a week as provided by Section 8.04.080.

B. No garbage, rubbish or waste matter shall be disposed of in unincorporated territory, except at the designated dump site.

C. The city council shall be the judge of the sufficiency and sanitary condition of all garbage, rubbish and waste matter containers. (Ord. 174 § 6, 1986)

#### **8.08.070 Garbage burning restrictions.**

It is unlawful for any person to burn or cause to be burned in the city any garbage or rubbish combined with garbage, excepting upon a written permit granted therefor by the fire chief. No plastics can be burned. (Ord. 174 § 7, 1986)

#### **8.08.080 Weekly emptying required.**

It is unlawful in the city for a person not to have each and every can, box, barrel or other receptacle used for the accumulation of garbage, rubbish or waste matter emptied and the contents thereof removed from the premises and disposed of, as provided in this chapter,

when any of the receptacles are filled to within four inches of the top and, in any event, it is unlawful for a person not to have each and all of the receptacles emptied and the contents thereof so removed and disposed of at least once each week. (Ord. 174 § 8, 1986)

#### **8.08.090 Hauler permit—Revocation.**

The permit of any scavenger may be revoked for persistent and repeated failure on his part to properly collect garbage, rubbish and waste matter, or for charging for the collection of the same in excess of the rates fixed by the city council. It is unlawful for any hauler whose permit has been revoked to collect garbage, rubbish and waste matter within the city, provided that no permit shall be revoked except upon a hearing before the city council, upon three days' previous notice in writing given to such hauler. (Ord. 174 § 9, 1986)

#### **8.08.100 Collection vehicles— Minimum specifications.**

It is unlawful for any hauler to use any truck or other vehicle for the removal and transportation of any garbage, rubbish or waste matter from any premises within the city unless the same first has been approved by the city council and conforms to the following minimum specifications:

A. Collection vehicles may be of two types:

1. Enclosed or covered body truck, satellite vehicles with covered bodies;

2. Packer or mechanical compaction-type trucks, of a type approved by the city council. Open body trucks may be used for bulky material, large objects or material impossible to collect with a packer or mechanical compaction unit.

B. Each collection vehicle must be painted such color as is designated by resolution of the city council or by contract entered into with the city upon authorization of the city council.

C. Each collection vehicle must be maintained in a clean, sanitary, well-painted and mechanically safe condition. It shall be inspected twice yearly without prior notice by authorized representatives of the city council.

D. The portion of each collection vehicle in which garbage, rubbish or waste matter is placed for transportation shall be constructed in such manner that the same shall be water-tight so that no leakage or odor can escape therefrom. Doors to such vehicle bodies shall be kept closed at all times except when garbage, rubbish or waste matter is actually being loaded or unloaded. (Ord. 174 § 10, 1986)

#### **8.08.110 Manner of collection.**

A. It is unlawful for any hauler or garbage collector to empty or remove the contents of such cans or receptacles as are used for accumulation of garbage, rubbish or waste matter in such manner as will create unnecessary noise or from any motel or hotel before six a.m.

B. All garbage, rubbish and waste matter shall be removed from the cans or receptacles used for the accumulation of the same and from the premises on which the same are located in the manner provided by Section 8.08.100.

C. Dropping or Spilling Prohibited. It is unlawful for any hauler to allow any garbage, rubbish and waste matter to spill, drop or fall from his or her vehicle. He or she shall be responsible for the pickup of such garbage, rubbish and waste matter that falls from his or her vehicle. (Ord. 174 §§ 11, 12, 1986)

#### **8.08.120 Rates.**

The city council, from time to time, shall establish by resolution the maximum rates or charges that may be charged by haulers for the collection of garbage, rubbish and waste matter within the city. The current schedules of rates so fixed by the city council shall be at all times on file in the office of the city clerk, and a copy thereof shall be available to each hauler. It is unlawful for any hauler to charge a rate in excess of that so fixed by the city council. (Ord. 174 § 13, 1986)

#### **8.08.130 Hauler—Contract with the city.**

A. The city council is authorized to enter into a contract on behalf of the city with one or more persons, firms or corporations for the collection of all garbage, rubbish and waste matter in the city upon such terms and conditions as the council determines will be for the best interest of the city.

B. In the event such contract is let, it is unlawful for any person, firm or corporation, other persons in the employ of such contractor, or contractors, to collect for pay, or other consideration, any garbage, rubbish and waste matter within the city, except that any firm or corporation producing not less than fifty (50) gallons per week of clean garbage suitable for hogs or other domestic animals may contract for the removal of such garbage outside the city; provided, further, that the same shall all be done upon a permit issued by the chief administrative officer of the city after determining that the applicant is properly equipped to remove such garbage.

C. Such contractor, in addition to meeting all the other requirements of this chapter, shall agree to, and such contract shall require, that



the contractor do the following: prepare and submit to the city administrator, for approval, collection and disposal routes and schedules showing the days of collection of each route;

D. Notwithstanding anything contained in this section to the contrary, any individual shall have the right to remove or haul or dispose of garbage, rubbish and waste matter produced or accumulated upon premises owned by such individual or in such individual's possession, but such individual must nevertheless pay, in any event, the regular monthly fixed charge set by the city council for hauler service, whether such service is used or not used.

E. The monthly fixed charge for hauler service set by the city council, at the will of the city council, for good cause shown, may be waived for public and quasi-public agencies. The council, in waiving such fees, may impose reasonable conditions in conjunction therewith, and such waiver, at the will of the council, may be revoked at any time. Such request for waiver shall be in writing to the city council and shall be considered at a regularly scheduled meeting of the city council. (Ord. 174 § 14, 1986)

hundred dollars (\$100.00) each additional violation of the same section within one year. (Ord. 174 § 16, 1986)

#### **8.08.140 Enforcement.**

It shall be the duty of the city administrator to enforce the provisions of this chapter. (Ord. 174 § 15, 1986)

#### **8.08.150 Violation—Penalty.**

Any person violating any of the provisions of this chapter is guilty of an infraction. Every violation is punishable by a fine not exceeding twenty-five dollars (\$25.00) for a first violation; a fine not exceeding fifty dollars (\$50.00) for a second violation of the same section within one year; and a fine not exceeding one

**Chapter 8.12****8.12.230 Alternative proceedings.****8.12.240 Emergency abatement.****NUISANCES****Sections:**

- 8.12.010 Definitions.**
- 8.12.020 Findings.**
- 8.12.030 Nuisances designated.**
- 8.12.040 Notice by health and safety officer or planning commission.**
- 8.12.050 Voluntary abatement.**
- 8.12.060 Failure to voluntarily abate.**
- 8.12.070 Public hearing—Notice—Service.**
- 8.12.080 Public hearing—Notice—Form.**
- 8.12.090 Public hearing—Conduct.**
- 8.12.100 Appeal procedure—Hearing by city council.**
- 8.12.110 Hearing procedure before the city council.**
- 8.12.120 Judicial appeal.**
- 8.12.130 Service of abatement order.**
- 8.12.140 Abatement by property owner.**
- 8.12.150 Abatement by city.**
- 8.12.160 Demolition.**
- 8.12.170 Costs of abatement—Accounting.**
- 8.12.180 Costs of abatement—Decision.**
- 8.12.190 Costs of abatement—Objections.**
- 8.12.200 Costs of abatement—Assessment.**
- 8.12.210 Notices.**
- 8.12.220 Violation—Penalty.**

**8.12.010 Definitions.**

For the purpose of this chapter, certain words and phrases are defined and certain provisions are to be construed as set out in this section, unless it shall be apparent from the context that a different meaning is intended:

“Abate” means to repair, replace, remove, destroy, or otherwise remedy the condition in question by such means and in such manner and to such an extent as the health and safety officer in his or her judgment shall determine is necessary in the interest of the general health, safety and welfare of the community.

“Building” means any house, garage, duplex, apartment, condominium, stock cooperative and other residential and nonresidential structures.

“Owner” means any person owning property, as shown on the last equalized assessment roll for city taxes.

“Person” means any individual, partnership, corporation, association or other organization however formed. (Ord. 190 § 8.08.05, 1998)

**8.12.020 Findings.**

A. The city council finds and determines that certain detrimental conditions, as set forth in this chapter, are becoming increasingly prevalent and substantial in significance and effect within the city. These conditions are either injurious or potentially injurious to the public health, safety and welfare of the community. These conditions use city resources, cause a loss of property values, invite crime, accidents, fire and disease. The city council finds that these conditions offend the senses

and interfere with the comfortable enjoyment of life and property.

B. The city council further finds and determines that corrective measures set forth in this chapter are undertaken to alleviate these conditions, to avoid future problems and to maintain and improve the social and economic standards of this community. The city council finds that it is a proper exercise of police power to protect the health, safety and welfare of the public. The city council further finds that it is authorized by the Constitution of the State of California and the California Government Code to enact the corrective measures outlined in this chapter.

C. It is further found and determined that the abatement of such conditions will enhance the appearance, appreciate the values and appearances of neighboring properties and benefit the use and enjoyment of properties in the city and will ultimately improve the tax base, and that the abatement procedures set forth in this chapter are reasonable and afford the required due process. (Ord. 190 § 8.08.010, 1998)

#### **8.12.030 Nuisances designated.**

The following acts and conditions, when performed or existing upon land within the city, are defined and declared to be public nuisances when of such magnitude as to be injurious or potentially injurious to the public health, safety and welfare or which have a tendency to degrade the appearance and property values of surrounding property, or which cause damage to public rights-of-way:

A. Fire Hazards. Dry or dead shrubs, dead trees, combustible refuse or waste or any material growing upon a public right-of-way or private property which by reason of its size, manner of growth or location creates a fire hazard

to a building, improvement, crop or other property. Any material growing upon a public right-of-way or private property which because of its size, manner of growth or location creates a fire hazard to a building, improvement, crop or other property, which if dry would create a fire hazard, shall be deemed a fire hazard;

B. Hazardous Obstructions. An obstacle, landscaping or thing installed or maintained in the corner setback area reaching a height higher than four feet above the adjoining top of curb at the applicable corner of the street intersection, or four feet above the nearest pavement surface where there is no curb, or the existing traveled roadway at the corner in question where there is no curb or pavement. Hazardous obstructions do not mean existing or future permanent buildings, otherwise constructed or maintained in accordance with applicable building and zoning regulations, public utility poles, trees trimmed at the trunk at least nine feet above the level of the ground surface; provided, trees are spaced so that trunks do not obstruct the vision of motorists;

C. Polluted Water. A swimming pool, pond or other body of water which is abandoned, unattended, unfiltered, or not otherwise maintained, resulting in the water becoming polluted. "Polluted water" means water contained in a swimming pool, pond or other body of water, which includes but is not limited to, bacterial growth, including algae, remains of deceased animals, reptiles, rubbish, refuse, debris, papers or other foreign matter or material which creates an unhealthy, unsafe or unsightly condition;

D. Land where erosion, subsidence or surface water drainage problems exist;

E. Debris, rubbish or trash readily visible from public rights-of-way;

F. Material or items of any nature stored on rooftops when visible from the public rights-of-way;

G. Maintenance of Property. It is declared a public nuisance for any person owning, leasing, occupying or having charge of any premises in this city to maintain or to allow to be maintained the property so that any of the following conditions exist thereon:

1. Buildings which are abandoned, boarded up, partially destroyed or left in a state of partial construction for a period of more than thirty (30) days,
2. Unpainted buildings causing dry rot, warping and termite infestation,
3. Broken windows which create a hazardous condition or invite trespassers or malicious mischief;

H. Attractive nuisances are defined as any condition or thing which creates a danger to others, such as:

1. Abandoned and/or broken equipment or vehicles,
2. Hazardous pools, ponds and excavations,
3. Neglected machinery or vehicles, broken or discarded household furnishing, including stoves, refrigerators and freezers,
4. Anything which may endanger children or other persons whether in a building, on the premises of a building, or upon an unoccupied lot or parcel. This includes, but is not limited to, abandoned wells, shafts, basements or excavations; abandoned refrigerators and motor vehicles; any structurally unsound fences or structures; or any lumber, trash, fences, debris or vegetation;

I. Maintenance of premises in such conditions as to be detrimental to the public health, safety or general welfare or in such a manner

as to constitute a public nuisance as defined in Civil Code Sections 3479 or 3480;

J. Unoccupied buildings which have been left unlocked or otherwise open or unsecured from intrusions by persons, animals or the elements and constitute a fire hazard;

K. Temporary signs which advertise or are related to events which have already taken place;

L. Maintenance of premises in such conditions as to cause substantial diminution of the enjoyment or use or property values of adjacent properties;

M. Any building, driveway or structure, or portion of such building, driveway or structure which has any of the following conditions or defects:

1. Significant damage by earthquake, wind, flood, fire or by any other cause, which does not meet the minimum structural requirements set forth in the Uniform Building Codes,
2. Any portion or member or appurtenance thereof poses the danger of falling, detaching, dislodging or collapsing and injuring persons or damaging property,
3. Any building, portion of a building or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability or is not so anchored, attached or fastened in place so as to be capable of resisting wind pressure, earthquake forces, live-load or dead-load as specified in the Uniform Building Code without exceeding the stressed permitted in the Uniform Building Code,

4. Any portion thereof has settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquake than is required for safety,

5. The building or structure or any portion thereof, because of dilapidation, deterioration, decay, faulty construction or because of the removal or movement of some portion of the ground necessary for the purpose of supporting such building or portion thereof, or some other cause is likely to completely collapse or some portion of the foundation or underpinning is likely to fall or give way,

6. For any reason whatsoever, the building or structure, or any portion thereof is unsafe the purpose for which it is used,

7. Any building which meets the definitions of a substandard building in the Uniform Housing Code,

8. Building or structures maintained in violation of the Uniform Building Code. (Ord. 190 § 8.08.020, 1998)

**8.12.040 Notice by health and safety officer or planning commission.**

Whenever the health and safety officer or the planning commission finds that a nuisance, as defined by Section 8.12.030, exists on any premises located within the city, he/she/it shall notify the property owner of the nuisance and direct abatement of the nuisance. Notice of such nuisance and abatement shall be as provided for in Section 8.12.210. The notice shall detail the violations and establish reasonable abatement period, which, if not otherwise specified, shall be fifteen (15) days. (Ord. 190 § 8.08.030, 1998)

**8.12.050 Voluntary abatement.**

The owner or tenant of any building, structure or property found to be a nuisance under the provisions of this chapter may abate the nuisance at any time within the abatement pe-

riod by rehabilitation, removal or demolition. The health and safety officer or the planning commission shall be advised of the abatement and shall inspect the premises to insure the nuisance has been abated. (Ord. 190 § 8.08.040, 1998)

**8.12.060 Failure to voluntarily abate.**

If a nuisance is not properly abated within the period established under the provisions of Section 8.12.040, then the planning commission shall hold a public hearing to determine if the nuisance should be abated under the police powers of the city. In the event that there is no planning commission in existence when a nuisance is not properly abated, then the city council shall as soon as is practicable appoint one of its members or another disinterested person to serve as the hearing officer for the public hearing to determine if the nuisance should be abated. If a member of the city council is selected to act as the hearing officer, that member shall not participate as a council member in any appellate review under Section 8.12.110. (Ord. 190 § 8.08.050, 1998)

**8.12.070 Public hearing—Notice—Service.**

A written notice of public hearing, substantially in the form established in Section 8.12.080, shall be served on the property owner at least ten (10) days prior to the date set for the public hearing under Section 8.12.060. Service shall be made as provided for in Section 8.12.210. The failure of any person to receive such notice shall not affect the validity of the proceedings. (Ord. 190 § 8.08.060, 1998)

**8.12.080 Public hearing—Notice—Form.**

Notice substantially in the following form shall be given as provided in Section 8.12.070:

**NOTICE OF PUBLIC HEARING TO  
DETERMINE EXISTENCE OF PUBLIC  
NUISANCE AND TO ABATE IN WHOLE  
OR IN PART**

Notice is hereby given that on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the City of Dorris will hold a public hearing at \_\_\_\_\_ to ascertain whether certain premises situated within the City of Dorris, State of California, known as \_\_\_\_\_ constitutes a public nuisance subject to abatement by rehabilitation of such premises or by the repair or demolition of buildings or structures situated thereon. If said premises, in whole or in part, are found to constitute a public nuisance as defined in Section 8.12.030 and if the same are not promptly abated by the owner such nuisance may be abated by municipal authorities, in which case the cost of such rehabilitation, repair or demolition will be assessed upon such premises and such cost will constitute a lien upon such land until paid.

Said alleged violations consist of the following:

---

Said methods of abatement available are:

---

All persons having any objections to, or in said matters are hereby notified to attend a

hearing to be held on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_ M. when their testimony and evidence will be heard and given due consideration.

Dated: This \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

CHAIRMAN OF THE PLANNING  
COMMISSION (OR APPOINTED HEAR-  
ING OFFICER)

(Ord. 190 § 8.08.070, 1998)

**8.12.090 Public hearing—Conduct.**

At the time and places stated in the notice of public hearing, the planning commission or appointed hearing officer shall hear and consider all relevant evidence, objections or protests and shall receive testimony for owners, witnesses, city personnel and interested persons relative to such alleged public nuisance and to propose abatement measures. The hearing may be continued from time to time. The planning commission or appointed hearing officer shall make findings of fact as to whether a nuisance exists, the method for abating the nuisance and the time within which the nuisance shall be abated. The findings of fact shall be called the "abatement order." If there is no appeal of the abatement order pursuant to Section 8.12.100, the abatement order shall be final and binding upon the owner. (Ord. 190 § 8.08.080, 1998)

**8.12.100 Appeal procedure—Hearing  
by city council.**

A. The owner may appeal the abatement order made pursuant to the Section 8.12.090 to the city council by filing an appeal with the city clerk within seven calendar days of the date of the service of the abatement order. The appeal shall contain:

1. A specific identification of the subject property;
2. The names and addresses of all appellants;
3. A statement of appellant's legal interest in the subject property;
4. A statement in ordinary and concise language of the specific order or action protested and the grounds for appeal, together with all material facts in support thereof;
5. The date and signatures of all appellants;
6. The verification of at least one appellant as to the truth of the matters stated in the appeal.

B. As soon as practicable after receiving the appeal, the city clerk shall set a date for the council to hear the appeal which date shall be not less than seven calendar days not more than thirty (30) calendar days from the date the appeal was filed. The city clerk shall give each appellant written notice of the time and the place of the hearing at least five calendar days prior to the date of the hearing, either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the address shown on the appeal. Continuance of the hearings may be granted by the council on request of the owner for good cause shown, or on the council's own motion. (Ord. 190 § 8.08.090, 1998)

#### **8.12.110 Hearing procedure before the city council.**

- A. All hearings shall be tape recorded.
- B. Hearings need not be conducted according to the technical rules of evidence.
- C. Any relevant evidence, including hearsay, shall be admitted if it is the type of evi-

dence on which reasonable persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil action in courts of competent jurisdiction in this state.

D. Oral evidence shall be taken only on oath or affirmation.

E. Irrelevant and unduly repetitious evidence shall be excluded.

F. Upon the conclusion of the hearing, the council shall determine whether the property or any part thereof, as maintained, constitutes a public nuisance. If the council so finds, the council shall adopt a resolution declaring such property to be a public nuisance, setting forth its findings and ordering the abatement of the same by having such property rehabilitated, repaired, removed or demolished in the manner and means specifically set forth in such resolution. The resolution shall set forth the time within which such work shall be completed by the owner, in no event less than thirty (30) days. The decision and order of the council shall be final. (Ord. 190 § 8.08.095, 1998)

#### **8.12.120 Judicial appeal.**

An owner must bring an action to contest such decision of the city council within fifteen (15) days after the date of such decision of the city council. Otherwise, all objections to the decision of the council shall be deemed waived. (Ord. 190 § 8.08.100, 1998)

#### **8.12.130 Service of abatement order.**

Within five days following the decision pursuant to Section 8.12.090 the owner shall be served with a copy of the written order of

the public hearing in the manner provided in Section 8.12.070. (Ord. 190 § 8.08.110, 1998)

**8.12.140 Abatement by property owner.**

The owner may, at his or her own expense, abate the nuisance as prescribed by the abatement order prior to the expiration of the abatement period set forth in the order. If the nuisance has been inspected by the health and safety officer or the planning commission and has been abated in accordance with the order, proceedings shall be terminated. (Ord. 190 § 8.08.120, 1998)

**8.12.150 Abatement by city.**

A. If such a nuisance is not abated as ordered within such abatement period, the city clerk shall cause the same to be abated by city employees or private contract. The city clerk or his or her representative, is expressly authorized to enter upon the property for such purposes. The cost, including incidental expenses, of abating the nuisance shall be billed to the owner and shall become due and payable thirty (30) days thereafter. The term "incidental expenses" means and includes, but is not limited to personnel costs, both direct and indirect, including attorney's fees; cost incurred in documenting the nuisance; the actual expenses and costs of the city in the preparation of notices, specifications and contracts and in inspecting the work; and the costs of printing and mailing required hereunder.

B. A person shall not obstruct, impede or interfere with the city clerk or his or her representative, or with any person who owns, or holds any interest or estate in any property in

the performance of any necessary act, preliminary to or incidental to, carrying out an abatement order issued pursuant to Sections 8.12.090 or 8.12.110. (Ord. 190 § 8.08.130, 1998)

**8.12.160 Demolition.**

A. Demolition shall be determined to be the method for abatement of a nuisance only when it is determined that is the only method to reasonably correct the nuisance.

B. A copy of any order or resolution requiring abatement by demolition under Sections 8.12.090 or 8.12.110 shall be forthwith recorded with the county recorder. (Ord. 190 § 8.08.135, 1998)

**8.12.170 Costs of abatement—Accounting.**

A. The health and safety officer, planning commission or such other city official as may be designated, shall keep an account of the costs (including incidental expenses) of abating such nuisance on each separate lot or parcel of land where the work is done and shall render an itemized report in writing to the city council showing the cost of abatement or repairing of such premises, buildings or structures, including any salvage value relative thereto. A copy of the account shall be submitted to the city council to determine if the costs should be assessed against the owner. A copy of the account shall be served on the owner in accordance with Section 8.12.070, with a notice of the time when the city council shall determine if the costs shall be assessed against the owner.

B. The city council shall review the costs before they are assessed against the owner to



determine the corrections or reasonableness, or both, of such costs.

C. "Incidental expenses" includes, but is not limited to, the actual expenses and costs to the city in the preparation of notice, specifications and contracts, and in inspecting the work, and the costs of printing and mailing required under this chapter. (Ord. 190 § 8.08.140, 1998)

**8.12.180 Costs of abatement—  
Decision.**

At the time and place fixed for reviewing the account of costs of abatement, the council shall decide if the costs of abatement as stated in the account of costs are reasonable and shall consider any objections presented under Section 8.12.190. The council may modify the account of the costs of abatement as it may deem just and thereafter shall confirm the account by motion or resolution. The decision of the city council shall be final and conclusive. (Ord. 190 § 8.08.150, 1998)

**8.12.190 Costs of abatement—  
Objections.**

An owner may file a written objection to the account of costs of abatement with the city clerk at any time prior to the time set for the city council to review of the account of costs. The city clerk shall endorse each objection received and shall present such objections to the city council at the time set for review. No other objections shall be considered. (Ord. 190 § 8.08.155, 1998)

**8.12.200 Costs of abatement—  
Assessment.**

A. The total cost for abating such nuisance, as so confirmed by the city council, shall constitute a special assessment against the respective lot or parcel of land to which it relates, and upon recordation in the office of the county recorder of a notice of liens, as so made and confirmed, shall constitute a lien on the property for the amount of such assessment.

B. After such confirmation and recordation, a copy may be turned over to the tax collector for the city, whereupon it shall be the duty of the tax collector to add the amounts of the respective lots and parcels of land for municipal purposes, and thereafter the amounts shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedures under foreclosure and sale in case of delinquency as provided for ordinance municipal taxes; or, after such recordation, such liens may be foreclosed by judicial or other sale in the manner and means provided by law.

C. Such notice of lien for recordation shall be in form substantially as follows:

**NOTICE OF LIEN  
(Claim of City of Dorris)**

Pursuant to the authority vested by the provisions of Section 8.08.130 of Ordinance Number 190 of the City of Dorris, the Planning Commission of the City of Dorris did on or about the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, cause the premises hereinafter described to be rehabilitated or the

building or structure on the property hereinafter described to be repaired or demolished in order to abate a public nuisance on said property; and the City Council of the City of Dorris did on the \_\_\_\_ day of \_\_\_\_, 19\_\_\_\_, assess the cost of such rehabilitation, repair or demolition upon the real property hereinafter described; and the same has not been paid nor any part thereof; and that said City of Dorris does hereby claim lien on such rehabilitation, repair or demolition in the amount of said assessment, to wit: the sum of \$\_\_\_\_, and the same shall be a lien upon said real property until same has been paid in full and discharged of record.

The real property hereinafter mentioned and upon which a lien is claimed, is that certain parcel of land lying and being in the City of Dorris, State of California, and particularly described as follows:  
(DESCRIPTION)

DATED: This \_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_.

\_\_\_\_\_  
CITY OF DORRIS MAYOR

(Ord. 190 § 8.08.160, 1998)

#### **8.12.210 Notices.**

All notices are required to be in writing under this chapter shall be by certified mail requiring a return receipt or shall be made by personal service upon the owner and shall be posted on the property in violation in a conspicuous manner. (Ord. 190 § 8.08.170, 1998)

#### **8.12.220 Violation—Penalty.**

A. The owner or other person having charge or control of any such buildings or premises who maintains any public nuisance defined in this chapter, or who violates any order of abatement, is guilty of an infraction.

B. Any occupant or lessee in possession of any such building or structure who fails to vacate the building or structure in accordance with an order given as provided in this chapter is guilty of an infraction.

C. Any person who removes any notice or order posted as required in this chapter, for the purpose of interfering with the enforcement of the provisions of this chapter, is guilty of a misdemeanor.

D. Any person who obstructs, impedes or interferes with any representative of the city council or with any representative of a city department or with any person who owns or holds any estate or interest in a building which has been ordered to be vacated, repaired, rehabilitated or demolished, or with any person to whom the building has been lawfully sold pursuant to the provisions of this chapter, when any of the aforementioned individuals are lawfully engaged in proceedings involving the abatement of a nuisance, is guilty of a misdemeanor. (Ord. 190 § 8.08.180, 1998)

#### **8.12.230 Alternative proceedings.**

Nothing in this chapter shall be deemed to prevent the city council from ordering the city attorney to commence a civil or criminal proceeding to abate a public nuisance under applicable Civil Code or Penal Code provisions as an alternative to the proceedings set forth in this chapter. (Ord. 190 § 8.08.190, 1998)

**8.12.240      Emergency abatement.**

A. Whenever any nuisance as defined in this chapter constitutes an immediate hazard to life, health or property and, in the opinion of the planning commission or the city council, abatement must be undertaken within less than the designated period, the planning commission or city council may abate or cause to be abated all or any portion of the nuisance as may be necessary to protect life, health or property after giving such notice to the parties concerned as the circumstances will permit or without any notice whatever when, in the opinion of the city council, immediate action is necessary.

B. Whenever an emergency abatement action is taken pursuant to subsection A of this section, the planning commission or city council shall prepare a written report indicating the location of the nuisance and the reasons requiring emergency abatement thereof. A copy of this report shall be attached to or included as a part of notice to the owner of record when notice is given as previously provided in this chapter. (Ord. 190 § 8.08.195, 1998)

**Title 9**

**PUBLIC PEACE, MORALS AND WELFARE**

**Chapters:**

- 9.04 Offenses Against Public Peace and Decency**
- 9.08 Offenses Against Property**
- 9.12 Weapons**
- 9.16 Curfew for Minors**

**Chapter 9.04****OFFENSES AGAINST PUBLIC PEACE  
AND DECENCY****Sections:**

**9.04.010      Use of explosives or  
fireworks prohibited.**

**9.04.020      Public consumption of  
alcohol prohibited.**

**9.04.010      Use of explosives or fireworks  
prohibited.**

Any person who discharges, sets off or explodes any explosive, gun powder, fire-crackers or fireworks within two hundred (200) feet of any dwelling, house, store, office, outhouse, or other building within the city limits, shall be guilty of a misdemeanor, and upon conviction, shall be liable to a fine not exceeding twenty-five dollars (\$25.00) for each such offense, or in default of payment, shall be imprisoned in the city jail for a period not exceeding one month, or by both such fine and imprisonment. (Prior code § 5302)

**9.04.020      Public consumption of  
alcohol prohibited.**

A. No person shall drink any malt, spirituous or vinous liquor containing more than on-half of one percent of alcohol by volume, upon any street, sidewalk or parkway, park, playground or in any railroad depot or bus station, or in any public place, or in any place open to the patronage of the public, which premises are not licensed for the consumption of such liquor on the premises.

B. Any person violating this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than fifty dollars (\$50.00) or by imprisonment in the county jail for a period of not more than ten (10) days, or by both such fine and imprisonment. (Ord. 158 §§ 1, 2, 1968)

**Chapter 9.08****OFFENSES AGAINST PROPERTY****Sections:****9.08.010 Construction of aerals.****9.08.010 Construction of aerals.**

It is unlawful for any person to construct, maintain or use any aerial, or other device, or apparatus, connected to any radio receiving set or apparatus, which shall cross any street or alley, or which shall cross any high tension electrical wire, carrying in excess of four hundred forty volts at any time; that any and all aerals hereafter constructed shall be equipped with lightning arrester or switch of some standard design; that any and all aerals heretofore constructed shall be rebuilt or repaired in such manner as to conform to the provisions of this section. (Prior code § 5301)

**Chapter 9.12**

Section 36900, or successor statute as may be hereafter adopted. (Ord. 178 § 1(4), 1991)

**WEAPONS****Sections:**

- 9.12.010 Discharge of firearms prohibited.**
- 9.12.020 Exceptions—Permit issuance.**
- 9.12.030 Violation—Penalty.**

**9.12.010 Discharge of firearms prohibited.**

A. Every person who, except in reasonable defense of person or property, or with a permit therefor issued by the city council, shall discharge any firearm, as the term is defined in the California Penal Code, within the city is guilty of an infraction.

B. Every person who shall maliciously or wilfully discharge any B.B. gun, air rifle, spring-loaded gun, sling shot, or any device that will hurl any projectile that may cause injury to any person or may cause any property damage within the city is guilty of an infraction. (Ord. 178 §§ 1(1), 1(2), 1991)

**9.12.020 Exceptions—Permit issuance.**

On such terms and conditions as it may specify, the city council may issue permits for the discharge of firearms for public events or for other occasions where the same would serve the public interest and would not endanger the residents of the city. (Ord. 178 § 1(3), 1991)

**9.12.030 Violation—Penalty.**

Violation of this chapter is punishable as provided in California Government Code

**Chapter 9.16****CURFEW FOR MINORS****Sections:**

- 9.16.010 Curfew designated—  
Exceptions.**
- 9.16.020 Parental responsibility.**
- 9.16.030 Violators to be detained  
and cited.**
- 9.16.040 Hearing on violation.**
- 9.16.050 Failure to appear.**
- 9.16.060 Recoupment of  
administrative costs.**

**9.16.010 Curfew designated—  
Exceptions.**

It is unlawful for any person under the age of eighteen (18) to remain, wander, stroll or play in or upon the public streets, highways, roads, alley parks, playgrounds or other public grounds, public places and public buildings, vacant lots, or other unsupervised places between the hours of ten p.m. and five a.m. of the following day. However, the provisions of this section do not apply when the person is accompanied by his or her parent, guardian or other adult person having the legal or lawful care and custody of the person or when the person is returning directly home from a meeting, entertainment, recreational activity or dance, or when the person is going directly to or returning from work. (Ord. 214, 2011; Ord. 195 § 2.1, 1998)

**9.16.020 Parental responsibility.**

Every parent, guardian or other person having the legal care, custody or control of any person under the age of eighteen (18) years who permits such person to violate the provisions of this chapter is guilty of an infraction for first

and second violation. A third subsequent violation shall be deemed a misdemeanor. (Ord. 195 § 2.2, 1998)

**9.16.030 Violators to be detained and  
cited.**

Any minor under the age of eighteen (18) years found in violation of this chapter may be temporarily detained by law enforcement personnel upon a reasonable suspicion based on articulate facts that the minor is in violation of this chapter. Upon a determination that the minor is in violation of this chapter, he/she shall immediately be cited and issued a notice to appear before a juvenile hearing officer. The law enforcement officer detaining the minor shall then transport that minor to his or her place of permanent or temporary residence or to the custody of his/her parent or legal guardian. (Ord. 195 § 2.3, 1998)

**9.16.040 Hearing on violation.**

The traffic hearing officer may order that a minor found to be in violation of this chapter shall perform community service for a total time not to exceed twenty (20) hours over a period not to exceed thirty (30) days, during times other than his or her hours of school attendance or employment. (Ord. 195 § 2.4, 1998)

**9.16.050 Failure to appear.**

Pursuant to Welfare and Institutions Code Section 625.5, a traffic hearing officer may request the juvenile court judge to issue a warrant of arrest against a minor who is issued and signs a written notice to appear for violation of this chapter and who fails to appear at the time and place designated in the notice. (Ord. 195 § 2.5, 1998)



**9.16.060      Recoupment of administrative costs.**

If the city has adopted the resolution specified in Welfare and Institutions Code Section 625.5, the parents or legal guardian of the minor may be held liable for actual administrative and transportation costs incurred as a result of violation of this chapter by the minor child. (Ord. 195 § 2.6, 1998)

**Title 10**

**VEHICLES AND TRAFFIC**

**Chapters:**

- 10.04 General Provisions, Administration and Enforcement**
- 10.08 Traffic-Control Devices**
- 10.12 Turning Movements**
- 10.16 One-Way Streets and Through Streets**
- 10.20 Pedestrians**
- 10.24 Trucks and Commercial Vehicles**
- 10.28 Trains**
- 10.32 Miscellaneous Driving Rules**
- 10.36 Stopping, Standing and Parking**
- 10.40 Abandoned Vehicles**

## Chapter 10.04

GENERAL PROVISIONS,  
ADMINISTRATION AND  
ENFORCEMENT

## Sections:

- 10.04.010 Definitions
- 10.04.020 Police department powers and duties.
- 10.04.030 Chief of police—Powers and duties.
- 10.04.040 Traffic accident studies.
- 10.04.050 Traffic accident reports.
- 10.04.060 Annual traffic safety report.
- 10.04.070 Authority of police and fire officials.
- 10.04.080 Compliance required.
- 10.04.090 Authority to direct traffic.
- 10.04.100 Applicability to public employees.
- 10.04.110 Certain vehicles exempted.
- 10.04.120 Report of property damage required.
- 10.04.130 Bail procedure—  
Delinquency penalty
- 10.04.140 Charge for copy of original notice.
- 10.04.150 Applicability of California Vehicle Code for enforcement of civil Penalties for violations of this Chapter.
- 10.04.160 Violation frequency.
- 10.04.170 Authorization for towing and storage.
- 10.04.180 Bail Schedule.
- 10.04.190 Receipt of Bail.

## 10.04.010 Definitions.

The following words and phrases when used in this title shall have the meanings ascribed to them as defined in this section. Whenever any words or phrases used in this title are not defined in this section, but are now defined in the State Vehicle Code, such definitions are incorporated herein and shall

be deemed to apply to such words and phrases used in this title as though set forth herein in full.

“Loading zone” means the space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

“Official Time Standard.” Whenever certain hours are named in this title, they mean standard time and daylight saving time as may be in current use in this city.

“Official traffic control devices” means all signs, signals, markings and devices not inconsistent with this chapter placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic.

“Official traffic signals” means any device whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and proceed and which is erected by authority of a public body or official having jurisdiction.

“Park” means to stand or leave standing any vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading of passengers or materials.

“Parkway” means that portion of a street other than a roadway or a sidewalk.

“Passenger loading zone” means the space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

“Pedestrian” means any person afoot.

“Person” means every natural person, firm, co-partnership, association or corporation.

“Police officer” means every officer of the police department of this city.

“Stop” when required, means complete cessation of movement.

“Stop or stand,” when prohibited, means any stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device.

"Traffic" means pedestrians, ridden or herded animals, vehicles, and other conveyances either singly or together while using any street for purposes of travel. (Prior code §§ 4200—4213)

**10.04.020 Police department powers and duties.**

It shall be the duty of the police department to enforce the street traffic regulations of this city and all of the state vehicle laws applicable to street traffic in this city, to make arrests for traffic violations, to investigate traffic accidents and to cooperate with other officers of the city in the administration of traffic laws and in developing ways and means to improve traffic conditions, and to carry out those duties specially imposed upon such department by the provisions of this title. (Prior code § 4214)

**10.04.030 Chief of police—Powers and duties.**

It shall be the general duty of the chief of police to determine the installation and proper timing and maintenance of traffic-control devices and signals, to conduct engineering analysis of traffic accidents and to devise remedial measures, to conduct engineering investigations of traffic conditions and to cooperate with other city officials in the development of ways and means to improve traffic conditions, and to carry out the additional powers and duties imposed by this code, but no such device or signal shall be installed until authorized or ordered by the city council. (Prior code § 4218)

**10.04.040 Traffic accident studies.**

Whenever the accidents at any particular location become numerous, the police department shall conduct studies of such accidents and determine remedial measures. (Prior code § 4215)

**10.04.050 Traffic accident reports.**

The police department shall maintain a suitable system for filing traffic accident reports. Accident reports or cards referring to them shall be filed alphabetically by location. Such reports shall be available for the use and information of the city council. (Prior code § 4216)

**10.04.060 Annual traffic safety report.**

The police department shall annually prepare a traffic report which shall be filed with the city council. Such report shall contain information on traffic matters in this city as follows:

A. The number of traffic accidents, the number of persons killed, the number of persons injured, and other pertinent traffic accident data;

B. The number of traffic accidents investigated and other pertinent data on the safety activities of the police department;

C. The plans and recommendations of the department for future traffic safety activities. (Prior code § 4217)

**10.04.070 Authority of police and fire officials.**

It shall be the duty of the officers of the police department or such officers as are assigned by the chief of police to enforce all street traffic laws of this city and all of the state vehicle laws applicable to street traffic in this city. Such officers are authorized to direct all traffic by voice, hand or signal in conformance with traffic laws, provided that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require, notwithstanding the provisions of the traffic laws. (Prior code § 4219)

**10.04.080 Compliance required.**

No person shall willfully fail or refuse to comply with any lawful order of a police officer or fire department official when directing traffic. (Prior code § 4221)

**10.04.090 Authority to direct traffic.**

No person other than an officer of the police department or a person deputized by the chief of police or person authorized by law shall direct or attempt to direct traffic by voice, hand or other signal (except that persons may operate when as herein provided any mechanical pushbutton signal erected by order of the city council). (Prior code § 4222)

**10.04.100 Applicability to public employees.**

The provisions of this title shall apply to the driver of any vehicle owned by or used in the service of the United States government, this state, any county or city, and it is unlawful for such driver to violate any of the provisions of this title, except as otherwise permitted herein or by state statute. (Prior code § 4223)

**10.04.110 Certain vehicles exempted.**

The provisions of this title regulating the operation, parking and standing of vehicles shall not apply to any vehicle of the police or fire departments, any public ambulance, which public utility vehicle or private ambulance has qualified as an authorized emergency vehicle, when any vehicle mentioned in this section is operated in the manner specified in the Vehicle Code in response to an emergency call. The foregoing exemptions shall not, however, protect the driver of any such vehicle from the consequences of his or her willful disregard of the safety of others. The provisions of this title regulating the parking or standing of vehicles shall not apply to any vehicle of a city department or public utility while necessarily in use for construction or repair work or any vehicle owned by the United States while in use for

the collection, transportation or delivery of United States mail. (Prior code § 4224)

**10.04.120 Report of property damage required.**

The driver of a vehicle or the person in charge of any animal involved in any accident resulting in damage to any property publicly owned or owned by a public utility, including electric light and power poles, or resulting in damage to any ornamental shade tree, traffic-control device or other property of a like nature located in or along any street, shall within twenty-four (24) hours after such accident make a written report of such accident to the police department. Every such report shall state the time when and the place where the accident took place, the name and address of the person owning and of the person driving or in charge of such vehicle or animal, the license number of every such vehicle, and shall briefly describe the property damaged in such accident. A driver involved in an accident shall not be subject to the requirements or penalties of this section if and during the time such driver is physically incapable of making a report, but in such event the driver shall make a report as required within twenty-four (24) hours after regaining ability to make such report. (Prior code § 4225)

**10.04.130 Bail procedure—  
Delinquency penalty.**

A. Bail may be posted and forfeited by mailing it in an envelope or by paying in person at the office of the city clerk, within fifteen (15) days after issuance of the notice to appear. An additional five dollar (\$5.00) penalty is applicable to payments made after fifteen (15) days have passed since the issuance of the notice to appear.

B. If payment of the parking violation bail is not received by the city clerk's office within the fifteen (15) days allowed, the city shall serve or mail to the registered owner a

notice of delinquent parking violation, of a form AOC 508 or equivalent. (Ord 196 § 196.04.20, 2001)

**10.04.140 Charge for copy of original notice.**

Within fifteen (15) days of a request, the city shall provide (if it has not already done so) to the person who has received a notice of delinquent parking violations, or to his or her agent, a copy of the original notice of parking violation. The city may charge five dollars (\$5.00) for a requested copy. (Ord 196 § 196.04.30, 2001)

**10.04.150 Applicability of California Vehicle Code for enforcement of civil Penalties for violations of this Chapter.**

Notice of violation of any section of this ordinance, appearances and payments shall be processed in accordance with the applicable provisions of Article 3 (Procedures on Parking Violations) of Chapter 1, Division 17 of the California Vehicle Code (Sections 40200 through 40230) and their predecessor statutes. (Ord 196 § 196.04.40, 2001)

**10.04.160 Violation frequency.**

Except for Section 196.01.10(F), every parking violation which continues uninterrupted may be given a notice of parking violation once a day. Section 196.01.10(F) violators may be given such a notice once each three days. (Ord 196 § 196.04.50, 2001)

**10.04.170 Authorization for towing and storage.**

Vehicles parked in violation of any parking restriction set forth in or pursuant to this title may be towed and stored at the direction of a Siskiyou County Sheriff's Department Peace Officer and at the expense of the owner and/or operator, if the Peace

Officer determines that towing is necessary for the safety of the public or to facilitate snow plowing, or to clear the streets of a vehicle which has been given two or more consecutive (continuous) notices of parking violations for violations of Section 10.36.010 (F). (Ord 196 § 196.04.60, 2001)

**10.04.180 Bail Schedule.**

Bail for parking violations shall be as set forth in the current resolution and any resolution enacted hereafter. The city council may change the bail and/or fine by resolution. If a notice of violation is appealed to the superior court, the amounts set forth in the then current resolution shall be the fines for conviction on the sections as stated. (Ord 196 § 196.04.10, 2001)

**10.04.190 Receipt of bail.**

Upon receipt of bail within the designated time the city will note that the bail has been paid and there will be no further proceedings. (Ord 196 § 196.04.11, 2001)

**Chapter 10.08****TRAFFIC-CONTROL DEVICES****Sections:**

- 10.08.010 Placement and maintenance.**
- 10.08.020 Removal, relocation or discontinuance.**
- 10.08.030 Hours of operation.**
- 10.08.040 Signs required.**
- 10.08.050 Traffic signals.**
- 10.08.060 Lane markings.**

**10.08.010 Placement and maintenance.**

The chief of police shall, subject to applicable provisions of this title, have the exclusive power and duty to place and maintain or cause to be placed and maintained official traffic-control devices when and as required under the traffic provisions of this title to make effective the provisions. Whenever the Vehicle Code of this state requires for the effectiveness of any provision thereof that traffic-control devices be installed to give notice to the public of the application of such law the chief of police is authorized to install the necessary devices subject to any limitations or restrictions set forth in the law and in this title applicable thereto. The chief of police may also place and maintain such additional traffic-control devices as he or she may deem necessary to regulate traffic or to guide or warn traffic engineering principles and traffic investigations and in accordance with such standards, limitations and rules as may be set forth in the traffic regulations of this city. (Prior code § 4226)

**10.08.020 Removal, relocation or discontinuance.**

The chief of police shall, when authorized or ordered by resolution of the city council, remove, relocate or discontinue the operation of any traffic control device not specifically required by the state law or this title whenever it shall determine in any particular case that the conditions which warranted or required the installation no longer exist. (Prior code § 4231)

**10.08.030 Hours of operation.**

The city council shall determine the hours and days during which any traffic-control device shall be in operation or be in effect, except in those cases where such hours or days are specified in this title. (Prior code § 4232)

**10.08.040 Signs required.**

No provision of the Vehicle Code or of this code for which signs are required shall be enforced against an alleged violator unless appropriate signs are in place and sufficiently legible to be seen by an ordinarily observant person, giving notice of such provisions of the traffic laws. (Prior code § 4227)

**10.08.050 Traffic signals.**

The chief of police is directed, but only after authorization or order by resolutions of the city council, to install and maintain official traffic signals at those intersections and other places where traffic conditions are such as to require that the flow of traffic be alternately interrupted and released in order to prevent or relieve traffic congestion or to protect life or property from exceptional hazard. The chief of police shall ascertain and deter-

mine the locations where such signals are required by resort to field observation, traffic counts and other traffic information as may be pertinent, and his or her determinations therefrom shall be made in accordance with those traffic engineering and safety standards and instructions set forth in the California Maintenance Manual issued by the Division of Highways of the State Departments of Public Works. Whenever the chief of police installs and maintains an official traffic signal at any intersection, he or she shall likewise erect and maintain at such intersection street name signs visible to the principal flow of traffic unless such street signs have previously been placed and are maintained at any such intersection. (Prior code § 4229)

**10.08.060 Lane markings.**

The chief of police is authorized to mark centerlines and lane lines upon the surface of the roadway to indicate the course to be traveled by vehicles and may place signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the centerline of the highway. When authorized signs have been placed designating off-center traffic lanes, no person shall disobey the instructions given by such signs. (Prior code § 4230)



**Chapter 10.12****TURNING MOVEMENTS****Sections:**

- 10.12.010**     **Turning markers.**
- 10.12.020**     **Restricted turn signs.**
- 10.12.030**     **No-turn signs.**
- 10.12.040**     **Right turns against traffic stop signal.**

**10.12.010     Turning markers.**

The chief of police when authorized or ordered by resolution of the city council shall place markers, buttons or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and upon such resolution shall allocate more than one lane of traffic from which drivers of vehicles may make right-hand or left-hand turns, and the course to be traveled as so indicated may conform to or be other than as prescribed by law. When authorized markers, buttons, or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications. (Prior code § 4233)

**10.12.020     Restricted turn signs.**

The chief of police, when the city council by resolution shall determine those intersections at which drivers of vehicles shall not make a right, left, or U turn, shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs or they may be

removed when such turns are permitted. (Prior code § 4234)

**10.12.030     No-turn signs.**

Whenever authorized signs are erected indicating that no right or left or U turn is permitted, no driver of a vehicle shall disobey the directions of any such sign. (Prior code § 4235)

**10.12.040     Right turns against traffic stop signal.**

The chief of police, when the city council by resolution shall determine those intersections within any business or residence district at which drivers of vehicles shall not make a right turn against a red or stop signal, shall erect proper signs giving notice of such prohibition. No driver of a vehicle shall disobey the directions of any such sign. (Prior code § 4236)

**Chapter 10.16****ONE-WAY STREETS AND THROUGH STREETS****Sections:**

- 10.16.010 One-way streets.**  
**10.16.020 Through streets—Erection of stop signs.**  
**10.16.030 Through streets designated.**

**10.16.010 One-way streets.**

Whenever this code or any resolution of this city designates any one-way street or alley, the chief of police shall place and maintain signs giving notice thereof, and no such regulations shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited. (Prior code § 4237)

**10.16.020 Through streets—Erection of stop signs.**

Whenever this or any resolution of this city designates and describes any street or portion thereof as a through street, or any intersection at which vehicles are required to stop at one or more entrances thereto, or any railroad grade crossing at which vehicles are required to stop, the chief of police shall erect and maintain stop signs as follows: A stop sign shall be erected on each and every street intersecting such through street or portion thereof so designated and at those entrances or other intersections where a stop is required and at any railroad grade crossing so designated. Every such sign shall conform with and shall be placed as provided in Section

471 of the State Vehicle Code. (Prior code § 4238)

**10.16.030 Through streets designated.**

A. Those streets and parts of streets described in this section are declared to be through streets for the purposes of this section, and when signs are erected giving notice thereof, drivers of vehicles shall stop at the entrance or entrances to those intersections described as follows:

1. First from Butte to Main;
2. Second from Butte to Main;
3. Third from Triangle to Main;
4. Fourth from Seattle to Butte;
5. Fourth from Main to Cedar;
6. Hazen from Butte to Juniper;
7. Sly from Butte to Juniper;
8. North from Butte to Juniper.

B. When signs are erected giving notice thereof, drivers of vehicles shall stop at the entrance or entrances to those intersections described as follows:

1. First Street. Intersection: Juniper, Pine, Main, California, Oregon and Butte;
2. Second Street. Intersection: Pine, Main, California, Oregon and Butte;
3. Third Street. Intersection: Main, California, Oregon and Butte, Seattle, Portland and State;
4. Fourth Street. Intersection: Main, California, Oregon, Butte. (Prior code § 4239)

**Chapter 10.20****PEDESTRIANS****Sections:**

- 10.20.010 Establishment of crosswalks.**
- 10.20.020 When pedestraings must use crosswalks.**
- 10.20.030 Crossing at right angles required.**
- 10.20.040 Standing in roadways prohibited.**

**10.20.010 Establishment of crosswalks.**

The chief of police, when directed so by resolution of the city council, shall establish, designate and maintain crosswalks at intersections and other places by appropriate devices, marks or lines upon the surface of the roadway as follows. Crosswalks shall be established and maintained at all intersections and at other places where the city council determines that there is particular hazard to pedestrians crossing the roadway subject to the following limitation. Other than crosswalks at intersections, no crosswalk shall be established in any block which is less than four hundred (400) feet in length. Elsewhere not more than one additional crosswalk shall be established in any one block and such crosswalk shall be located as nearly as practicable at midblock. (Prior code § 4250)

**10.20.020 When pedestraings must use crosswalks.**

No pedestrian shall cross a roadway other than by a crosswalk when so established and designated. (Prior code § 4251)

**10.20.030 Crossing at right angles required.**

No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb except in a marked crosswalk. (Prior code § 4252)

**10.20.040 Standing in roadways prohibited.**

No person shall stand in any roadway other than in a safety zone or in a crosswalk if such action interferes with the lawful movement of traffic. This section shall not apply to any public officer or employee, or employee of a public utility when necessarily upon the street in the line of duty. (Prior code § 4253)

## Chapter 10.24

TRUCKS AND COMMERCIAL  
VEHICLES

## Sections:

- 10.24.010 Freight vehicle restrictions.
- 10.24.020 Truck routes—designation
- 10.24.030 Commercial vehicle restrictions.
- 10.24.040 Advertising vehicle restrictions.
- 10.24.050 Vehicle weight limit designation.
- 10.24.060 Compliance required.
- 10.24.070 Exceptions.
- 10.24.080 Violation--penalty

**10.24.010 Freight vehicle restrictions.**

No person shall operate any of the following vehicles in the business district, except on the state highway, between the hours of seven a.m. and six p.m. of any day, except as other times are provided hereinafter: any freight vehicle more than eight and one-half feet in width, with load, or any freight vehicle so loaded that any part of its load extends more than twenty (20) feet to the front or rear of such vehicle; any freight vehicle with a trailer, provided that the chief of police may by written permit authorize the operation of any such vehicle for the purpose of making necessary emergency deliveries to from points within the business district. (Prior code § 4280)

**10.24.020 Truck routes--designation.**

A. Designated Truck Routes ("DTRs") may be established and changed by resolution of the Council. Any vehicle exceeding a maximum gross weight limit of ten thousand (10,000) pounds may use the following streets within the City of Dorris, and they are deemed DTRs:

- 1. E. First
- 2. E. Fourth
- 7. S. Railroad
- 8. W. First

- 3. E. North
- 4. N. Butte
- 5. N. Railroad
- 6. S. Main (Hwy 97)
- 9. W. North
- 10. Center
- 11. Butte south of Fourth (Hwy 97)

B. When any such DTR is established and designated by appropriate signs, the operator of any vehicle exceeding a maximum gross weight limit of ten thousand (10,000) pounds shall drive on such DTRs and no other road or street, except as provided in section 10.24.070. (Ord 196 § 196.03.50, 2001)

**10.24.030 Commercial vehicle restrictions.**

The Director of Public Works shall post signs as he deems appropriate at those locations indicated in subsections of 196.03 indicating applicable restrictions. (Ord 196 § 196.03.60, 2001)

**10.24.040 Advertising vehicle restrictions.**

No person shall stop, stand, operate or drive any advertising vehicle equipped with a sound amplifying or loud-speaking device upon any street or alley between eight p.m. of one day and seven a.m. of the following day, if such device be in use. (Prior code § 4281)

**10.24.050 Vehicle weight limit designation.**

The maximum gross vehicle weight shall be limited to ten thousand (10,000) pounds upon the following streets and ways within the City of Dorris:

- 1. Portland
- 2. Sage
- 3. Seattle
- 4. State
- 5. Triangle
- 6. E. Second
- 7. E. Hazen
- 8. E. Sly
- 9. N. California
- 10. N. Juniper
- 13. N. Pine
- 14. S. Butte
- 15. S. California
- 16. S. Oregon
- 17. S. Pine
- 18. W. Second
- 19. W. Third
- 20. W. Fourth
- 21. W. Fifth
- 22. W. Hazen

- |               |                          |
|---------------|--------------------------|
| 11. N. Main   | 23. W. Sly               |
| 12. N. Oregon | 24. Each and every alley |

(Ord 196 § 196.03.20, 2001)

#### **10.24.060 Compliance required.**

It shall be unlawful for any person, firm, corporation or association to drive any vehicle as defined in Section 670 of the California Vehicle Code, or any amendment to that section, upon any of the above-named streets and ways when the total gross weight of that vehicle, including any load thereon, exceeds ten thousand (10,000) pounds. (Ord 196 § 196.03.30, 2001)

#### **10.24.070 Exceptions.**

The following vehicles are excepted from the restrictions of the Vehicle Weight Limit:

A. Any commercial vehicle coming from an unrestricted street having ingress and egress by direct route to and from a restricted street when necessary for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on the restricted street or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon the restricted street for which a building permit has previously been obtained.

B. Any vehicle owned or operated by a public works department of a city or county of California.

C. Any vehicle owned or operated by a public utility or a licensed contractor while necessarily in use in the construction, installation or repair of any public utility.

D. The provisions of this section shall not apply to passenger buses under the jurisdiction of the Public Utilities Commission.

E. All vehicles exempted under this section or for which a Special Parking permit under Section 10.36.130 has been issued must drive the most direct route between an

unrestricted street and the destination location. Said special permit shall be issued at the discretion of the Public Works of the City of Dorris.

F. Farm equipment up to twenty-six thousand (26,000) pounds and Motor Homes and Recreational Vehicles.

G. Regardless of exceptions A through F above, no vehicle over 5 tons shall be allowed in any City of Dorris alley with the exception of Fire and Safety, Refuse collection, and Delivery vehicles for which no reasonable or practical alternative access exists. (Prior code §§ 4282, 4283; Ord 196 § 196.03.40, 2001)

#### **10.24.080 Violation-- Penalty**

Every person or entity violating the provisions of the Weight Limit Restrictions shall be guilty of an infraction and upon conviction thereof shall be sentenced in accordance with the provisions of Resolution 99-10 of the City of Dorris and/or any amendment or replacement resolution which may provide for penalties for violation of infractions. (Ord 196 § 196.03.70, 2001)

**Chapter 10.28****TRAINS****Sections:**

**10.28.010     Boarding or alighting from vehicles.**

**10.28.020     Railway gates.**

**10.28.030     Trains not to block streets.**

**10.28.010     Boarding or alighting from vehicles.**

No person shall board or alight from any vehicle while such vehicle is in motion. (Prior code § 4285)

**10.28.020     Railway gates.**

No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad grade crossing while such gate or barrier is closed or is being opened or closed. (Prior code § 4286)

**10.28.030     Trains not to block streets.**

No person shall operate any train or train of cars, or permit the same to remain standing, so as to block the movement of traffic upon any street for a period of time longer than five minutes. (Prior code § 4287)

**Chapter 10.32****MISCELLANEOUS DRIVING RULES****Sections:**

- 10.32.010 Emerging from alley or private driveway.**
- 10.32.020 Driving through funeral processions.**
- 10.32.030 Clinging to moving vehicles.**
- 10.32.040 Driving on sidewalks prohibited.**
- 10.32.050 Driving over new pavement or marking prohibited.**
- 10.32.060 Restricted access.**
- 10.32.070 Restrictions on use of freeways.**

**10.32.010 Emerging from alley or private driveway.**

The driver of a vehicle emerging from an alley, driveway or building, shall stop such vehicle immediately prior to driving onto a sidewalk or into the sidewalk area extending across any alleyway. (Prior code § 4240)

**10.32.020 Driving through funeral processions.**

No driver of a vehicle shall drive between vehicles comprising a funeral procession while they are in motion and when the vehicles in such processions are conspicuously so designated. (Prior code § 4241)

**10.32.030 Clinging to moving vehicles.**

Any person riding up on any bicycle, motorcycle, coaster, roller skates or any toy vehicle shall not attach the same or himself to

any moving vehicle upon any roadway. (Prior code § 4242)

**10.32.040 Driving on sidewalks prohibited.**

The driver of a vehicle shall not drive within any sidewalk area or any parkway except at a permanent or temporary driveway. (Prior code § 4243)

**10.32.050 Driving over new pavement or marking prohibited.**

No person shall ride or drive any animal or any vehicle over or across any newly made pavement or freshly painted marking in any street when a barrier or sign is in place warning persons not to drive over or across such pavement or marking, or when a sign is in place stating that the street or any portion thereof is closed. (Prior code § 4244)

**10.32.060 Restricted access.**

No person shall drive a vehicle onto or from any limited access roadway except at such entrances and exits as are established by public authority. (Prior code § 4245)

**10.32.070 Restrictions on use of freeways.**

No person shall drive or operate any bicycle, motor driven cycle, or any vehicle which is not drawn by a motor vehicle upon any street established as a freeway, as defined by Section 604.5 of the State Vehicle Code, nor shall any pedestrian walk across or along any such street so designated and described except in space set aside for the use of pedestrians, provided official signs are in place giving notice of such restrictions. (Prior code § 4246)

## Chapter 10.36

### STOPPING, STANDING AND PARKING

#### Sections:

#### Article I. Parking Restrictions Generally

- 10.36.010     Parking restrictions
- 10.36.020     Parking zones changed  
                  by resolution.

#### Article II. Parking for Disabled Persons

- 10.36.030     Definitions.
- 10.36.040     Use of blue curb spaces.
- 10.36.050     On-street parking.
- 10.36.060     Off-street publicly owned  
                  facilities
- 10.36.070     Unauthorized use  
                  prohibited.
- 10.36.080     Marking of blue curb  
                  spaces.
- 10.36.090     Specifications.
- 10.36.100     Alternative parking.

#### Article III. Parking Restrictions on                   Specific Streets

- 10.36.110     Vehicles over ten  
                  thousand pounds.
- 10.36.120     Vehicles over six feet in  
                  height.
- 10.36.130     Parking of commercial  
                  vehicles allowed with  
                  written permit.
- 10.36.140     Posting of signs.

#### Article I. Parking Restrictions Generally

##### 10.36.010     Parking restrictions.

Parking on city streets, city roads and city parking lots shall be subject to the following restrictions, violation of which shall be deemed an infraction:

A. Red curb markings shall mean no stopping, standing, or parking at any time except as permitted by the California Vehicle Code. A bus may stop in a red zone marked or signed as a bus zone.

B. Yellow curb markings shall mean no stopping, standing, or parking at any time

between seven a.m. and six p.m. any day except Sunday(s) and holidays for any purpose other than loading or unloading passengers or materials. Any loading or unloading of passengers shall not consume more than five minutes nor the loading or unloading of materials shall not consume more than twenty (20) minutes.

C. White curb markings shall mean no stopping, standing, or parking for any purpose other than loading or unloading of passengers, or for the purpose of depositing mail in an adjacent mailbox. Loading or unloading and mail deposit shall not exceed five minutes. These restrictions shall apply between seven a.m. and six p.m. any day except Sunday(s) and holidays.

When a white curb zone is in front of a hotel, motel, or in front of a mailbox, the restrictions shall apply at all times.

D. Green curb markings shall mean no standing or parking for longer than fifteen (15) minutes at any time between nine a.m. and six p.m. everyday except Sunday(s) and holidays.

E. Blue curb markings shall be governed by Chapter 196.02 (Parking for Disabled Persons).

F. Unless already designated for a shorter parking restriction, the maximum legal time for all parking on any street in Dorris is seventy-two (72) hours. Unless already designated for a shorter parking restriction, there is no time limit for parking in front of your principal residence, if the vehicle(s) has a valid, current California registration.

G. No-parking zones are those set forth below:

1. On either side of any street between the projected property lines of any public walk, public steps, street, or thoroughfare terminating at such street, when such area is indicated by appropriate signs or by red paint upon the curb surface;

2. In any area where the public works director determines that the parking or stopping of a vehicle would constitute a



traffic hazard or would endanger life or property, when such area is indicated by appropriate signs or by red paint upon the curb surface;

3. In any area established by resolution of the council as a no parking area, when such area is indicated by appropriate signs or by red paint upon the curb surface;

4. Upon, along or across any railway track in such manner as to hinder, delay or obstruct the movement of any car traveling across such track;

5. In any area where the parking of stopping of any vehicle would constitute traffic hazard or would endanger life or property;

6. On any street or highway where the use of such street or highway or a portion thereof is necessary for the cleaning, repair or construction of the street or highway or the installation of underground utilities or where the use of the street or highway or any portion thereof is authorized for a purpose other than normal flow of traffic or where the use of the street or highway or any portion thereof is necessary for the movement of equipment, articles or structures of unusual size, and the parking of such vehicle would prohibit or interfere with such use or movement. If the city has notice of such use, then it shall give notice of such no parking by erecting or placing such signs at least twenty-four (24) hours prior to the effective time of the parking restrictions;

7. At any place within twenty (20) feet of a crosswalk at an intersection in the central traffic district or in any business district when such place is indicated by appropriate signs or by red paint upon the curb surface, except that a bus may stop at a designated bus stop;

8. The public works director is authorized to erect signs indicating no parking upon that side of any street adjacent to any school property when such parking would, in the opinion of the public works director, interfere with traffic or create a hazardous situation. When offi-

cial signs are erected prohibiting parking upon that side of a street adjacent to any school property, no person shall park a vehicle in any designated place;

9. No person shall park a vehicle in any alley when the width of the roadway does not exceed twenty (20) feet, when the parking of such vehicle would interfere with traffic or create a hazardous situation.

H. No vehicle shall be parked upon any street in the city of Dorris for the principal purpose of advertising or displaying it for sale, unless authorized by resolution of the council.

I. No person shall construct or cause to be constructed, repair or cause to be repaired, grease or cause to be greased, dismantle or cause to be dismantled any vehicle or any part thereof upon any public street in the city of Dorris. Temporary emergency repairs may be made upon a public street.

J. It is unlawful for any operator and/or owner of any motor vehicle to refuse upon request of the city to promptly move said motor vehicle during any snowstorm of four inches or more of snow, and/or during snow removal operations.

1. It shall be unlawful for any person, firm, corporation or association to park or leave standing, attended or unattended, any vehicle as defined in Section 670 of the Vehicle Code of the State of California, or any amendment to said section, upon the following street: California Street between Third and Fourth from twelve noon to seven p.m. in any manner which shall obstruct, hinder, delay or otherwise inconvenience the plowing or removal of snow, sweeping, cleaning or repairing of the aforementioned street.

2. Any police officer of the city of Dorris shall have the authority to remove any vehicle parked or left attended or unattended on the street in violation of subsection (J)(1) of this section and to store the vehicle or cause the

vehicle to be stored at the expense of the owner or person in charge thereof.

3. Any violation of this section shall be punishable by a fine, as set forth in resolution by the Dorris city council.

K. Twelve (12) hours is the maximum time for parking in city parking lots.

This parking limitation includes city parking lots and the following locations:

1. The public parking lot for the offices of the Dorris Branch of the Superior Court of California and the offices of the Siskiyou County Sheriffs Department, located at 324 North Pine Street. (Ord. 196, 2003; Ord. 196 § 196.01.10, 2001; Ord. 184, 1994)

**10.36.020      Parking zones changed by resolution.**

The public works director has the authority to designate parking zones in the city of Dorris and has previously designated parking zones, and such designations are deemed ratified by the city council. The city council may add, delete or change any parking zones by resolution. (Ord 196 § 196.01.20, 2001)

## **Article II. Parking for Disabled Persons**

### **10.36.030 Definitions.**

As used in this chapter, the following terms are defined as follows:

A. "Blue curb parking space" means space as defined by California Vehicle Code Section 22511.7 reserved for disabled persons and disabled veterans. Such spaces shall be identified, posted and marked as set forth in Section 10.36.080 of this Ordinance.

B. "Disabled Person" means any person as defined in Section 295.5 of the California Vehicle Code.

C. "Disabled Veteran" means any person as defined in Section 295.7 of the California Vehicle Code. (Ord 196 § 196.02.10, 2001)

### **10.36.040 Use of blue curb spaces.**

Persons using blue curb parking spaces shall comply with the following:

A. No person shall park or stand any vehicle in a disabled persons parking zone (blue curb space) unless such vehicle bears a special license or displays a special placard issued by the California Department of Motor Vehicles under the provisions of California Vehicle Code Sections 5007 or 22511.55 or 22511.59.

B. Blue curb parking spaces shall be in effect twenty-four (24) hours a day, Sundays and holidays included.

C. Parking zones for disabled persons are subject to any temporary parking prohibitions established by the city. (Ord 196 § 196.02.20, 2001)

### **10.36.050 On-street parking.**

Pursuant to California Vehicle Code Section 22511.7, the public works director shall designate special blue curb parking spaces for on-street parking for the exclusive use of disabled persons. . (Ord 196 § 196.02.30, 2001)

### **10.36.060 Off-street publicly owned facilities.**

The public works director shall designate parking stalls or spaces in publicly owned, leased or controlled off-street parking for the exclusive use of disabled persons. (Ord 196 § 196.02.40, 2001)

### **10.36.070 Unauthorized use prohibited.**

It is unlawful for any person to park or leave standing any vehicle in a publicly owned, leased or controlled stall or space designated for disabled persons, when the vehicle is not in compliance with Section 10.36.040. (Ord 196 § 196.02.50, 2001)

### **10.36.080 Marking of blue curb spaces.**

A. Blue curb spaces shall be indicated by blue paint on the curb edge of the paved portion of the street adjacent to the space. For further identification, the international symbol of access shall be painted on the pavement within the marked parking space in white followed by the words "DISABLED PERSONS ONLY". Pursuant to Vehicle Code Section 22507.8, there shall be posted a sign not less than seventeen (17) inches by twenty-two (22) inches in size with lettering not less than one inch in height. The sign shall consist of a profile view of a wheelchair with occupant in white on a blue background with the lettering, "Unauthorized vehicles not displaying distinguishing license plates or placards issued by the Department of Motor Vehicles to disabled persons will be issued citations."

B. Off-street publicly owned, leased or controlled blue curb reserved parking spaces shall be marked, posted and designated as set forth in subsection A of this section, except that in lieu of curb markings, off-street parking spaces shall be painted with blue striping in addition to the international

symbol of access painted within the space and the posted sign to the specifications set forth in subsection A of this section. (Ord 196 § 196.02.60, 2001)

#### **10.36.090 Specifications.**

When the parking spaces are made available to disabled persons in off-street facilities, the following specifications must be complied with:

- A. A minimum width of twelve (12) feet;
- B. Located where the slope in the immediate area does not exceed two percent;
- C. Placed to minimize necessary travel on sloped surfaces;
- D. Located near level or ramped entrance;
- E. Located to minimize travel behind parked vehicles. (Ord 196 § 196.02.70, 2001)

#### **10.36.100 Alternative parking.**

In addition to reserved (blue curb) on-street parking and off-street parking spaces for disabled persons, disabled persons who have properly displayed on their vehicle a Department of Motor Vehicles license plate or placard issued pursuant to either California Vehicle Code Sections 5007, 22511.55 or 22511.59 shall be allowed to park unlimited periods of time in parking zones otherwise restricted as to the length of time parking is permitted. This section shall have no application to those parking zones in which stopping, parking or standing of all vehicles is prohibited or which are reserved for other special types of vehicles. (Ord 196 § 196.02.80, 2001)

### **Article III. Parking Restrictions on Specific Streets**

#### **10.36.110 Vehicles over ten thousand pounds.**

A. No person shall park a commercial vehicle having a manufacturer's gross vehicle weight rating of ten thousand (10,000) pounds or more on the following residential streets within the city of Dorris:

- |                  |                   |
|------------------|-------------------|
| 1. Portland      | 13. N. Pine       |
| 2. Sage          | 14. S. Butte      |
| 3. Seattle       | 15. S. California |
| 4. State         | 16. S. Oregon     |
| 5. Triangle      | 17. S. Pine       |
| 6. E. Second     | 18. W. Second     |
| 7. E. Hazen      | 19. W. Third      |
| 8. E. Sly        | 20. W. Fourth     |
| 9. N. California | 21. W. Fifth      |
| 10. N. Juniper   | 22. W. Hazen      |
| 11. N. Main      | 23. W. Sly        |
| 12. N. Oregon    |                   |

B. This section shall not apply to Farm Equipment up to twenty-six thousand (26,000) pounds and Motor Homes and Recreational Vehicles.

C. Section 10.36.110A. shall not apply to the following designated streets, however all other parking restrictions shall remain in effect:

- |                     |                    |
|---------------------|--------------------|
| 1. E. First         | 7. S. Railroad     |
| 2. E. Fourth        | 8. W. First        |
| 3. E. North         | 9. W. North        |
| 4. N. Butte         | 10. Center         |
| 5. N. Railroad      | 11. Butte south of |
| 6. S. Main (Hwy 97) | Fourth (Hwy 97)    |
- (Ord 196 § 196.03.10(A), 2001)

#### **10.36.120 Vehicles over six feet in height.**

No person shall stop, park, or leave standing any vehicle, trailer, or recreational vehicle more than six (6) feet in height (including any load thereon) within fifty (50) feet of the following intersections:

- 1. On W. Fourth Street (Hwy 97) at S. Butte Street (north side);
- 2. On W. Fourth Street (Hwy 97) at S. Oregon Street (north and south side);
- 3. On W. Fourth Street (Hwy 97) at S. California Street (north and south side);
- 4. On S. Main Street (Hwy 97) at W. Third Street (west side);
- 5. On S. Main Street (Hwy 97) at W. Second Street (west and east side);
- 6. On S. Main Street (Hwy 97) at W. First Street (west side and north side corner);

7. On E. First Street (Hwy 97) at Pine Street (north and south side);

8. On E. First Street (Hwy 97) at N. Juniper Street (north side);

9. On W. First Street at Portland Street (north and south side);

10. On W. First Street at State Street (north and south side);

11. On W. First Street at Triangle Street (north and south side). (Ord 196 § 196.03.10(B), 2001)

**10.36.130 Parking of commercial vehicles with a written permit.**

Regardless of the restrictions listed in 196.03.10A, Parking of Commercial Vehicles exceeding 5 Tons in residential areas is allowed with a written Permit, under the following conditions, all of which apply:

1. Empty or unloaded Trucks, or the Tractor disengaged from a Tractor-Trailer combination may be parked in front of a residence provided it does not interfere with other people's driveways, and is off the roadway to a degree as to not pose a safety hazard;

3. Empty Trailers may be parked provided they are completely off the street and on private property;

4. All such vehicles and trailers must be properly licensed for California operation;

5. The owner/driver of such commercial vehicle must be a resident of Dorris and reside at the location where such vehicle is parked;

6. The written Permit shall be issued for the specific location, is not transferable and shall be displayed in the driver's side window for easy identification by Law Enforcement;

7. The Permit fee may be changed by Resolution. Permits shall be issued annually, and not on a pro rata basis. All permits whenever issued shall expire on June 30 each year. A replacement for lost permits shall be

50% of the charge for a regular permit. The fee to apply at the time of adopting this amendment to Chapter 10.36 shall be \$10.00;

8. Permits may be issued by the City Administrator or Director of Public Works. Permits may be summarily revoked by the City Administrator or the Public Works Director at any time for violation of this section of the Ordinance. Appeals may be made to the City Council;

9. Under no circumstances will a Permit be issued for any vehicle over 18 Tons. (Ord 196 § 196.03.10(C), 2001)

**10.36.140 Posting of signs.**

10. The Director of Public Works shall post signs as he deems appropriate at those locations indicated in subsections of Chapters 10.24 and 10.36 indicating applicable restrictions. (Ord 196 § 196.03.60, 2001)

## Chapter 10.40

### ABANDONED VEHICLES

#### Sections:

- 10.40.010 Findings and declarations.**
- 10.40.020 Definitions.**
- 10.40.030 Abandonment prohibited.**
- 10.40.040 Failure to remove and abate prohibited.**
- 10.40.050 Administration and enforcement—Right of entry for inspection.**
- 10.40.060 Determination of administrative costs.**
- 10.40.070 Abatement and removal authority.**
- 10.40.080 Notice of intention to abate and remove.**
- 10.40.090 Public hearing.**
- 10.40.100 Removal of vehicle.**
- 10.40.110 Notice to Department of Motor Vehicles.**
- 10.40.120 Assessment of administrative costs.**
- 10.40.130 Exceptions.**
- 10.40.140 Chapter provisions not exclusive.**

#### **10.40.010 Findings and declarations.**

The accumulation and storage of abandoned, wrecked, dismantled or inoperative vehicles or parts thereof on private or public property not including highways 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 not including highways, 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. 164 § 1 (part), 1978)

#### **10.40.020 Definitions.**

As used in this chapter:

“Highway” shall mean 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.

“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.

“Owner of the vehicle” means the last registered owner and legal owner of record.

“Public property” does not include highway.

“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. 164 § 1 (part), 1978)

#### **10.40.030 Abandonment prohibited.**

It is unlawful and a misdemeanor for any person to accumulate and store more than one abandoned, parked, stored, 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 city 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.

A. Be advised that this is an infraction violation and violators can be fined under the general provision penalty listed in Chapter 1.16 of the Dorris Municipal Code. (Ord. 164, 2004; Ord. 164 § 14, 1978)

**10.40.040 Failure to remove and abate prohibited.**

It is unlawful and a misdemeanor 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. 164 § 15, 1978)

**10.40.050 Administration and enforcement—Right of entry for inspection.**

A. Except as otherwise provided herein, the provisions of this chapter shall be administered and enforced by the city council. In the enforcement of this chapter such city council and its regularly salaried full-time employees or other duly authorized persons may enter upon public or private 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.

B. When the city council has contracted with or granted a franchise to any person or persons, such person or person 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. 164 §§ 4, 5, 1978)

**10.40.060 Determination of administrative costs.**

The city council shall from time to time determine and fix an amount to be assessed as administrative costs excluding the actual costs of removal of any vehicle or parts thereof under this chapter. (Ord. 164 § 6, 1978)

**10.40.070 Abatement and removal authority.**

Upon discovering the existence of an abandoned, wrecked, dismantled or inoperative vehicle, or parts thereof on private property or public property within the city, the city council shall have the authority to cause the abatement and removal thereof in accordance with the procedure prescribed in this chapter. (Ord. 164 § 7, 1978)

**10.40.080 Notice of intention to abate and remove.**

A ten (10) day notice of intention to abate and remove the vehicle, or parts thereof, as a public nuisance shall be mailed by certified mail 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. 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 Chapter 10.40 of the Dorris Municipal Code has determined that there exists upon said land an [or parts of an] abandoned, wrecked, dismantled or inoperative vehicle registered to \_\_\_\_\_ license number \_\_\_\_\_ which constitutes a public nuisance pursuant to the provisions of Chapter 10.40 of the Dorris Municipal Code.

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 City and costs thereof, together with administrative costs, assessed to you as owner of the land on which said vehicle [or 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 City Council within such 10-day period, the City Council 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 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 reason for denial, and such statement shall be construed as a request for a 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: \_\_\_\_\_  
(DATE)

s/ \_\_\_\_\_  
(locally designated officer)

**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 Chapter 10.40 of the Dorris Municipal Code 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 Chapter 10.40 of the Dorris Municipal Code.

You are hereby notified to abate said nuisance by the removal of said vehicle [or parts of said vehicle] within 10 days from the date of the 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 request is not received by the City Council within such 10-day period, the City Council shall have the authority to abate and remove said vehicle [or said parts of a vehicle] without a hearing.

Notice Mailed: \_\_\_\_\_  
 (DATE)  
 s/ \_\_\_\_\_  
 (LOCALLY DESIGNATED OFFICER)

(Ord. 164 § 8, 1978)

#### **10.40.090 Public hearing.**

A. 1. Upon request by the owner of the vehicle or owner of the land received by the city council within ten (10) days after the mailing of the notices of intention to abate and remove, a public hearing shall be held by the city council on the question of abatement and removal of the vehicle or parts thereof as an abandoned, wrecked, dismantled or inop-

erative 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.

2. 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, such 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 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 city shall have the authority to abate and remove the vehicle or parts thereof as a public nuisance without holding a public hearing.

B. 1. All hearings under this chapter shall be held before the city council which shall hear all facts and testimony on the condition of the vehicle or parts thereof and the circumstances concerning its location on the private property or public property. The city council 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 his or her reasons for such denial.

2. 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 chapter. It may delay the time for removal of the vehicle or

parts 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 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 hereafter provided and determine the administrative costs and the cost of removal to be charged against the owner of the land. 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.

3. 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 the owner has not subsequently acquiesced in its presence, the city council shall not assess the cost 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.

4. If the owner of the land submits a sworn written statement denying responsibility for the presence of the vehicle on his or her land but does not appear, or if an interested party makes a written presentation to the city council but does not appear, he or she shall be notified in writing of the decision. (Ord. 164 § 10, 1978)

#### **10.40.100 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 Section 10.04.090, or fifteen (15) days after such action of the govern-

ing body authorizing removal following appeal, the vehicle or parts thereof may be disposed of by removal to a site designated by the city council. After a vehicle has been removed it shall not thereafter be reconstructed or made operable, unless it is a vehicle that qualifies for either horseless carriage plates or historical vehicle license plates pursuant to Section 5004 of the Vehicle Code. (Ord. 164 § 11, 1978)

#### **10.40.110 Notice to Department of Motor Vehicles.**

Within five days after the date of removal of the vehicle or parts thereof, notice shall be given to the Department of Motor Vehicles 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 certificate, certificates of title and license plates. (Ord. 164 § 12, 1978)

#### **10.40.120 Assessment of administrative costs.**

If the administrative costs and the costs of removal which are charged against the owner of a parcel of land pursuant to Section 10.04.090 are not paid within thirty (30) days of the date of the order, of the final disposition of an appeal therefrom, such costs shall be assessed against the parcel of land pursuant to Section 38773.5 of the Government Code and shall be transmitted to the tax collector for collection. Such assessment shall have the same priority as other city taxes. (Ord. 164 § 13, 1978)

**10.40.130 Exceptions.**

A. This chapter shall not apply to:

1. 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

2. 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; or

3. A vehicle or parts thereof which is located behind a solid fence six feet in height or which is not plainly visible from a highway, or other public or private property.

B. 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 this chapter. (Ord. 164 § 2, 1978)

**10.40.140 Chapter provisions not exclusive.**

This chapter is not the exclusive regulation of abandoned, wrecked, dismantled or inoperative vehicles within the city. It shall supplement and be in addition to the other regulatory codes, statutes, and ordinances heretofore or hereafter enacted by the city, the state, or any other legal entity or agency having jurisdiction. (Ord. 164 § 3, 1978)

**Title 11**

**(Reserved)**

## **Title 12**

### **STREETS, SIDEWALKS AND PUBLIC PLACES**

#### **Chapters:**

**12.04 Sidewalk Construction**

**12.08 Excavations**

**12.10 Camping on Public or Private Property**

**Chapter 12.04****SIDEWALK CONSTRUCTION****Sections:**

- 12.04.010 Construction specifications.**
- 12.04.020 Permit required.**
- 12.04.030 Permit contents.**
- 12.04.040 Violation—Penalty.**

**12.04.010 Construction specifications.**

All sidewalks in the public streets of the city shall be constructed in accordance with the specifications therefor on file in the office of the city clerk. The specifications for sidewalk construction shall be approved by the city council.

A. Width and Depth. Sidewalks shall be five feet in width nor less than four inches in depth.

B. Composition. Sidewalks shall be constructed of concrete consisting of one part of class "A" Portland cement, two parts of sand, and four parts of rock.

C. Finish. Sidewalks shall be troweled to a smooth surface finish and while still green trimmed to a slightly rough finish. (Ord. 130 § 1, 1953; prior code § 7200)

**12.04.020 Permit required.**

No person shall commence or proceed with the construction of any sidewalk within the city unless a permit therefor shall have been first obtained from the city clerk. (Ord. 130 § 2, 1953; prior code § 7201)

**12.04.030 Permit contents.**

Sidewalk construction permits shall specify the name and residence of the applicant

and location and dimensions of the proposed sidewalk construction, and the materials to be used. (Ord. 130 § 3, 1953; prior code § 7202)

**12.04.040 Violation—Penalty.**

Any violation of the provisions of this chapter is declared a misdemeanor, punishable by a fine not exceeding two hundred dollars (\$200.00) or imprisonment in the city jail for not more than sixty (60) days, or by both such fine and imprisonment. (Ord. 130 § 4, 1953; prior code § 7203)

## Chapter 12.08

### EXCAVATIONS

#### Sections:

- 12.08.010 Permit required—Exemption.**
- 12.08.020 Permit application and issuance.**
- 12.08.030 Filing of new applications not required when.**
- 12.08.040 Excavation maintenance requirements.**
- 12.08.050 Requests for street closure.**
- 12.08.060 Placement of excavated materials—Gutters.**
- 12.08.070 Barriers and lights required.**
- 12.08.080 Refilling and repaving.**
- 12.08.010 Permit required—Exemption.**
  - A. It is unlawful for any person, firm or corporation, other than duly authorized employees of the city, to make or cause to be made, any excavation in, on, or under the surface of any public street, lane, alley, sidewalk or other public place for any purpose without first obtaining a written permit therefor from the city.
  - B. Utility pole and anchor holes are specifically exempted from subsection A of this section. (Ord. 151 § 1, 1964)
- 12.08.020 Permit application and issuance.**

No permit shall be issued except upon compliance with the following provisions:

A. Written application in duplicate shall be filed with the city clerk, or with such other

person as may be hereafter designated by the city council. The application must contain and be accompanied by:

1. The name and residence or business address of the applicant;

2. A statement of the location of, and the nature of the work to be done;

3. A plat or diagram in duplicate, showing the location of the proposed excavation; the dimensions thereof; the position of, and the relation of the proposed work to existing underground structures or facilities; a detailed statement of methods to safeguard existing structures or facilities;

4. When incurred by the street superintendent, actual costs of services shall be paid to city by the applicant. The street superintendent may estimate this charge, and require it to be paid in advance of issuance of permit at his or her discretion.

5. An agreement holding the city, its officers, agents and employees, free, safe and harmless from any claim or demand for damages to third persons proximately resulting from the work proposed in the application. In addition to such agreement, the city council shall also require applicant to carry public liability and/or property damage insurance in a company or companies approved by the city council, in such limits as the city council determines are necessary for the protection of the city, its officers, agents and employees; the city, its officers, agents and employees to be named in such policy or policies as additional insured.

B. The applicant shall deposit with the city clerk such sum of money or a corporate surety bond in an amount as the street superintendent may, in his or her discretion, deem to be adequate to indemnify the city for the

failure of the applicant to restore public streets, lanes, alleys, ways and public places to their original condition, the amount in no case to exceed the sum of one thousand dollars (\$1,000.00).

1. It is provided that all public utilities which, from time to time require the doing of work in public streets, lanes, alleys, ways and other public places in the city, which do not have on file with the city a bond or cash for the purpose set forth in the preceding paragraph, shall, upon the filing of its first applications after the effective date of the ordinance codified in this chapter or the doing of such work, deposit the sum of one thousand dollars (\$1,000.00) with the city clerk, or in lieu thereof, a corporate surety bond in such amount. No other or further bond shall be required of such utilities in connection with any subsequent application by them so long as they are not in default of any of the provisions of this chapter in restoring any street way, lane, alley, sidewalk or public place to its original condition and in the manner hereinafter provided. The bond shall be kept in full force and effect at all times, and the city clerk shall annually be advised of its renewal.

2. The bonds or cash deposits provided in this section shall be declared forfeited if the city council after a proper and reasonable investigation finds that the work of restoration as provided in this chapter is not properly done, or if, within six months of the completion of the work, damage to public places occurs as the direct result of failure to restore the same to their original condition. Upon a declaration of forfeiture, the proceeds of such cash deposits or bonds shall be first applied to the cost of repairs of such places, and the bal-

ance thereof, if any, shall be deposited in the general fund of the city.

C. Issuance of Permit. All applications are subject to review by the street superintendent, who shall have discretion to require such engineering changes in the plans as indicated in the application as he or she deems reasonably necessary to protect the city's interest. No application shall be granted or permit issued without the approval of the street superintendent. Upon approval by the street superintendent, the permit shall be issued by the city clerk or such other person who may be hereafter designated by the city council to issue the same. Such permit shall not be transferable.

D. In the event an application is not approved by the street superintendent, the applicant may petition the city council in writing for a hearing thereon, and the city council shall have the authority to grant or deny the permit. (Ord. 151 § 2, 1964)

#### **12.08.030 Filing of new applications not required when.**

Public utilities shall not be required to file new applications for work normally done by them in city streets subsequent to the filing of their initial application if the same is accompanied by sufficient information covering their facilities in the city which from time to time may require work on public streets to service the same or require extension. Under such circumstances, a letter to the city clerk with a copy to the street superintendent describing the work to be done and designating the location thereof and requesting a permit therefor shall be sufficient and a permit shall issue if the utility is not then in default in any of the provisions of this chapter pertaining to



them, and inspection fees as provided in this chapter are deposited. (Ord. 151 § 3, 1964)

**12.08.040 Excavation maintenance requirements.**

It shall be the duty of every person, firm or corporation making any excavations in any public street, alley or other public place to:

A. Maintain safe crossings for vehicular traffic at all street intersections;

B. Maintain safe crossing for pedestrians at intervals of not less than three hundred (300) feet;

C. If any such excavation is made across any public street or alley, to maintain at least one safe crossing at all times for vehicles and pedestrians, except as hereinafter provided;

D. Maintain free access to private property at existing driveways;

E. Maintain free access to all fire hydrants and water gates. (Ord. 151 § 4 (part), 1964)

**12.08.050 Requests for street closure.**

Upon request contained in the application or letter showing the need therefor, the excavator may close an entire street to vehicular traffic, subject to the following conditions:

A. The application or letter must specify the place and time, not to exceed four hours;

B. The applicant to furnish barricades and detour signs;

C. The applicant to furnish flagmen;

D. Applicant to secure approval from street superintendent on routing and movement of traffic. (Ord. 151 § 4 (part), 1964)

**12.08.060 Placement of excavated materials—Gutters.**

All materials excavated shall be laid compactly along the side of the trench and kept trimmed up so as to cause as little inconvenience as possible to public travel. All gutters shall be maintained free and unobstructed for the full depth of adjacent curb. Wherever a gutter crosses an intersecting street an adequate waterway shall be provided and at all times maintained. (Ord. 151 § 5, 1964)

**12.08.070 Barriers and lights required.**

It shall be the duty of every person, firm or corporation making any excavation in any public street, alley or public place to place and maintain barriers at each end of such places as may be necessary along the excavation to prevent accidents, and also to place and maintain lights and barricades at each end of such excavation and at distances of not more than fifty (50) feet along the line thereof, from sunset each day to sunrise of the next day, until the excavation is entirely refilled. (Ord. 151 § 6, 1964)

**12.08.080 Refilling and repaving.**

A. After such excavation is commenced, the work of making and refilling the same shall be prosecuted with due diligence and so as not to obstruct the street or other public place or travel thereon, more than is actually necessary therefor. The street superintendent shall report any unnecessary delay in such work to city council, and he or she shall notify the permitted in writing to comply. If there is no compliance within reasonable time, the street superintendent may hire such work to be done as may be necessary to refill

such excavation and to restore the street or other public place, or part thereof to as good a condition as the same was in before such excavation was made.

B. All refilling of the excavation shall be made in accordance with standards prescribed by the city engineer.

C. All pavements shall be replaced in accordance with the same plans and specifications used in the construction of pavements torn up or damaged by such excavation. If any edge or other portion of street or sidewalk shall be damaged by cave-in or other causes incident to such excavation, such damage shall be fully restored to its original condition.

D. If the disturbed pavement is not replaced by the person, firm or corporation making the excavation within such time as specified in the permit to make such excavation, then the street superintendent shall direct such replacement to be made otherwise and the city shall collect from the person, firm or corporation liable for such work the cost of replacing such pavement. If the pavement replacement work is not made within a reasonable time, the cost of such replacement work shall be deducted by the city from the deposits retained by the city from the person, firm or corporation making the excavation, or recovered on the bond, filed in lieu of such deposits. Written notice of such deduction from deposits are to be sent to the person, firm or corporation making the excavation and placed in the general fund.

E. The person, firm or corporation, by whom the excavation shall be made in any public street, alley, or other public place, shall be deemed and held to guarantee the work of refilling and repair thereof for the

period of two years after the refilling of such excavation, against all defects in workmanship and materials.

F. All refilling and paving of excavations shall be made in a manner satisfactory to and approved by the street superintendent, who shall make periodic inspections of excavations for which permits are on file. If it appears that the restoration of the excavations is not satisfactory, the permitted who caused the excavation to be made shall be notified in writing of the deficiency and shall correct the same. If the same is not corrected within ten (10) days from date of written notice, the street superintendent may proceed in accordance with the provisions of subsection D of this chapter. (Ord. 151 §§ 7—12, 1969)

## Chapter 12.10

### CAMPING ON PUBLIC OR PRIVATE PROPERTY

#### Sections:

- 12.10.010 Purpose.**
- 12.10.020 Definitions.**
- 12.10.030 Unlawful camping.**
- 12.10.040 Storage of personal property on public and private property.**
- 12.10.050 Permit for special events required.**
- 12.10.060 Posting copy of permit.**
- 12.10.070 Power of the city administrator to make rules and regulations.**
- 12.10.080 Current ordinance provisions.**

#### **12.10.010 Purpose.**

The streets and public areas within the city should be readily accessible and available to residents and the public at large. The use of these areas for camping purposes or storage of personal property interferes with the rights of others to use the areas for which they were intended. Such activity can constitute a public health and safety hazard which adversely impacts neighborhoods and commercial areas. Camping on private property without the consent of the owner, proper sanitary measures and for other than a minimal duration adversely affects private property rights as well as public health, safety, and welfare of the city. The purpose of this chapter is to maintain streets, parks and other public and private areas within the city in a clean, sanitary and accessible condition and to adequately protect the health, safety and public welfare of the community, while recognizing that, subject to reasonable condi-

tions, camping and camp facilities associated with special events can be beneficial to the cultural and educational climate in the city. Nothing in this chapter is intended to interfere with otherwise lawful and ordinary uses of public or private property. (Ord. 226 (part), 2017)

#### **12.10.020 Definitions.**

Unless the particular provisions or the context otherwise requires, the definitions contained in this section shall govern the construction, meaning, and application of words and phrases used in this chapter.

A. "Camp" means to place, pitch or occupy camp facilities; to live temporarily in a camp facility or outdoors; to use camp paraphernalia.

B. "Camp facilities" include, but are not limited to, tents, huts, vehicles, vehicle camping outfits or temporary shelter.

C. "Camp paraphernalia" includes, but is not limited to, bedrolls, tarpaulins, cots, beds, sleeping bags, hammocks or cooking facilities and similar equipment.

D. "City administrator" means the city administrator or designee.

E. "Establish" means setting up or moving equipment, supplies or materials on to public or private property to camp or operate camp facilities.

F. "Maintain" means keeping or permitting equipment, supplies or materials to remain on public or private property in order to camp or operate camp facilities.

G. "Operate" means participating or assisting in establishing or maintaining a camp or camp facility.

H. "Park" means the same as defined in Section 18.06.1300.

I. "Private property" means all private property including, but not limited to, streets, sidewalks, alleys, and improved or unimproved land.

J. “Public property” means all public property including, but not limited to, streets, sidewalks, alleys, improved or unimproved land and parks.

K. “Store” means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location. (Ord. 226 (part), 2017)

### **12.10.030 Unlawful camping.**

It is unlawful and a public nuisance for any person to camp, occupy camp facilities, or use camp paraphernalia in the following areas:

A. Any public property; or

B. Any private property.

1. It is not intended by this section to prohibit overnight camping on private residential property by friends or family of the property owner, so long as the owner consents and the overnight camping is limited to not more than five consecutive nights.

2. Nothing in this chapter is intended to prohibit or make unlawful activities of an owner of private property or other lawful user of private property that are normally associated with and incidental to the lawful and authorized use of private property for residential or other purposes; and provided further, nothing is intended to prohibit or make unlawful activities of a property owner or other lawful user if such activities are expressly authorized by the city’s comprehensive zoning ordinance or other laws, ordinances and regulations.

3. The city administrator may, as provided in Section 12.10.050, issue a temporary permit to allow camping on public or private property in connection with a special event.

A violation of this section is a misdemeanor. In addition to the remedies set forth in Penal Code Section 370, the city attorney may institute civil or administrative actions to abate a

public nuisance under this chapter. (Ord. 226 (part), 2017)

### **12.10.040 Storage of personal property on public and private property.**

It is unlawful and a public nuisance for any person to store personal property, including camp paraphernalia, in the following areas, except as otherwise provided by resolution of the city council:

A. Any public property; or

B. Any private property without the written consent of the owner.

A violation of this section is a misdemeanor. In addition to the remedies set forth in Penal Code Section 370 the city attorney may institute civil or administrative actions to abate a public nuisance under this chapter. (Ord. 226 (part), 2017)

### **12.10.050 Permit for special events required.**

The city administrator may, in his or her discretion, issue a permit to establish, maintain and operate a camp or a camp facility in connection with a special event. A special event is intended to include, but not be limited to, programs operated by the city departments, youth or school events, marathons or other sporting events and scouting activities. The city administrator may consult with various city departments, the health officer and the public prior to issuing any temporary permit. Each department or person consulted may provide comments regarding any health, safety or public welfare concerns and provide recommendations pertaining to the issuance, denial or conditioning of the permit. A reasonable fee to be set by the city council shall be paid, in advance, by the applicant. The fee shall be returned if the appli-

cation is denied. In exercising his or her discretion to issue a temporary permit, the city administrator may consider any facts or evidence bearing on the sanitary, health, safety and welfare conditions on or surrounding the area or tract of land upon which the proposed temporary camp or camp facility is to be located.

Any person who establishes, maintains or operates a camp or camp facility without a permit is guilty of a misdemeanor and constitutes a public nuisance. In addition to remedies provided in Penal Code Section 370 the city attorney may institute civil or administrative actions to abate a public nuisance under this chapter. (Ord. 226 (part), 2017)

#### **12.10.060 Posting copy of permit.**

It is unlawful for any person to establish, maintain, conduct or carry on any camp or camp facility unless there shall be at all times posted in a conspicuous place upon the area or tract of land upon which the camp or camp facility is located a permit obtained from the city administrator in accordance with the provisions of Section 12.10.050. (Ord. 226 (part), 2017)

#### **12.10.070 Power of the city administrator to make rules and regulations.**

The city administrator is further empowered to ascertain that the operation or maintenance of any camp or camp facilities to which a temporary permit shall apply will in no way jeopardize the public health, safety or welfare and for this purpose may make additional rules and regulations pertaining to their establishment, operation or conduct. The city administrator may also impose conditions on the establishment, maintenance and operation of the camp

or camp facility, including but not limited to security, sanitation facilities, the number of occupants, posting of bonds or deposits, insurance, quiet hours, duration of the permit, and permitted activities on the premises. When the city administrator shall issue any permit under the terms of Section 12.10.050, the same may be revoked at any time thereafter by the city administrator if the city administrator becomes satisfied that the maintenance or continuing operation of the camp or camp facilities is adverse to the public health, safety and welfare. (Ord. 226 (part), 2017)

#### **12.10.080 Current ordinance provisions.**

Neither the adoption of this chapter nor the repeal hereby of any ordinance shall in any manner affect the prosecution for violation of ordinances, which violations were committed prior to the effective date hereof, nor be construed as affecting any of the provisions of such ordinance relating to the collection of any such license or penalty or the penal provision applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof, required to be posted, filed or deposited pursuant to any ordinance, and all rights and obligations thereunder appertaining shall continue in full force and effect. (Ord. 226 (part), 2017)

## **Title 13**

### **PUBLIC SERVICES**

#### **Chapters:**

- 13.01 General Provisions**
- 13.04 Water Service System**
- 13.05 Water Conservation**
- 13.08 Sewer Service System**
- 13.12 Cross-Connections**
- 13.16 Water Wells**
- 13.20 Underground Utility Districts**

**Chapter 13.01****GENERAL PROVISIONS****Sections:****13.01.010 Delinquent utilities.****13.01.020 Unified utility billing.****13.01.010 Delinquent utilities.**

The amount of any utility charge or penalty imposed by the provisions of this chapter shall be deemed a debt to the city. An action may be commenced on behalf of the city in any court of competent jurisdiction for the amount of any delinquent utility charge or penalty. In addition, delinquent charges and all penalties thereon, when recorded as provided in Section 54355 of Chapter 6 of Part 1 of Division 2 of Title 5 of the California Government Code, shall constitute a lien upon the real property served, except that no such lien shall be created against any publicly owned property. Such lien shall continue until the charges and all penalties thereon are fully paid. The city clerk is hereby authorized to prepare and record a list of delinquent unpaid charges and penalties in the form and manner prescribed by California Government Code Section 54355, as may be amended from time to time, or any successor statute. (Ord. 215, 2012)

**13.01.020 Unified utility billing.**

The city of Dorris shall charge customers for water, waste water and solid waste services by use of a unified billing statement and charges for these services shall be collected at one time. (Ord. 215, 2012)

**Chapter 13.04****WATER SERVICE SYSTEM****Sections:**

- 13.04.010 Department of water works created.**
- 13.04.020 Application for water service.**
- 13.04.030 Notification of intention to make connections.**
- 13.04.040 Cost of tapping and installing.**
- 13.04.050 Water main extensions.**
- 13.04.060 Water meters.**
- 13.04.080 Payment due date—Delinquency—Shutoff.**
- 13.04.090 Responsibility for payment.**
- 13.04.100 Discontinuance of service.**
- 13.04.110 Emergency turnoff.**
- 13.04.120 Irrigation during fire alarms prohibited.**
- 13.04.130 Regulations and rates subject to change.**
- 13.04.135 Other water regulations.**
- 13.04.140 Violations.**
- 13.04.010 Department of water works created.**

The water works department of the city shall consist of the city council. It shall be the duty of the water works department to fix the rules, regulations and rates for the use of water and to have general supervision over the city water system. All rules, regulations and rates shall be published at least once in the Butte Valley Star, a weekly newspaper published in the city. (Prior code § 7400)

**13.04.020 Application for water service.**

Any person desiring water service from the city water system, or desiring to change the person or organization billed for an existing water service, shall make an application to the city clerk. The city clerk shall adopt such application forms and procedures as the clerk deems necessary for efficient record keeping and billing. The clerk shall collect a nonrefundable service fee of seven dollars fifty cents (\$7.50) prior to accepting an application for water service. The service fee shall be in addition to the connection fee referred to in Section 13.04.040. The city clerk shall also collect a nonrefundable service fee of seven dollars fifty cents (\$7.50) prior to accepting any application to change the person or organization who is billed for water service. (Ord. 169 § 1, 1981: prior code § 7402)

**13.04.030 Notification of intention to make connections.**

No person shall be permitted to tap any of the water pipes of the main line distributing system, or to insert tees, stop-cocks or ferules therein except under the personal direction and supervision of the superintendent of the water works department, and notice of any such work must be given the superintendent at least twenty-four (24) hours before the commencement of such work. (Prior code § 7404)

**13.04.040 Cost of tapping and installing.**

All expenses attending the tapping of water mains and installing of meters shall be paid by the applicant. For making connec-



tions to mains, the water works department shall charge as follows:

For three-quarter inch connections	\$30.00 each
For one-inch connections	35.00 each
For one and one-half inch connections	40.00 each
For two-inch connections	50.00 each

(Prior code § 7405)

#### **13.04.050 Water main extensions.**

When an application is made for water service where no water mains exist, and no immediate provisions have been made by the city for the extension of the present water mains to such applicant's property, the water superintendent shall cause a map to be prepared showing the area that will be serviced by such extension and the estimated cost thereof. The applicant shall then deposit a sum of money equal to the estimated cost of such extension with the city clerk. The estimate shall be based upon a six-inch water main. The application, together with the map and estimated cost, shall then be submitted to the city council for approval. Upon approval of such water main extension, the water superintendent shall cause the extension to be constructed, and if the cost of such extension is less than the estimate, the difference shall be returned to the applicant, but if the cost is greater, the applicant shall pay the difference to the city clerk as soon as the construction is completed and the actual cost determined. The extension shall be based upon present and future requirements of the area to be provided, and the size of the water main extension shall be approved by the water superin-

tendent. The cost of installation of any water mains less than six inches in diameter shall be borne entirely by the applicant, and there shall be no refund benefits for such an extension. The extension of all water mains as provided in this section shall be not less than six inches in diameter and in the event that a larger diameter of pipe is installed, the difference in cost between a six-inch water main and the larger main actually installed, shall be borne by the city. All extensions shall originate at the nearest adequate water main and shall extend the full length of the property of the applicant. All applicants for subsequent connections to the extension shall be charged that portion of the total cost of such extension as the square footage of applicant's property bears to the entire square footage of the area serviced by such water main extension. The connection charges shall be in addition to the water connection charge as provided in Section 13.04.040. All money paid to the city clerk for such subsequent connection charges shall be kept in a water main extension fund, which fund shall be maintained for a period of ten (10) years, following the date of completion of the extension. The water main construction charges received by the city for such subsequent service connections to the water main extension within the ten-year period shall be refunded to the person who paid for such extension or to his or her successors or assigns. Refunds shall be made on July 1<sup>st</sup> of each year out of the water main extension fund. After the expiration of the ten (10) year period, any amount left in the fund, or any water main construction charges subsequently received, shall be the sole property of the city. Two or more persons may join in making application for water

main extensions. (Ord. 139, 1960: prior code § 7405(a))

**13.04.060 Water meters.**

The water works department assumes the right to place water meters on any or all taps and to change meter rates whenever necessary. All meters thus set shall be, and will remain, the property of the city and may be removed at any time by the water works department. All persons taking water must keep the meters and service pipes in good order and free from leakage and will be held liable for all damages and repairs thereto. (Prior code § 7406)

**13.04.080 Payment due date—  
Delinquency—Shutoff.**

Bills for water service shall be paid to the city clerk on or before the tenth day of each month for water used during that month. If any part of the monthly water service bill becomes one month delinquent, the next monthly billing statement shall contain a notice to the effect that, if all amounts owing are not paid by the tenth of the month, the water service shall be

shut off. The clerk shall grant a fifteen (15) day extension of time for payment, if prior to shut-off, the water user appears in person at City Hall, and makes written application for an extension. The clerk shall not grant more than one extension without approval of the city council. If payment is not received by the tenth of the month or, in those cases where an extension has been granted, by the twenty-fifth of the month, the water service shall be shut off. Thereafter, the services shall only be turned back on after payment in full of all sums due and owing, plus payment of a nonrefundable reconnection fee. (Ord. 212 (part), 2008: Ord. 169 § 4, 1981: prior code § 7408)

#### **13.04.090 Responsibility for payment.**

The owner of any property upon which city water is used, shall be responsible for the payment of water rates for such water. All rules, rates and regulations provided for the government of the water service shall apply to the owner of the premises, as well as to the water user. In cases of default in payment of water rates, all arrearages, fines and penalties, shall attach to premises where the water was used as a lien. If the water service is shut off, pursuant to Section 13.04.080, due to nonpayment of water fees by a tenant, the water service shall remain shut off until all fees and charges are paid in full. (Ord. 169 § 2, 1981: prior code § 7409)

#### **13.04.100 Discontinuance of service.**

For any violation of the provisions of this chapter, the water may be shut off and shall not be turned on again without satisfactory assurance of an intention on the part of the delinquent to comply with the regulations and the payment of the sum of one dollar (\$1.00) for

closing and opening the street cock. (Prior code § 7410)

#### **13.04.110 Emergency turnoff.**

The water works department shall have the right in an emergency to turn on or off the water from the pipes of the system without notice. The water works department will make all possible efforts to notify its consumers in advance when it is necessary to turn the water off. (Prior code § 7411)

#### **13.04.120 Irrigation during fire alarms prohibited.**

Immediately upon an alarm of fire, all persons using water for irrigation purposes must close their faucets and keep them closed during the continuance of the water use by the fire department. (Ord. 169 § 3, 1981: prior code § 7412)

#### **13.04.130 Regulations and rates subject to change.**

These rules, regulations and rates are subject to amendment and alteration at any time without special notice to the consumers, in such matters as may be deemed expedient by the city council. (Prior code § 7413)

#### **13.04.135 Other water regulations.**

A. No person except city personnel shall tap, open, connect or reconnect any water service.

B. In the event of unauthorized connection or reconnection, the city shall turn off or disconnect the water service, lock or remove the water meter, and charge and collect ten dollars (\$10.00), in addition to all other charges and penalties, before water service is restored.

C. For any water supplied by the city which is wasted by a customer a fee shall be charged

to the customer and added to the customer's account. For the first violation, a written warning will be given to the customer. For the second violation, a fee of thirty dollars (\$30.00) shall be charged. For the third violation, a fee of sixty dollars (\$60.00) shall be charged. For the fourth and subsequent violations, a fee of ninety dollars (\$90.00) shall be charged. Additionally, any unmetered customer shall have a meter installed after the fourth violation at the customer's expense. The cost of the meter installation shall be added to the customer's account and paid over a maximum six-month period. For any customer who incurs within a two-year period four or more water waste violations or does not comply with the water efficient landscape requirements, the city may implement any or all of the following measures:

1. Require a customer to get a landscape evaluation, lawn water audit, and water budget, as appropriate, in order to learn efficient water use. This work would be completed at customer expense;
2. Require a customer to repair any defects in the watering system of such customer within fourteen (14) days' notice by the city to repair;
3. Require installation by the city of flow restrictors or termination of water service for exterior use;
4. Termination of all water service to a customer.

D. Water service shall be turned off and discontinued to any premises on or from which water supplied by the city is being disposed or used in violation of any law of the city other than wasting or noncompliance with water efficient landscape requirements. Water service shall not be restored to any premises until the owner and the occupant thereof terminate any violation or waste and agree not to continue to repeat such violation or waste. Such agreement

shall be guaranteed by a cash bond in such sum as the director of finance shall fix, not to exceed one hundred dollars (\$100.00).

E. All services and all water meters installed by the city or at the city request shall be the property of the city. The expense of the maintenance, repair, and removal of such meters, due to the wear of normal service, shall be borne by the city; provided, however, any expense occasioned by any act, careless or otherwise, on the part of the consumer, or any member of his family, or any person in his employ, shall be charged to such consumer.

F. The city shall not maintain or repair any water pipe from the meter to the premises served, and the city shall in no case be liable for damages occasioned by water running free from open or faulty fixtures or from broken or damaged pipes.

G. No person shall allow a connection to be made or exist between the city's water system and another source of water supply or water system unless such connection is fitted with a suitable backflow prevention device approved by the city preventing water from such other source of supply entering the city's water system.

H. No person receiving city water shall furnish such water to any premises other than that to which the city bills or meters such water, and no person shall furnish city water to any premises for which the water rates prescribed by the city are not being paid.

I. Any bypass or connection around the meter between the service and the main shall be prohibited unless specifically authorized by the director of public works for a limited period of time because of emergency work. All water used on any premises shall pass through the water meter.

J. No person shall climb on or upon any water tower or water tank to enter on or upon

any pump house or pit without a permit from the public utilities department.

1. Inspections. The city clerk, the director of public works, or any other authorized officer of the city shall be admitted during normal working hours to all parts of any premises receiving city water for the purpose of inspection to ensure that the laws and regulations of the city pertaining to water and water services are being complied with.

2. No person shall cover or permit to be covered meter boxes or impede the reading of meter boxes.

3. No person shall tamper with or remove any water meter which is attached to any service or break any meter seal. No person shall make any water connection or connect to any pipe or meter box, except for a single house connection.

4. Wastage of Water. No person shall willfully or negligently waste water nor unreasonably flood any premises. Wasting water shall include noncompliance with any water conservation program which the city enacts for the public safety or welfare. (Ord. 209, 2007)

#### **13.04.140    Violations.**

Only city personnel are allowed to disconnect service from the city's water lines. Any person found tampering with city water facilities, disconnecting service or interfering with or damaging any of the city's water meters, shutoff valves, taps or faucets shall be guilty of a violation under the general penalty provision in Chapter 1.16. (Ord. 202, 2004; prior code § 7414)

## Chapter 13.05

### WATER CONSERVATION

#### Sections:

- 13.05.010      Application.**
- 13.05.020      Authorization.**
- 13.05.030      Water conservation stages.**
- 13.05.040      Mandatory conservation phase implementation.**
- 13.05.050      Request for exemptions from regulations.**
- 13.05.060      Administrative restrictions.**
- 13.05.070      Penalty.**

#### **13.05.010      Application.**

This chapter shall apply to all water customers. "Water customer," for purposes of this chapter, shall mean any person, partnership, corporation, association or other legal entity that requests, obtains or pays for water service for any parcel of real property located within the city or within the city's service area. (Ord. 208 (part), 2007)

#### **13.05.020      Authorization.**

The city's public works director (director), or such person designated as a representative, is hereby authorized and directed to implement the provisions of this chapter, including but not limited to designation of a "base year" for usage in calculating water usage rates and related formulas. (Ord. 208 (part), 2007)

#### **13.05.030      Water conservation stages.**

No water customer shall knowingly make, cause, use, or permit the use of water supplied by the city in a manner contrary to any provision of this chapter, in an amount in excess of the amounts authorized by this chapter, or during any period of time other than the periods of

time specified in this chapter. At no time shall water be wasted or used unreasonably. The following stages shall take effect upon declaration as herein provided.

A. Stage 1—Voluntary Compliance—Water Watch. Stage 1 applies at any and all times when facts and information available to the city indicate that there is a demonstrable possibility that the city will not be able to meet all of the demands of its water customers. During Stage 1, customers are encouraged to voluntarily implement Stage 2 restrictions.

B. Stage 2—Mandatory Compliance—Water Alert. Stage 2 applies when the director determines facts and information available to the city indicate that there is a demonstrable probability that the city will not be able to meet all of the demands of its water customers. During Stage 2, the following water conservation measures shall apply:

1. Lawn watering and landscape irrigation including construction irrigation should be done in a way as to not cause water to run off irrigated areas. Watering of lawns or gardens will be done only between the hours of eight p.m. and ten a.m. Even numbered houses will water on even days and odd numbered houses will water on odd numbered days.

2. Agricultural users and commercial nurseries as defined in the city's general plan are exempt from Stage 2 irrigation restrictions, but will be required to curtail all nonessential water use. The watering of livestock and irrigation of propagation beds are permitted at any time.

3. Washing of autos, trucks, trailers, boats, airplanes and other types of mobile equipment should be done, when possible, with a hand-held bucket or a hand-held hose equipped with a positive shut-off nozzle for quick rinses. Washing is permitted at any time in the immediate premises of a commercial car wash. Further, such washing is exempted from these

regulations where the health, safety and welfare of the public is contingent upon frequent vehicle cleaning such as garbage trucks and vehicles used to transport food and perishables.

4. The use of water from fire hydrants shall be limited to firefighting and related activities, for construction activities, or other activities necessary to maintain the health, safety and welfare of the public.

5. Water shall not be used to wash down sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas, except for rear patios and to alleviate immediate fire or sanitation hazards.

6. Restaurants shall not serve water to their customers except when specifically requested.

7. The operation of any ornamental fountain or similar structure is prohibited.

C. Stage 3—Mandatory Compliance—Water Warning. Stage 3 applies at any and all times when facts and information available to the city indicate that the city will not be able to meet all of the water demands of its water customers. During Stage 3, all the following restrictions apply:

1. Lawn watering and landscape irrigation including construction irrigation should be done in a way as to not cause water to run off irrigated areas. Watering of lawns or gardens will be done between the hours of eight p.m. and ten a.m. Even numbered houses will water on even days and odd numbered houses will water on odd numbered days.

2. Agricultural users and commercial nurseries shall use water only between the hours of six p.m. and six a.m. the following morning. The watering of livestock and irrigation of propagation beds are permitted at any time.

3. Washing of autos, trucks, trailers, boats, airplanes and other types of mobile equipment

is prohibited. Washing is permitted at any time on the immediate premises of a commercial car wash. The use of water by all types of commercial car washes not using partially reclaimed or recycled water shall be reduced in volume by twenty (20) percent. Further, such washings are exempted from these regulations where the health, safety and welfare of the public is contingent upon frequent vehicle cleaning such as garbage trucks and vehicles used to transport food and perishables.

4. Filling or refilling swimming pools, spas, ponds, and artificial lakes is permitted only between the hours of ten p.m. and six a.m. the following morning.

5. Watering golf courses, parks, school grounds and recreational fields is permitted only between the hours of ten p.m. and six a.m. the following morning, except golf course greens.

6. The use of water from fire hydrants shall be limited to firefighting and related activities, or other activities necessary to maintain the health, safety and welfare of the public.

7. Water shall not be used to wash down sidewalks, driveways, parking areas, tennis courts, patios or other paved areas, except to alleviate immediate fire or sanitation hazards.

8. Restaurants shall not serve water to their customers except when specifically requested.

9. The operation of any ornamental fountain or similar structure is prohibited.

10. New construction use or permits for unmetered service will not be issued. Construction water shall not be used for earth work or road construction purposes.

D. Stage 4—Mandatory Compliance—Water Emergency. Stage 4 applies when a major fault of any supply or distribution facility, whether temporary or permanent, occurs in the water distribution system of city facilities. During Stage 4, the following water conserva-

tion measures shall apply except when reclaimed water is used:

1. All outdoor irrigation of vegetation is prohibited.

2. Use of water for agricultural or commercial nursery purposes, except for livestock watering, is prohibited.

3. Washing of autos, trucks, trailers, boats, airplanes and other types of mobile equipment is prohibited. Washing is permitted at any time upon the immediate premises of a commercial car wash. The use of water by all types of commercial car washes shall be reduced in volume by fifty (50) percent. Further, such washings are exempted from these regulations where the health, safety and welfare of the public is contingent upon frequent vehicle cleaning such as garbage trucks and vehicles used to transport food and perishables.

4. Filling, refilling or adding of water to swimming pools, spas, ponds and artificial lakes is prohibited.

5. Watering of all golf course areas, except greens, is prohibited. Watering of parks, school grounds and recreation fields is prohibited with the exception of plant materials proven to be rare, exceptionally valuable, or essential to the well-being of rare animals.

6. The use of water from fire hydrants shall be limited to firefighting or related activities necessary to maintain the health, safety and welfare of the public.

7. Water shall not be used to wash down sidewalks, driveways, parking areas, tennis courts, patios or other paved areas, except to alleviate immediate fire or sanitation hazards.

8. Restaurants shall not serve water to their customers except when specifically requested.

9. The operation of any ornamental fountain or similar structure is prohibited.

10. New construction use or permits for unmetered service will not be issued. Con-

struction water shall not be used for earth work or road construction purposes.

11. The use of water for commercial, manufacturing or processing purposes shall be reduced in volume by fifty (50) percent.

12. No water shall be used for air conditioning purposes. (Ord. 208 (part), 2007)

### **13.05.040 Mandatory conservation phase implementation.**

The city shall monitor the projected supply and demand for water by its customers on a daily basis. The director shall determine the extent of the conservation required through the implementation and/or termination of particular conservation stages in order for the city to plan prudently for supply of water to its customers. Thereafter, the director may order that the appropriate stage of water conservation be implemented or terminated in accordance with the applicable provision of this chapter. The declaration of any stage beyond Stage 1 shall be made by public announcement and notice shall be published by certified public posting in three prominent places within the city limits. The stage designated shall become effective immediately upon announcement. The declaration of any stage beyond Stage 1 shall be reported to the city council at its next regular meeting. The city council shall thereupon ratify the declaration, rescind the declaration, or direct the declaration of a different stage. (Ord. 208 (part), 2007)

### **13.05.050 Request for exemptions from regulations.**

A. Any person may request, in writing, to be exempted from some or all of the limitations set forth in this chapter. All requests for exemption from regulation set forth, in writing and in detail, the basis and justification for such request. Written requests for exemption from



regulation shall be submitted to the director or his or her designee.

B. The director or his or her designee shall have ten (10) calendar days from the date such request is received to approve, approve subject to reasonable conditions, disapprove, or request additional information from the requesting party except as provided hereinafter. When additional information is requested by the public works director, the ten (10) day period shall commence at the time the additional information is received. In the event the request for exemption is based upon a medical or personal safety basis the director shall approve, approve subject to reasonable conditions or deny the request within twenty-four (24) hours of the receipt of such request.

C. The director shall prepare a written decision which describes the scope of the exemption granted, any conditions which may be applied to such approval or basis for his or her denial, and shall attach to this the requesting person's application for such exemption. The person who submitted the request shall sign such approval and shall attest, under penalty of perjury, that the request for exemption is true and accurate and the scope of the approval is understood by such person.

D. Appeal to Appeals Board.

1. The appeals board shall consist of the city administrator or his or her designee. The board shall hear appeals from the decision of the director. A written request for appeal shall be submitted within five calendar days after receipt of the decision of the director. The written request shall automatically stay the decision of the director until such time as the appeals board has issued its decision.

2. The appeals board shall hear any such appeal within its jurisdiction on or before fifteen (15) calendar days have elapsed from the receipt of the request for appeal. The board's

written decision shall be issued within ten (10) calendar days of the completion of the hearing on the appeal.

E. The decision of the appeals board may be appealed by the requesting person in writing, to the city council within five calendar days of the date of the appeals board written decision. Such appeal shall describe in detail the basis for the appeal, and shall be submitted to the city clerk. The city clerk shall place such appeal on the first available city council agenda.

F. The city council shall review the decision of the appeals board and may affirm, modify or vacate such decision. (Ord. 208 (part), 2007)

#### **13.05.060 Administrative restrictions.**

Any water customer who violates or who permits violation of Section 13.05.030(B), (C) or (D) may be subject to the limitation or discontinuance of water service to the water service address at which the violation has occurred. The decision of the director regarding the limitation or discontinuance of water service to any water service address may be appealed as set forth in Section 13.05.050(D) through (F). No water service shall be limited or discontinued until the director mails, by first class mail to the water billing address, written notice of intent to so limit or discontinue such service, and further, provides such water customer notice of the right to appeal the decision. (Ord. 208 (part), 2007)

#### **13.05.070 Penalty.**

Pursuant to Section 377 of the California Water Code, any violation of this chapter is a misdemeanor. (Ord. 208 (part), 2007)

**Chapter 13.08****Article I. Sewer Connections****SEWER SERVICE SYSTEM****Sections:****Article I. Sewer Connections**

- 13.08.010 Connection required when—Traps.**
- 13.08.020 Permit required.**
- 13.08.030 Permit application.**
- 13.08.040 Permit issuance—Conditions.**
- 13.08.050 Sewer connection charges.**
- 13.08.060 Monthly sewer rates.**
- 13.08.070 Sewer connection standards.**
- 13.08.080 Prohibited discharge.**
- 13.08.090 Maintenance requirements.**
- 13.08.100 Public nuisance declared.**
- 13.08.110 Enforcement.**
- 13.08.120 Rates and charges—Adjustment—Billing.**
- 13.08.130 Responsibility for payment—Delinquent payment.**
- 13.08.140 Refilling of privies, etc. required.**
- 13.08.150 Violation—Penalty.**

**Article II. Sewer Laterals**

- 13.08.160 Laying of sewer laterals.**
- 13.08.170 Filing of certificate and map.**
- 13.08.180 Subsequent connectors to pay proportion of installation costs.**

**13.08.010 Connection required when—Traps.**

No person, firm or corporation shall construct, maintain or suffer to be or remain on his or her premises, or under his or its control, any privy, privy vault, cesspool, urinal, sink, drain or bathtub, unless the same be connected, in case there be a sewer in the street on which such premises are situated within two hundred (200) feet from the nearest boundary line of such premises, with such sewer. Every and all such connections with such sewer shall be constructed with a trap or other apparatus which will effectually prevent the escape of all gases therefrom. (Ord. 147 § 1, 1963)

**13.08.020 Permit required.**

No connection shall be made with or to any sewer under any public street or alley in the city, except pursuant to written permit issued by the city clerk. (Ord. 147 § 2(a), 1963)

**13.08.030 Permit application.**

A. Any person, firm or corporation desiring to make a connection to or with any such sewer pursuant to Section 13.08.010, must make a written application therefor to the city clerk, at the City Hall, setting forth the name of the applicant, the description of the premises for which sewer connection is desired, the date on which connection will be made and the place at which connection will be made. Such application must be signed by the applicant or, in the case of a firm or corporation, by its duly authorized member or agent.

B. At the time of presentation of such application the applicant shall pay to the city clerk the sewer connection charge, hereinafter provided for, in cash. No application shall be accepted, nor any permit issued by the city clerk until such payment is made. (Ord. 147 § 2(b), (c), 1963)

#### **13.08.040 Permit issuance—Conditions.**

The city clerk, upon the presentation of such application in proper form, and payment of the sewer connection charge, shall issue to the applicant a permit authorizing the desired connection upon the terms and conditions following:

A. That no connection to or with any such sewer shall be made except under the direct supervision of the city inspector, or his or her duly authorized representative, and all work performed shall be subject to the approval of the city inspector;

B. That no actual physical connection to constructed or to-be-constructed sewer mains, lines or pipes shall be made by the applicant or the applicant's agent, but that in all such cases the city, by its authorized employee shall make the tap and connect thereto the first joint of sewer pipe, at which joint the applicant shall make his or her connection; the applicant shall furnish all necessary materials for such connection;

C. That in no event shall any such sewer connection be made or laid from the connecting point to the house or other structure which is to be served at any grade other than that which shall be specified by the city inspector, in person or by his or her duly authorized representative, is directed, upon the presentation to him or her of any such application, to furnish to the applicant the neces-

sary data establishing the grade at which the connecting line shall be laid;

D. That no such connecting line shall be laid or constructed otherwise than in conformity with specifications of the city plumbing code;

E. That no such connecting line so laid shall be covered or backfilled until the same shall have been inspected by the city inspector, or his or her duly authorized representative, and covering or backfilling authorized, which authority shall in no event be given by the inspector until such connection and connecting line shall conform to the requirements hereof.

F. That the applicant shall, promptly upon the approval of the connection and connecting line, proceed to cover the same and backfill the trench wherein the same shall be laid; the ground over such trench to be replaced substantially as the same was prior to digging such trench and within the same day that the same was dug out; it being the intention that such trench shall be refilled on the same date that it is opened or dug out. (Ord. 147 § 2(d), 1963)

#### **13.08.050 Sewer connection charges.**

A. The city council having first considered the cost to the city of the maintenance of its sewer system and of the installation and extensions thereto, finds that sixty-five dollars (\$65.00), is a reasonable sum to be charged and collected by the city as and for a sewer connection charge and fixes the sum of sixty-five dollars (\$65.00) as and for the sewer connection charge, the same to include the first joint connection to such sewer. However, the applicant shall be responsible for digging and the cost thereof of the trench

from his or her property to the first joint, at his or her own expense, and the same to be completed and refilled on the same date on which it is dug out.

B. Provided, however, in the event the “Y” is connected to the sewer system at the time such sewer system was installed by the city, then and in such event the charge is fixed at the sum of thirty-five dollars (\$35.00), instead of the sum of sixty-five dollars (\$65.00), as here-

inabove set forth. Such charge of thirty-five dollars (\$35.00) shall only apply where said “Y” was installed as part of the installation of such sewer system. (Ord. 147 § 2(e) (part), 1963)

### **13.08.060 Monthly sewer rates.**

The monthly charge for sewer service and use thereof is declared to be in the amount as follows:

<b>Sewer</b>	<b>2000</b>	<b>2001</b>	<b>2004</b>	<b>2006</b>	<b>2008</b>	<b>2009+CPI</b>	<b>2010+CPI</b>
Residential #1	\$11.98	\$12.10	\$12.53	\$12.92	\$14.86	\$16.30	\$17.74
Residential #2	15.08	15.24	15.78	16.27	19.47	22.04	24.61
Commercial #1	14.59	14.73	15.25	15.72	9.30	10.30	11.29
Commercial #2	16.68	16.85	17.45	17.99	21.25	24.64	28.16
Commercial #3	20.84	21.05	21.79	22.46	25.86	29.39	33.06
Commercial #4	31.27	31.58	32.69	33.71	37.45	41.34	45.38
Commercial #5	114.64	115.79	119.88	123.60	130.09	136.83	143.84
Commercial #6	144.63	146.08	151.24	155.92	163.40	171.18	179.25

(Ord. 213 (part), 2008: Ord. 207 (part), 2006: Ord. 203 (part), 2004: Ord. 147 § 2(e) (part), 1963)

**13.08.070 Sewer connection standards.**

All connections to sewer, pursuant to permit, shall be made in a good and workmanlike manner and any connection not so made shall be broken by the city inspector unless promptly modified upon his or her direction so to do. (Ord. 147 § 2(f), 1963)

**13.08.080 Prohibited discharge.**

No person, firm or corporation shall permit the discharge from any privy, privy vault, cesspool, urinal, sink, drain, bathtub, or private drain or sewer to connect with or run into or upon any street, line or alley of the city, or upon the surface of the ground or upon the property or premises of another. (Ord. 147 § 3, 1963)

**13.08.090 Maintenance requirements.**

A. Every person, firm or corporation who shall keep or maintain any cesspool, drain or conduit within the city (providing connections cannot be made, as provided in Section 13.08.010, with a sewer) in or through which any fetid or offensive substance, whether liquid or solid, is allowed to run, accumulate or remain, and which in its nature is liable from exposure to become offensive to the senses or to health, shall keep the same covered to the depth of not less than two feet in thickness or solid earth.

B. No person, firm or corporation shall suffer or permit any premises belonging to or occupied by him or her or it, or any cellar, vault, privy, urinal, pool, sewer or private drain thereon or therein, to become nauseous, foul, offensive or prejudicial to public health or comfort. (Ord. 147 §§ 4, 5, 1963)

**13.08.100 Public nuisance declared.**

Any privy, privy vault, cesspool, urinal, sink, drain, bathtub, sewer, conduit or place

which does not conform to the conditions and requirements as set forth in this article and any privy, privy vault, cesspool, urinal, sink, drain or bathtub which shall remain unconnected with the sewer as provided in Section 13.08.010 for the space of two weeks after notice from the city inspector, is declared a public nuisance. (Ord. 147 § 6, 1963)

**13.08.110 Enforcement.**

The city inspector is authorized and empowered to see that the provisions of this article are carried out and complied with, and if after two weeks' notice to the party owning or having the same in control, such person, firm or corporation shall fail or neglect to make the changes ordered by the city inspector, the latter may make such changes and the expense shall be at the cost of the party to whom such notice and order shall be given. The collection therefor shall be done in the same manner as provided in this article for the collection of sewer users monthly charge. (Ord. 147 § 7, 1963)

**13.08.120 Rates and charges-  
Adjustment—Billing.**

A. The connection charges set forth in this article and the monthly use charges provided in this article may be readjusted by resolution of the city council.

B. The city council may provide by resolution that the rates charged for the use of sewer service shall be collected with the rates charged for water and all the rates shall be itemized, billed upon the same bill, and collected as one item. (Ord. 147 §§ 8, 9, 1963)

**13.08.130 Responsibility for payment—  
Delinquent payment.**

A. Bills for sewer service shall be paid to the city clerk on or before the tenth day of each

month for sewer used during that month. If any part of the monthly sewer service bill becomes one month delinquent, the next monthly billing statement shall contain a notice to the effect that, if all amounts owing are not paid by the tenth of the month, the service shall be shut off. The clerk shall grant a fifteen (15) day extension of time for payment, if prior to shutoff the user appears in person at City Hall, and makes written application for an extension. The clerk shall not grant more than one extension without approval of the city council. If payment is not received by the tenth of the month or, in those cases where an extension has been granted, by the twenty-fifth of the month, the service shall be shut off. Thereafter, the services shall only be turned back on after payment in full of all sums due and owing, plus payment of a nonrefundable reconnection fee.

B. The owner of any property upon which city sewer is used shall be responsible for the payment of sewer rates for such service. All rules, rates and regulations provided for the government of sewer service shall apply to the owner of the premises, as well as the tenant. In cases of default in payment of sewer rates, all arrearages, interest, fines and penalties shall attach to the premises where the services were used as a lien. (Ord. 213 (part), 2008: Ord. 147 §§ 10, 11, 1963)

#### **13.08.140 Refilling of privies, etc. required.**

All privies, privy vaults, cesspools and septic tanks used by any person, firm or corporation, who is required by this chapter to connect to the sewer system of the city are expressly declared to be a nuisance, and the owner of the premises upon which the same is situated is required to refill such privy, privy vault, and cesspool with earth to a level with surrounding earth surface. Upon being notified by the city

inspector to refill any such privy, privy vault, and cesspool, and upon failure so to do within two weeks from date of such notice, it is lawful for the city inspector to have such privy, privy vault, cesspool filled with earth in compliance with this article, and the party owning the property upon which the same is located shall be charged and required to pay for the same forthwith. Collection thereof may be made in the same manner as provided in this article for the collection of other charges. (Ord. 147 § 12, 1963)

#### **13.08.150 Violation—Penalty.**

Every person violating any of the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than two hundred dollars (\$200.00), or by imprisonment in the city jail, for not more than twenty (20)

days, or by both such fine and imprisonment.  
(Ord. 147 § 13, 1963)

## **Article II. Sewer Laterals**

### **13.08.160 Laying of sewer laterals.**

On any street or alley in which no sewer main or sewer lateral has been laid or installed by the city, or in any street or alley in which such sewers or sewer laterals have been laid by the city but are inadequate to carry the flow of sewerage available for disposition therethrough, the owner or owners of property or properties adjacent to such street or alley may, with the permission of the city inspector, lay therein a sewer lateral of a capacity satisfactory to such city inspector, and connect such lateral to the nearest sewer main or lateral of capacity adequate to handle the flow of such lateral to be installed by such owner or owners. (Ord. 146 § 1, 1963)

### **13.08.170 Filing of certificate and map.**

Within ninety (90) days after the completion of such lateral by such owner or owners, such owner or owners shall file with the city clerk, a certificate setting forth an itemized account of the costs and disbursements of the installation of such lateral, together with a map, drawn to a scale of not less than one inch for each twenty (20) feet of lateral, showing in detail the location and depth below the surface of such lateral or laterals. (Ord. 146 § 2, 1963)

### **13.08.180 Subsequent connectors to pay proportion of installation costs.**

A. In the event that any such lateral or laterals shall be laid by any owner or owners and such certificate filed with the city clerk within the time above provided, no person or persons may connect to any such lateral or laterals without first paying to and depositing with the city clerk of the city an amount sufficient to pay the proportion of the original costs and disbursements for the installation of such a lateral or laterals to which such person proposes to connect which such person would have paid had he or she joined in the original installation, or upon the basis of the pro rate cost of installation divided among any other persons who may theretofore have connected thereto and paid their pro rate proportion of the cost of such installation.

B. Upon the deposit of such amount with the city clerk the city clerk shall pay to the original installer or installer of such lateral and to any person or persons who may theretofore have connected to such lateral, pursuant to the terms hereof, the proportionate amount to which each of such owner or owners and subsequent connectors shall be entitled. In the event that original installer or connector shall not then be the owner of such property. (Ord. 147 §§ 3, 4, 1963)

## Chapter 13.12

### CROSS-CONNECTIONS

#### Sections:

- 13.12.010 Purpose.
- 13.12.020 Applicability.
- 13.12.030 Administration and enforcement.
- 13.12.040 Definitions.
- 13.12.050 Cross-connections prohibited.
- 13.12.060 Backflow prevention devices required when.
- 13.12.070 Backflow prevention devices—Types designated.
- 13.12.080 Backflow prevention devices—Location.
- 13.12.090 Backflow prevention devices—Installation.
- 13.12.100 Backflow prevention devices—Approval required.
- 13.12.110 Inspection and testing—Repairs.
- 13.12.120 Right of entry for inspection.
- 13.12.130 Termination of services.
- 13.12.140 Rates.

#### 13.12.010 Purpose.

The purpose of this chapter, in conjunction with Section 1003 of the Uniform Plumbing Code and the State of California Public Health Administrative Code, Title 17, is to protect the public health by the control and prevention of actual and potential cross-connections: (1) by requiring the proper installation and safeguarding of service lines

leading to premises where cross-connections exist or are likely to occur; (2) by periodic inspecting; (3) by regulating plumbing within premises to minimize the danger of contamination to the water system on the premises or the public water system itself. (Ord. 176 § 1, 1988)

#### 13.12.020 Applicability.

This regulation applies throughout the city to all premises and the owners and occupants thereof served by the city's water system. It applies to all systems installed prior to or after its enactment. Every owner and every occupant of the premises covered by this regulation is responsible for compliance with its terms and shall be strictly liable for all damages incurring as a result of failure to comply with express terms and provisions contained in this chapter. (Ord. 176 § 2, 1988)

#### 13.12.030 Administration and enforcement.

The director of public works will administer the provisions of this chapter. Any deviation, modification, changes from standards or approval of methods and material, shall be by the director. (Ord. 176 § 3, 1988).

#### 13.12.040 Definitions.

The following definitions will apply to interpretation of this chapter.

"Air gap separation" means the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood level rim of the receptacle, and must be at least double the diameter of the supply pipe



measured vertically above the flood level rim or the vessel. In no case may the gap be less than one inch.

"Auxiliary supply" means any water source or system other than the public potable water system, that may be available in the building or on the premises.

"Backflow" means the reversal of flow, other than in the intended direction into the distribution of the public water system, from a service connection.

1. "Back pressure" means the backflow caused by a pump, elevated tank, boiler, or other means that could create pressure within the system greater than the city water supply.

2. "Back siphonage" means a form of backflow due to a negative or sub-atmospheric pressure within the water system.

"Backflow prevention device" means an approved device to counteract back pressure or prevent back siphonage.

"Cross-connection" means any physical arrangement whereby a public water system is connected directly or indirectly, with any other nonpotable water system, sewer, drain, conduit, pool, storage, reservoir, plumbing fixture, or other device which contains, or may contain, contaminated water, sewage, or other waste or liquid of unknown or unsafe quality which may be capable of imparting contamination into the public water system as a result of backflow. Bypass arrangements, jumper connections, moveable sections, swivel or changeover devices, or other temporary or permanent devices through which, backflow could occur, are considered to be cross-connections.

"Double check valve assembly" means an approved assembly composed of two single,

independently acting check valves, including tightly closing shutoff valves located at each end of the assembly and suitable connections for testing the watertightness of each check valve.

"Reduced pressure principle backflow prevention device (RPBD)" means an approved device incorporating two or more check valves and an automatically operating differential relief valve located between the two checks, two shutoff valves, and equipped with the necessary appurtenances for testing. The device must operate to maintain the pressure in the zone between the two check valves, less than the pressure on the public water system side of the device. At cessation of normal flow, the pressure between the check valves must be less than the supply pressure. In case of leakage of either check valve the differential relief valve must operate to maintain the reduced pressure by discharging to the atmosphere. When the inlet pressure drops below two pounds per square inch, the relief valve must open to the atmosphere thereby providing an atmospheric zone between the two check valves. (Ord. 176 § 4, 1988)

### **13.12.050 Cross-connections prohibited.**

A. Except as provided below, all cross-connections, whether or not they are controlled by automatic devices such as check valves or by hand-operated mechanisms such as gate valves or stop clocks, are prohibited.

B. Failure on the part of persons, firms or corporations to discontinue the use of all cross-connections and to physically separate cross-connections is sufficient cause for the

immediate discontinuance of public water services to the premises. (Ord. 176 § 5, 1988)

**13.12.060 Backflow prevention devices required when.**

Backflow prevention devices shall be installed at the service connection or within any premises where in the judgment of the director of public works the nature and extent of activity on the premises, material used in connection with the activities, or materials stored on the premises would present an immediate or potential hazard to the public's health should a cross-connection occur; even though such cross-connection does not exist at the time the backflow prevention device is required to be installed. This includes:

A. Premises having an auxiliary water supply;

B. Premises having internal cross-connections that are not correctable, or intricate plumbing arrangements which make it impracticable to ascertain whether or not cross-connections do not exist;

C. Premises where entry is restricted so that inspections cross-connections cannot be made with sufficient frequency or at sufficiently short notice to assure that cross-connections do not exist;

D. Premises having a history of cross-connections being established or reestablished;

E. Premises on which any substance is handled under pressure so as to permit entry into the public water system, or where a cross-connection could reasonably be expected to occur. This includes the handling of process waters and cooling waters;

F. Premises with commercial or residential water softener units (backwash);

G. Premises where materials of a toxic or hazardous nature are handled such that if backflow should occur, a serious health hazard may result;

H. The following types of facilities will fall into one of the above categories where a backflow prevention device shall be installed at these facilities as set forth in the California Administrative Code, Title 17, Public Health, unless the director of public works determines that no health hazard exists:

1. Hospitals, mortuaries, clinics,
2. Laboratories,
3. Sewage treatment plants,
4. Food and beverage processing plants,
5. Chemical plants using a water process,
6. Metal plating industries,
7. Petroleum processing or storage plants,
8. Radioactive material processing plants or nuclear reactors,
9. Car washes,
10. Any building or structure three stories or higher,
11. Others specified by the certified cross-connection specialist. (Ord. 176 § 6, 1988)

**13.12.070 Backflow prevention devices—Types designated.**

The type of prevention device required by the city depends on the degree of hazard which exists as follows:

A. An air-gap separation or reduced pressure backflow prevention device shall be installed where the water supply may be contaminated by sewage, industrial waste of a toxic nature, or other contaminant which would cause a health hazard.

B. In the case of a substance which may be objectionable but not hazardous to health,

a double check valve assembly, air-gap separation or reduced pressure principle backflow prevention device shall be installed.

C. Pressure-type vacuum breaker units (spring loaded) are the approved units for city-supplied irrigation systems. The unit must be installed at least twelve (12) inches above the highest fixture point of water usage and in such a manner that drainage will preclude back pressure. (Ord. 176 § 7, 1988)

**13.12.080 Backflow prevention devices—Location.**

Backflow prevention devices required by this chapter must be installed at the meter, at the property line of the premises when meters are not used, or at a location designated by the director of public works. The device must be located so as to be readily accessible for maintenance and testing, and where part of the device will not be submerged or hidden from proper inspection. (Ord. 176 § 8, 1988)

**13.12.090 Backflow prevention devices—Installation.**

Backflow prevention device required by this chapter must be installed under the supervision of the department of public works. (Ord. 176 § 9, 1988)

**13.12.100 Backflow prevention devices—Approval required.**

Any protective device required by this chapter must be a model approved by a hydraulics testing laboratory recognized by the department of health services, such as the University of Southern California. (Ord. 176 § 10, 1988)

**13.12.110 Inspection and testing—Repairs.**

Backflow prevention devices must be inspected and tested annually or more often when inspections indicate any occasion of failure. An annual inspection fee will be charged. The device must be repaired, overhauled or replaced whenever it is found to be defective. Inspections and tests must be made by a certified cross-connection specialist or by the city's water department personnel and the device tagged. Repairs will be at the expense of the owner or occupant. (Ord. 176 § 11, 1988)

**13.12.120 Right of entry for inspection.**

An authorized employee of the city shall have reasonable access to any premises supplied with water for the purpose of making inspections for cross-connection control, inspections of the water system and water meters upon such premises. (Ord. 176 § 12, 1988)

**13.12.130 Termination of services.**

The failure of the owner or occupant to cooperate in the installation, maintenance, testing or inspection of backflow prevention devices required by this chapter, may have water service discontinued after service of twenty-four (24) hours' notice of the intention of the city to do so. (Ord. 176 § 13, 1988)

**13.12.140 Rates.**

Rates will be established or amended, whenever necessary, by resolution of the city council. (Ord. 176 § 14, 1988)

**Chapter 13.16****WATER WELLS****Sections:**

- 13.16.010 Private wells for potable water prohibited.**  
**13.16.020 Construction of new wells.**

**13.16.010 Private wells for potable water prohibited.**

It is unlawful for any person to operate in the city a private well for human consumption. (Prior code § 6200 (part))

**13.16.020 Construction of new wells.**

No new well shall be drilled or such for furnishing water to be used for any purpose whatsoever unless the proposed location, method of construction and the use are approved by the health officer and the city council. Before any such well is drilled or sunk, the driller shall submit to the health officer and the city council a statement showing the proposed location, type of construction, and intended use of same. A well log showing the detailed construction, depth in character of the formation encountered shall be filed with the health officer by the driller within fifteen (15) days after the well is completed. (Prior code § 6200 (part))

## Chapter 13.20

### UNDERGROUND UTILITY DISTRICTS

#### Sections:

- 13.20.010**     **Definitions.**
- 13.20.020**     **Public hearing regarding formation of district.**
- 13.20.030**     **Designation of district by resolution.**
- 13.20.040**     **Prohibited acts—Exceptions.**
- 13.20.050**     **Notice to property owners and utility companies.**
- 13.20.060**     **Responsibility of utility companies.**
- 13.20.070**     **Responsibility of property owners.**
- 13.20.080**     **Responsibility of city.**
- 13.20.090**     **Extension of time.**
- 13.20.100**     **Violation—Penalty.**

#### **13.20.010     Definitions.**

Whenever in this chapter the words or phrases defined in this section are used, they shall have the respective meanings assigned to them in the following definitions:

“Commission” means the Public Utilities Commission of the state of California.

“Person” means and includes individuals, firms, corporations, partnerships, and their agents and employees.

“Poles, overhead wires and associated overhead structures” means poles, towers, supports, wires, conductors, guys, stubs, platforms, crossarms, braces, transformers, insulators, cut-outs, switches, communication circuits, appliances, attachments, and appurtenances located aboveground within a district and used or useful in supplying electric,

communication, or similar or associated service.

“Underground utility district” or “district” means that area in the city within which poles, overhead wires and associated overhead structures are prohibited as such area is described in a resolution adopted pursuant to the provisions of Section 13.20.030 of this chapter.

“Utility” means and includes all persons or entities supplying electric, communication, or similar or associated service by means of electrical materials or devices. (Ord. 163 § 1, 1976)

#### **13.20.020     Public hearing regarding formation of district.**

The council may from time to time call public hearings to ascertain whether the public necessity, health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures within designated areas of the city and the underground installation of wires and facilities for supplying electric, communication, or similar or associated service. The city clerk shall notify all affected property owners as shown on the last equalized assessment roll and utilities concerned by mail of the time and place of such hearings at least ten (10) days prior to the date thereof. Each such hearing shall be open to the public and may be continued from time to time. At each such hearing all persons interested shall be given an opportunity to be heard. The decision of the council shall be final and conclusive. (Ord. 163 § 2, 1976)

**13.20.030 Designation of district by resolution.**

If, after any such public hearing the council finds that the public necessity, health, safety or welfare requires such removal and such underground installation within a designated area, the council shall, by resolution, declare such designated area an underground utility district and order such removal and underground installation. Such resolution shall include a description of the area comprising such district and shall fix the time within which such removal and underground installation shall be accomplished and within which affected property owners must be ready to receive underground service. A reasonable time shall be allowed for such removal and underground installation, having due regard for the availability of labor, materials and equipment necessary for such removal and for the installation of such underground facilities as may be occasioned thereby. (Ord. 163 § 3, 1976)

**13.20.040 Prohibited acts—Exceptions.**

A. Prohibited Acts. Whenever the council creates an underground utility district and orders the removal of poles, overhead wires and associated overhead structures therein as provided in Section 13.20.030, it is unlawful for any person or utility to erect, construct, place, keep, maintain, continue, employ or operate poles, overhead wires, and associated overhead structures in the district after the date when such overhead facilities are required to be removed by such resolution, except as such overhead facilities may be required to furnish service to an owner or occupant of property prior to the performance by such owner or occupant of the underground

work necessary for such owner or occupant to continue to receive utility service as provided in Section 13.20.060, and for such reasonable time required to remove such facilities after the work has been performed, and except as otherwise provided in this chapter.

B. Exception—Emergency or Unusual Circumstances. Notwithstanding the provisions of this chapter, overhead facilities may be installed and maintained for a period, not to exceed ten (10) days, without authority of the council in order to provide emergency service. The council may grant special permission, on such terms as the council may deem appropriate, in cases of unusual circumstances, without discrimination as to any person or utility, to erect, construct, install, maintain, use or operate poles, overhead wires and associated overhead structures.

C. Other Exceptions. This chapter and any resolution adopted pursuant to Section 13.20.030 shall, unless otherwise provided in such resolution, not apply to the following types of facilities:

1. Any municipal facilities or equipment installed under the supervision and the satisfaction of the city engineer;

2. Poles, or electroliers used exclusively for street lighting;

3. Overhead wires (exclusive of supporting structures) crossing any portion of a district within which overhead wires have been prohibited, or connecting to buildings on the perimeter of a district, when such wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited;

4. Poles, overhead wires and associated overhead structures used for the transmission of electric energy at nominal voltages in ex-

cess of thirty-four thousand five hundred 34,500) volts;

5. Overhead wires attached to the exterior surface of a building by means of a bracket or other fixture and extending from one location on the building to another location on the same building or to an adjacent building without crossing any public street;

6. Antennae, associated equipment and supporting structures used by a utility for furnishing communication services;

7. Equipment appurtenant to underground facilities, such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, and concealed ducts;

8. Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects. (Ord. 163 §§ 4—6, 1976)

#### **13.20.050 Notice to property owners and utility companies.**

A. Within ten (10) days after the effective date of a resolution adopted pursuant to Section 13.20.030, the city clerk shall notify all affected utilities and all persons owning real property within the district created by such resolution of the adopting thereof. The city clerk shall further notify such affected property owners of the necessity that, if they or any person occupying such property desire to continue to receive electric, communication, or similar or associated service, they or such occupant shall provide all necessary facility changes on their premises so as to receive such service from the lines of the supplying utility or utilities at a new location, subject to the applicable rules, regulations and tariffs of

the respective utility or utilities on file with the commission.

B. Notification by the city clerk shall be made by mailing a copy of the resolution adopted pursuant to Section 13.20.030, together with a copy of this chapter, to affected property owners as such are shown on the last equalized assessment roll and the affected utilities. (Ord. 163 § 7, 1976)

#### **13.20.060 Responsibility of utility companies.**

If underground construction is necessary to provide utility service within a district created by any resolution adopted pursuant to Section 13.20.030, the supplying utility shall furnish that portion of the conduits, conductors and associated equipment required to be furnished by it under its applicable rules, regulations and tariffs on file with the commission. (Ord. 163 § 8, 1976)

#### **13.20.070 Responsibility of property owners.**

A. Every person owning, operating, leasing, occupying or renting a building or structure within a district shall construct and provide that portion of the service connection on his or her property between the facilities referred to in Section 13.20.060 and the termination facility on or within the building or structure being served, all in accordance with the applicable rules, regulations and tariffs of the respective utility or utilities on file with the commission. If the above is not accomplished by any person within the time provided for in the resolution enacted pursuant to Section 13.20.030, the city engineer shall give notice in writing to the person in possession of such premises, and a notice in writing

to the owner thereof as shown on the last equalized assessment roll, to provide the required underground facilities within ten (10) days after the receipt of such notice.

B. The notice to provide the required underground facilities may be given either by personal service or by mail. In case of service by mail on either of such persons, the notice must be deposited in the United States mail in a sealed envelope with postage prepaid, addressed to the person in possession of such premises at such premises, and the notice must be addressed to the owner thereof as such owner's name appears, and must be addressed to such owner's last known address as the same appears on the last equalized assessment roll, and when no address appears, to general delivery, city of Dorris. If notice is given by mail, such notice shall be deemed to have been received by the person to whom it has been sent within forty-eight (48) hours after the mailing thereof. If notice is given by mail to either the owner or occupant of such premises, the city engineer shall, within forty-eight (48) hours after the mailing thereof, cause a copy thereof, printed on a card not less than eight inches by ten (10) inches in size, to be posted in a conspicuous place on such premises.

C. The notice given by the city engineer to provide the required underground facilities shall particularly specify what work is required to be done, and shall state that if such work is not completed within thirty (30) days after receipt of such notice, the city engineer will provide such required underground facilities, in which case the cost and expense thereof will be assessed against the property benefited and become a lien upon such property.

D. If upon the expiration of the thirty (30) day period, the required underground facilities have not been provided, the city engineer shall forthwith proceed to do the work, provided; however, if such premises are unoccupied and no electric or communications services are being furnished thereto, the city engineer shall in lieu of providing the required underground facilities, have the authority to order the disconnection and removal of any and all overhead service wires and associated facilities supplying utility service to such property. Upon completion of the work by the city engineer, he or she shall file a written report with the city council setting forth the fact that the required underground facilities have been provided and the cost thereof, together with a legal description of the property against which such cost is to be assessed. The council shall thereupon fix a time and place for hearing protests against the assessment of the cost of such work upon such premises, which time shall not be less than ten (10) days thereafter.

E. The city engineer shall forthwith, upon the time for hearing such protests having been fixed, give a notice in writing to the person in possession of such premises, and a notice in writing thereof to the owner thereof, in the manner hereinabove provided for the giving of the notice to provide the required underground facilities, of the time and place that the council will pass upon such report and will hear protests against such assessment. Such notice shall also set forth the amount of the proposed assessment.

F. Upon the date and hour set for the hearing of protests, the council shall hear and consider the report and all protests, if there be



any, and then proceed to affirm, modify or reject the assessment.

G. If any assessment is not paid within five days after its confirmation by the council, the amount of the assessment shall become a lien upon the property against which the assessment is made by the city engineer, and the city engineer is directed to turn over to assessor and tax collector a notice of lien on each of such properties on which the assessment has not been paid, and the assessor and tax collector shall add the amount of such assessment to the next regular bill for taxes levied against the premises upon which such assessment was not paid. The assessment shall be due and payable at the same time as property taxes are due and payable, and if not paid when due and payable, shall bear interest at the rate of six percent per year. (Ord. 163 § 9, 1976)

#### **13.20.080 Responsibility of city.**

City shall remove at its own expense all city-owned equipment from all poles required to be removed hereunder in ample time to enable the owner or user of such poles to remove the same within the time specified in the resolution enacted pursuant to Section 13.20.030. (Ord. 163 § 10, 1976)

#### **13.20.090 Extension of time.**

In the event that any act required by this chapter or by a resolution adopted pursuant to Section 13.20.030 cannot be performed within the time provided on account of shortage of materials, war, restraint by public authorities, strikes, labor disturbances, civil disobedience, or any other circumstances beyond the control of the actor, then the time within which such act will be accomplished

shall be extended for a period equivalent to the time of such limitation. (Ord. 163 § 11, 1976)

#### **13.20.100 Violation—Penalty.**

It is unlawful for any person to violate any provision or to fail to comply with any of the requirements of this chapter. Any person violating any provision of this chapter or failing to comply with any of its requirements shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment not exceeding six months, or by both such fine and imprisonment. Each such person shall be deemed guilty of a separate offense for each day during any portion of which any violation of any of the provisions of this chapter is committed, continued or permitted by such person, and shall be punishable therefor as provided for in this chapter. (Ord. 163 § 12, 1976)

**Title 14**

**(Reserved)**

**Title 15**

**BUILDINGS AND CONSTRUCTION**

**Chapters:**

- 15.01 Building Numbering System**
- 15.04 Building Code**
- 15.08 Abatement of Dangerous Buildings**
- 15.12 Uniform Fire Code Adopted**
- 15.16 Trailer Coaches and Trailer Camps**
- 15.20 Manufactured Homes**

**Chapter 15.01****BUILDING NUMBERING SYSTEM****Sections:**

**15.01.010 Requirement that each building, residence and residence unit be numbered.**

**15.01.020 Effective date.**

**15.01.010 Requirement that each building, residence and residence unit be numbered.**

Each building, residence and residential unit shall bear its street number within six feet of the front door. The street number shall be affixed to the building and be readable in the dark, either by lighting or reflective material. The numbers must be a minimum of four inches in height. (Ord. 205 (part), 2005)

**15.01.020 Effective date.**

This chapter shall become effective on the date the ordinance codified herein becomes law. (Ord. 205 (part), 2005)

## Chapter 15.04

### BUILDING CODE

#### Sections:

- 15.04.010 Office of building inspector established.**
- 15.04.020 Building permit required.**
- 15.04.030 Building permit fee.**
- 15.04.040 Wiring, appliances and fixtures.**
- 15.04.050 Provisions for modern sanitation required.**
- 15.04.060 Building inspection authority.**
- 15.04.070 Violation—Penalty.**

#### **15.04.010 Office of building inspector established.**

The office of building inspector for the city is created. The building inspector shall be appointed by the city council. (Prior code § 8100)

#### **15.04.020 Building permit required.**

No person shall erect or construct any building or structure, or add to, enlarge, move, improve, alter, convert, extend or demolish any building or structure, or cause the same to be done without first obtaining a building permit therefor from the building inspector or the city council. (Prior code § 8101)

#### **15.04.030 Building permit fee.**

Any person desiring a building permit shall at the time of making application therefor pay to the building inspector a fee of one dollar (\$1.00) per one thousand dollars (\$1,000.00) of estimated valuation. (Prior code § 8102)

#### **15.04.040 Wiring, appliances and fixtures.**

No wiring, appliance or fixtures shall be used in any building hereafter constructed in the city that have not been approved by fire underwriters or by the building inspector. (Prior code § 8103)

#### **15.04.050 Provisions for modern sanitation required.**

No building permit shall be granted for the construction of any business building or dwelling within the city without adequate provisions for modern sanitation. (Prior code § 8104)

#### **15.04.060 Building inspection authority.**

Inspection of buildings under construction will be made regularly by the building inspector. (Prior code § 8105)

#### **15.04.070 Violation—Penalty.**

Any person violating any of the provisions of this chapter is guilty of a misdemeanor, and upon conviction, shall be fined not less than fifty dollars (\$50.00) or more than two hundred dollars (\$200.00). (Prior code § 8106)

## Chapter 15.08

### ABATEMENT OF DANGEROUS BUILDINGS

#### Sections:

- 15.08.010**     **Definitions.**
- 15.08.020**     **Board of condemnation  
created.**
- 15.08.030**     **Board of condemnation—  
Powers and duties.**
- 15.08.040**     **Notice of hearing.**
- 15.08.050**     **Findings and  
determination.**
- 15.08.060**     **Violation—Penalty.**
- 15.08.070**     **Public nuisance declared—  
Abatement.**

#### **15.08.010**     **Definitions.**

A. For the purpose of this chapter a "building constituting a menace to public safety," is defined as:

1. Any building, or other structure, located in the city of Dorris, so constructed as to more than ordinarily endanger the safety of persons therein in case of fire, or so situated as to more than ordinarily endanger other buildings or property in the vicinity in case of fire, or so constructed or situated as to render the same peculiarly susceptible to fire from within or without; or

2. Any building or other structure in the city of Dorris, which, by reason of rot, weakened joists, walls, floors, underpinning, roofs, ceilings, insecure foundations, or other cause, has become so dilapidated or deteriorated as to endanger the safety of persons therein or nearby.

B. For the purpose of this chapter "owner" is defined to mean the holder or holders of the record title and all recorded

interests therein on the day upon which the notice of hearing is issued. (Ord. 150 §§ 1, 1a, 1964)

#### **15.08.020**     **Board of condemnation created.**

The board of condemnation is created and shall consist of the health officer, the building inspector and the chief of the fire department. (Ord. 150 § 2, 1964)

#### **15.08.030**     **Board of condemnation— Powers and duties.**

The board is granted the power, after hearing, to conclusively find and determine whether any building constitutes a menace to public safety. The board may, as part of such hearing, inspect such building and the facts observed by the board at such inspection shall constitute evidence upon which it may base its findings. (Ord. 150 § 3 (part), 1964)

#### **15.08.040**     **Notice of hearing.**

Notice of hearing shall be given by the board by posting in a conspicuous place on the building at least ten (10) days prior to the date of hearing a notice directed to "all persons having or claiming any interest" in the building, designating the building sought to be condemned, the grounds therefor and the time and place of hearing. A copy of such notice shall be sent by registered mail at least ten (10) days prior to such hearing to each owner at his or her last known address, or if such address cannot, after due diligence, be ascertained, then to such owner at Dorris, California. (Ord. 150 § 3 (part), 1964)

**15.08.050 Findings and determination.**

A. Whenever the board shall have determined that a building constitutes a menace to public safety, it shall thereupon conclusively find and determine what repairs or alterations are necessary or whether the total destruction of such building is necessary in order that such building shall not constitute a menace to public safety. The board shall also conclusively determine and find the length of time necessary to complete such repairs, alterations or destruction, such time to begin to run upon service of finding, and the board may, for good cause, extend such time for not to exceed thirty (30) days.

B. The findings of the board shall be in writing and shall be served upon the owner personally, and if, after due diligence the owner cannot be found, shall in lieu thereof, be posted for ten (10) days in a conspicuous place on the building. (Ord. 150 §§ 4, 5, 1964)

**15.08.060 Violation—Penalty.**

It is unlawful and punishable by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment in the city prison for not more than six months, or both, for any owner of any building which has been found by the board of condemnation to constitute a menace to public safety to fail, after service of findings as provided in Section 15.08.050, to destroy, alter or repair such building in accordance with the findings of the board and within the time allowed by the board, provided such owner has the legal power to so destroy, alter or repair such building, and it is unlawful and similarly punishable for any owner after he or she has received the notice of hearing above provided to disable himself

or herself from destroying, altering or repairing such buildings. Each day's failure to so alter, destroy or repair such building shall constitute a distinct and separate offense. (Ord. 150 § 6, 1964)

**15.08.070 Public nuisance declared—  
Abatement.**

A. Every building constituting a menace to public safety, as the same is defined in Section 15.08.010, is declared to be a public nuisance and such nuisance may be abated summarily or by civil action.

B. Every building found by the board of condemnation to constitute a menace to public safety shall, if not destroyed, altered or repaired within the time allowed by and in accordance with the findings of the board, be deemed and every such building is declared to be a public nuisance and every such nuisance may be abated summarily or by civil action. (Ord. 150 §§ 7, 8, 1964)

## Chapter 15.12

### UNIFORM FIRE CODE ADOPTED

#### Sections:

- 15.12.010 Uniform fire code adopted.**
- 15.12.020 Bureau of fire prevention—Established—Duties.**
- 15.12.030 Definitions.**
- 15.12.040 Storage of flammable or combustible liquids in outside aboveground tanks—Limits established.**
- 15.12.050 Bulk storage of liquefied petroleum gases—Limits established.**
- 15.12.060 Storage of explosives and blasting agents—Limits established.**
- 15.12.070 Amendments to Uniform Fire Code.**
- 15.12.080 Appeals.**
- 15.12.090 New materials, processes or occupancies which may require permits.**
- 15.12.100 Violation—Penalty.**

#### **15.12.010 Uniform fire code adopted.**

There is adopted by the city of Dorris for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosions, that certain code known as the Uniform Fire Code recommended by the Western Fire Chiefs Association and the International Conference of Building Officials being particularly the 1976 edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended by Section 1512.070 of which code not less than three

copies have been and are now filed in the office of the clerk of the city of Dorris and the same are adopted and incorporated as fully as if set out at length herein, and from the date on which the ordinance codified in this chapter takes effect, the provision thereof shall be controlling within the limits of the city of Dorris. (Ord. 166 § 1, 1980)

#### **15.12.020 Bureau of fire prevention—Established—Duties.**

A. The Uniform Fire Code shall be enforced by the bureau of fire prevention in the fire department of the city which is established and which shall be operated under the supervision of the chief of the fire department.

B. The chief (or fire marshal) in charge of the bureau of fire prevention shall be appointed by the city council, on the basis of examination to determine his or her qualifications.

C. The chief of the fire department may detail such members of the fire department as inspectors as shall from time to time be necessary. The chief of the fire department shall recommend to the city council the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position. The examination shall be open to members and nonmembers of the fire department, and appointments made after examination shall be for an indefinite term with removal only for cause. (Ord. 166 § 2, 1980)



**15.12.030 Definitions.**

A. Wherever the word "jurisdiction" is used in the Uniform Fire Code, it means the city of Dorris.

B. Wherever the term "corporation council" is used in the Uniform Fire Code, it means the attorney for the city of Dorris. (Ord. 166 § 3, 1980)

**15.12.040 Storage of flammable or combustible liquids in outside aboveground tanks—Limits established.**

A. The limits referred to in Section 15.201 of the Uniform Fire Code in which storage of flammable or combustible liquids in outside aboveground tanks is prohibited, are established as follows: Refer to Section 15.201 of the Uniform Fire Code.

B. The limits referred to in Section 15.601 of the Uniform Fire Code, in which new bulk plants for flammable or combustible liquids are prohibited, are established as follows: Refer to Section 15.601 of the Uniform Fire Code. (Ord. 166 § 4, 1980)

**15.12.050 Bulk storage of liquefied petroleum gases—Limits established.**

The limits referred to in Section 20.105 (a) of the Uniform Fire Code, in which bulk storage of liquefied petroleum gas is restricted, are established as follows: Refer to Section 20.105 (a) of the Uniform Fire Code. (Ord. 166 § 5, 1980)

**15.12.060 Storage of explosives and blasting agents—Limits established.**

The limits referred to in Section 11.106(b) of the Uniform Fire Code, in which storage of

explosives and blasting agents is prohibited, are established as follows: Refer to Section 11.106 of the Uniform Fire Code. (Ord. 166 § 6, 1980)

**15.12.070 Amendments to Uniform Fire Code.**

The Uniform Fire Code can be amended and changed in the following respects by section, paragraphs, or city resolution or state law. (Ord. 166 § 7, 1980)

**15.12.080 Appeals.**

Whenever the chief shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the chief to the city council, within thirty (30) days from the date of the decision appealed. (Ord. 166 § 8, 1980)

**15.12.090 New materials, processes or occupancies which may require permits.**

The city council, the chief and the chief of the bureau of fire prevention shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require permits, in addition to those now enumerated in such code. The chief of the bureau of fire prevention shall post such list in a conspicuous place in his or her office and distribute copies thereof to interested persons. (Ord. 166 § 9, 1980)

**15.12.100 Violation—Penalty.**

A. Any person who shall violate any of the provisions of this code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the bureau of fire prevention or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable by a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) or by imprisonment for not less than ninety (90) days or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions. (Ord. 166 § 10, 1980)

## Chapter 15.16

### TRAILER COACHES AND TRAILER CAMPS

#### Sections:

- 15.16.010**     **Definitions.**
- 15.16.020**     **Maintenance as living quarters prohibited—Exemptions.**
- 15.16.030**     **Auto and trailer camps—Permit required.**
- 15.16.040**     **Violation—Penalty.**

#### **15.16.010**     **Definitions.**

Words and phrases as used in this chapter are defined as follows:

“Auto and Trailer Camp,” as used in this chapter, means any area tract of land where space is rented or held out for rent to owners or users of trailer coaches or tent campers furnishing their own camping equipment, or where free camping is permitted owners or users of trailer coaches.

“Trailer coach,” as used in this chapter, means any camp car, trailer or other vehicle, with or without motive power, designed and constructed to travel on the public thoroughfares at the maximum allowable speed limit and in accordance with the provisions of the vehicle code, and designed or used for human habitation. (Ord. 153 § 1, 1965)

#### **15.16.020**     **Maintenance as living quarters prohibited—Exemptions.**

It is unlawful and public nuisance for any person or person to establish, keep or maintain upon any lot or other place within the city, any trailer, auto coach or trailer coach primarily designed for transportation pur-

poses upon a public highway, for occupancy as living quarters, for a longer period than forty-eight (48) hours, unless the same is kept and maintained on a regularly established auto and trailer camp operated under permits from the state of California and the health department of the city. Nothing contained in this section shall prohibit the health department from issuing temporary permits for such use for a period of not to exceed five days. No temporary permit shall be issued which will constitute a nuisance or health menace. (Ord. 153 § 2, 1965)

#### **15.16.030**     **Auto and trailer camps—Permit required.**

All persons desiring to establish and operate any auto and trailer camp within the city limits of the city shall request and obtain a permit from the health department of the city before maintaining or operating any such auto or trailer camp. All applications shall be upon a form as may be prescribed by the health officer, and among other things, shall set forth the following:

- A. That no dangerous conditions, either to life or health, will be allowed to exist;
- B. That no overcrowding at any camp will be allowed;
- C. That adequate plumbing and waste and sewage disposal facilities will be built and properly maintained;
- D. That the camp will be operated in a clean and sanitary manner;
- E. That upon receipt of the application, and after consideration of the same, if the requirements as set out in this chapter shall be complied with, the health officer shall thereupon issue a permit to the applicant. (Ord. 153 § 3, 1965)

**15.16.040 Violation—Penalty.**

Any person violating the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not exceeding five hundred dollars (\$500.00) or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment. (Ord. 153 § 4, 1965)

## Chapter 15.20

### MANUFACTURED HOMES

#### Sections:

#### 15.20.010 Standards adopted.

#### 15.20.010 Standards adopted.

Manufactured homes are allowed in all zoning districts which permit one-family residences and shall be subject to the following development standards:

A. All manufactured homes shall be placed on a permanent foundation system of state-approved design or a permanent foundation system designed by a licensed architect or structural engineer as required by Section 65852.3 of the State of California Government Code;

B. The manufactured home shall be certified under the National Mobile Home Construction and Safety Standards Act of 1974; except for existing manufactured homes prior to code adoption;

C. Manufactured homes placed on a foundation system shall not be older than ten (10) years of age measured from the date of manufacture of the unit to the date of building permit application except that manufactured homes lawfully installed prior to the effective date of this chapter which have been certified under the National Manufactured Home Construction and Safety Act of 1974 shall be exempt from the ten (10) year age standard;

D. Manufactured homes shall provide parking in accordance with Section 18.32.190. The exterior wall covering and roof material of any required garage or carport shall be the same as those of the manufactured home;

E. Requirements for building height, lot coverage, side yard setbacks, front yard setbacks, rear yard setbacks, and usable open

space shall be subject to the same requirements as the zone in which the manufactured home is located;

F. Exterior wall covering materials and roofing materials shall conform to the requirements of the State of California Department of Housing and Community Development (HCD) and the uniform building code for frame-constructed dwellings. Exterior wall coverings shall extend (at a minimum) to the top of the perimeter foundation;

G. A foundation enclosure shall be installed between the finish grade and the siding material. Add-on siding needed to extend the exterior siding to the foundation enclosure shall consist of materials similar to the main exterior siding. Venting per the Uniform Building Code shall be required;

H. All roof and gable overhangs shall extend not less than six inches when measured horizontally from the wall. Roof and gable overhangs shall be manufactured or engineered and designed to appear as an integral part of the manufactured home;

I. The roof of the manufactured home shall have a minimum pitch of not less than a nominal three inches of vertical rise for each twelve (12) inches of horizontal run;

J. Roof design shall meet the snow load requirements of the city of Dorris, and roofing materials shall meet the requirements of a Class A or B fire rating as defined by the currently adopted Uniform Building Code;

K. No ramada or other freestanding structure shall be allowed to be constructed over a manufactured home;

L. Prior to any work being done toward the installation of any mobile home, a complete set of plans and proposals shall be submitted to the building department. After receiving building inspector authorization but prior to the installation of a mobile home on a foundation system,

the mobile home owner shall obtain a city building permit;

M. All utilities shall be connected in a manner provided and approved by the city. All mobile home installations shall be architecturally compatible with their immediate area. (Ord. 206, 2005)

**Title 16**

**SUBDIVISIONS**

**Chapters:**

**16.04 Minor Subdivisions**

## Chapter 16.04

### MINOR SUBDIVISIONS

#### Sections:

- 16.04.010 Tentative map—Filing.**
- 16.04.020 Tentative map—  
Information required.**
- 16.04.030 Approval by city council.**

#### **16.04.010 Tentative map—Filing.**

Two copies of the tentative map for proposed subdivision or partition of any land into four or less lots shall be filed with the city clerk, together with two copies of a preliminary title report issued by a title company in the name of the owner of the land, issued to or the benefit and protection of the city, except where the land embraced in such subdivision is registered under the Land Registration Act (Torrens Act). If the land is so registered, a certified copy of the certificate of title shall be furnished. (Ord. 165 § 1, 1978)

#### **16.04.020 Tentative map—Information required.**

The tentative map referred to in Section 16.04.010 shall show the dimensions of the proposed lots or division and any other information deemed necessary by the city council. (Ord. 165 § 2, 1978)

#### **16.04.030 Approval by city council.**

A. The city council shall determine whether the proposed subdivision is in conformity with law, whether the size and shape of the proposed lots are in general conformance to city requirements and whether all the proposed lots will have proper and sufficient access to a public street. Approval of

the map shall require the vote of the city council.

B. Approval of the tentative map shall be deemed sufficient approval and no final map need be submitted except, that where the proposed subdivision of land into four lots or less:

1. Consists of five acres or more of land; or
2. Requires, in order to comply with the provisions of this title, a public street opening. (Ord. 165 § 3, 1978)



**Title 17**

**(Reserved)**

## **Title 18**

### **ZONING**

#### **Chapters:**

- 18.04 Purpose—Interpretation**
- 18.06 Definitions**
- 18.08 Districts Generally**
- 18.09 Residential Agriculture, R-A**
- 18.10 Low Density Residential, R-1**
- 18.12 Medium Density Residential, R-2**
- 18.14 High Density Residential, R-3**
- 18.16 Mobile Home Residential, M-H**
- 18.18 Community Commercial, C-1**
- 18.20 General Commercial, C-2**
- 18.22 Manufacturing, M**
- 18.24 Open Space, O-S**
- 18.26 Public Agency, P-A**
- 18.28 Planned Unit Development, PUD**
- 18.30 Hearings and Appeals**
- 18.32 Special Provisions**
- 18.34 Conditional Use Permits**
- 18.36 Variances**
- 18.38 Amendments**
- 18.40 Enforcement and Penalties**
- 18.42 Nuisance Abatement**
- 18.44 Bed and Breakfast Inns**
- 18.46 Medical Marijuana and Cultivation**

## Chapter 18.04

### PURPOSE—INTERPRETATION

#### Sections:

- 18.04.010 Adoption.**
- 18.04.020 Purpose.**
- 18.04.021 Cannabis projects, uses and activities.**
- 18.04.030 Establishment of districts.**
- 18.04.040 Application.**
- 18.04.050 Short title.**
- 18.04.060 Interpretation.**

#### **18.04.010 Adoption.**

There is hereby adopted a precise zoning plan for the city of Dorris. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.04.020 Purpose.**

The purpose of this title is to promote the growth of the city in an orderly manner and to promote and protect the public health, safety, morals, comfort and general welfare.

The purpose of the zoning regulations is to regulate the use of land, buildings, or other structures for residences, commerce, industry, and other uses required by the community; regulate the location, height and size of buildings or structures, yards, courts, and other open spaces, the amount of building coverage permitted in each zone, and population density; divide the city into zones of such shape, size and number best suited to carry out these regulations, and to provide for their enforcement. These regulations are necessary to promote and protect the public health, safety, comfort, and general welfare. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.04.021 Cannabis projects, uses and activities.**

Unless expressly permitted by the City Municipal Code, or the California Health and Safety Code Section 11362.1(a), all cultivation, manufacture, distribution, possession, storing, laboratory testing, labeling, transportation, distribution, delivery or sale of cannabis or cannabis products is prohibited within the city. (Ord. 227, 2017: Ord. 225, 2017)

#### **18.04.030 Establishment of districts.**

The zoning or districting plan effectuated by this title consists of the establishment of various districts, including all territory within which the use of land, buildings, the space for buildings, and the height and bulk of buildings are regulated. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.04.040 Application.**

No building or structure shall be erected, reconstructed, or structurally space altered in any manner, nor shall any building or land, the space above or beneath, be used for any purpose other than as permitted by, and in conformance with, this title and all other ordinances, laws and maps referred to in this title.

This title shall apply to all property whether owned by private persons, firms, corporations, or organizations; and to the extent permitted by law, property of the United States of America or any of its agencies; by the state of California or any of its agencies or political subdivisions; by any authority or district organized under the law of the state of California, all subject to the following exceptions:

- A. Public streets and alleys;
- B. Underground utility lines and facilities;
- C. Underground communication lines;
- D. Overhead communication lines;

E. Overhead electric distribution and transmission facilities;

F. Railroad rights-of-way. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.04.050 Short title.**

This title shall be known by the following short title: “The City of Dorris Zoning Code.” (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.04.060 Interpretation.**

When interpreting and applying the provisions of this title, they shall be held to the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and the general welfare. Except as specifically herein provided, it is not intended by the adoption of the ordinance codified herein to repeal, abrogate, annul, or in any way to impair or interfere with any existing provisions of law or ordinance, or any rules, regulations or permits previously adopted or issued, or which shall be adopted or issued pursuant to law relating to the erection, construction, maintenance, establishment, moving, alteration, or enlargement of any building or improvement. Nor is it intended by this title to interfere with or abrogate or annul any easement, covenant or other agreement between parties; provided, however, that in cases in which this title imposes a greater restriction upon the erection, construction, maintenance, establishment, moving, alteration or enlargement of buildings, or the use of any such buildings or premises in the several districts or any of them, than is imposed or required by such existing provisions of law or ordinance or by such rules, regulations, or permits or by such easements, covenants, or agreements, then in such case the provisions of this title shall control. (Ord. 210 § 3 (Exh. A) (part), 2007)

<b>Chapter 18.06</b>		<b>18.06.340</b>	<b>Building official, building inspector.</b>
<b>DEFINITIONS</b>		<b>18.06.350</b>	<b>Building, residential.</b>
<b>Sections:</b>		<b>18.06.360</b>	<b>Building setback.</b>
<b>18.06.010</b>	<b>Generally.</b>	<b>18.06.370</b>	<b>Building site.</b>
<b>18.06.020</b>	<b>Abut, abutting, adjoining.</b>	<b>18.06.380</b>	<b>Business.</b>
<b>18.06.030</b>	<b>Accepted farming practice.</b>	<b>18.06.390</b>	<b>Business, retail.</b>
<b>18.06.040</b>	<b>Access, vehicular.</b>	<b>18.06.400</b>	<b>Business, wholesale.</b>
<b>18.06.050</b>	<b>Accessory dwelling.</b>	<b>18.06.410</b>	<b>Business and Professions Code.</b>
<b>18.06.060</b>	<b>Accessory use, structures.</b>	<b>18.06.420</b>	<b>Campground.</b>
<b>18.06.070</b>	<b>Acre.</b>	<b>18.06.430</b>	<b>Carport.</b>
<b>18.06.080</b>	<b>Administrative code.</b>	<b>18.06.440</b>	<b>Cemetery.</b>
<b>18.06.090</b>	<b>Administrative permit.</b>	<b>18.06.450</b>	<b>Centerline.</b>
<b>18.06.100</b>	<b>Aggrieved party.</b>	<b>18.06.460</b>	<b>Church.</b>
<b>18.06.110</b>	<b>Agriculture equipment sales.</b>	<b>18.06.470</b>	<b>Civic center.</b>
<b>18.06.120</b>	<b>Agriculture product processing.</b>	<b>18.06.480</b>	<b>CEQA guidelines.</b>
<b>18.06.130</b>	<b>Agriculture product sales.</b>	<b>18.06.490</b>	<b>Clinic.</b>
<b>18.06.140</b>	<b>Airport.</b>	<b>18.06.500</b>	<b>Commercial.</b>
<b>18.06.150</b>	<b>Alley.</b>	<b>18.06.510</b>	<b>Common area.</b>
<b>18.06.160</b>	<b>Apartment.</b>	<b>18.06.520</b>	<b>Conditional use permit.</b>
<b>18.06.170</b>	<b>Apartment complex.</b>	<b>18.06.530</b>	<b>Condominium.</b>
<b>18.06.180</b>	<b>Area.</b>	<b>18.06.540</b>	<b>Construction.</b>
<b>18.06.190</b>	<b>Automobile sales.</b>	<b>18.06.550</b>	<b>Consumer service.</b>
<b>18.06.200</b>	<b>Automobile service.</b>	<b>18.06.560</b>	<b>Contractor's equipment yard.</b>
<b>18.06.210</b>	<b>Automobile service station.</b>	<b>18.06.570</b>	<b>Corner lot.</b>
<b>18.06.220</b>	<b>Automobile dismantling yard.</b>	<b>18.06.580</b>	<b>Customer area.</b>
<b>18.06.230</b>	<b>Bar, club, lounge.</b>	<b>18.06.590</b>	<b>Date of decision.</b>
<b>18.06.240</b>	<b>Bed and breakfast inn.</b>	<b>18.06.600</b>	<b>Daycare center, family daycare home.</b>
<b>18.06.250</b>	<b>Billboard.</b>	<b>18.06.610</b>	<b>Dead storage.</b>
<b>18.06.260</b>	<b>Block.</b>	<b>18.06.620</b>	<b>Density.</b>
<b>18.06.270</b>	<b>Boarding house.</b>	<b>18.06.630</b>	<b>Density bonus.</b>
<b>18.06.280</b>	<b>Bottling plant.</b>	<b>18.06.640</b>	<b>Density, gross.</b>
<b>18.06.290</b>	<b>Building footprint.</b>	<b>18.06.650</b>	<b>Density, net.</b>
<b>18.06.300</b>	<b>Building.</b>	<b>18.06.660</b>	<b>Density transfer.</b>
<b>18.06.310</b>	<b>Building, accessory.</b>	<b>18.06.670</b>	<b>District.</b>
<b>18.06.320</b>	<b>Building intensity.</b>	<b>18.06.680</b>	<b>Duplex.</b>
<b>18.06.330</b>	<b>Building, main.</b>	<b>18.06.690</b>	<b>Dwelling.</b>
		<b>18.06.700</b>	<b>Dwelling unit.</b>
		<b>18.06.710</b>	<b>Easement.</b>

18.06.715	Emergency shelter.	18.06.1120	Lot frontage.
18.06.720	Encroachment permit.	18.06.1130	Lot line.
18.06.730	Explosive.	18.06.1140	Lot line adjustment.
18.06.740	Exterior side yard.	18.06.1150	Lot width.
18.06.750	Family.	18.06.1160	Mitigation monitoring and reporting program.
18.06.760	Fence, wall.	18.06.1170	Mobile home.
18.06.770	Flea market, yard sale, garage sale.	18.06.1180	Mobile home park.
18.06.780	Garage.	18.06.1190	Modular house, manufactured home and factory built house.
18.06.790	Garage sale.		
18.06.800	General plan.	18.06.1200	Motel.
18.06.810	General vicinity, proximity.	18.06.1210	Multiple-family residential.
18.06.820	Government Code.	18.06.1220	Net land area.
18.06.830	Gross floor area.	18.06.1230	Nonconforming building or use.
18.06.840	Gross land area.		
18.06.850	Group care home.	18.06.1240	Nursery.
18.06.860	Health and Safety Code.	18.06.1250	Occupancy.
18.06.870	Height.	18.06.1260	Off-site.
18.06.880	Heliport.	18.06.1270	On-site.
18.06.890	Highway.	18.06.1280	Open space.
18.06.900	Home occupation.	18.06.1290	Parcel, lot.
18.06.910	Hospital.	18.06.1300	Park, playground.
18.06.920	Hotel.	18.06.1310	Parking area.
18.06.930	Household pets.	18.06.1320	Permit.
18.06.940	Inn.	18.06.1330	Professional office.
18.06.950	Indemnification.	18.06.1340	Property line.
18.06.960	Interior side yard.	18.06.1350	Public agency.
18.06.970	Intermittent.	18.06.1360	Public Resources Code.
18.06.980	Intensity.	18.06.1370	Public right-of-way.
18.06.990	Industry.	18.06.1380	Public services.
18.06.1000	Junk.	18.06.1390	Public utility.
18.06.1010	Junkyard.	18.06.1400	Quasi-public.
18.06.1020	Kennel.	18.06.1410	Recreational vehicle park.
18.06.1030	Landfill.	18.06.1420	Recreational vehicle storage.
18.06.1040	Landscaping.	18.06.1430	Residential equivalent unit (household equivalent).
18.06.1050	Large animals.		
18.06.1060	Legal description.	18.06.1440	Rooming house.
18.06.1070	Livestock.	18.06.1450	School.
18.06.1080	Living area.	18.06.1460	Secondary housing unit.
18.06.1090	Lot.	18.06.1470	Setback.
18.06.1100	Lot coverage.		
18.06.1110	Lot depth.		

<b>18.06.1480</b>	<b>Shopping center.</b>
<b>18.06.1490</b>	<b>Sight distance.</b>
<b>18.06.1500</b>	<b>Sign.</b>
<b>18.06.1510</b>	<b>Structure.</b>
<b>18.06.1515</b>	<b>Supportive housing.</b>
<b>18.06.1520</b>	<b>Temporary structure.</b>
<b>18.06.1530</b>	<b>Temporary use.</b>
<b>18.06.1540</b>	<b>Townhouse.</b>
<b>18.06.1550</b>	<b>Transient occupancy.</b>
<b>18.06.1555</b>	<b>Transitional housing.</b>
<b>18.06.1560</b>	<b>Use.</b>
<b>18.06.1570</b>	<b>Variance.</b>
<b>18.06.1580</b>	<b>Vision clearance.</b>
<b>18.06.1590</b>	<b>Yard.</b>
<b>18.06.1600</b>	<b>Yard sale.</b>
<b>18.06.1610</b>	<b>Zero lot line.</b>
<b>18.06.1620</b>	<b>Zone district.</b>

#### **18.06.010 Generally.**

For the purposes of defining this code, words, phrases, and terms shall have the meaning that is defined in this chapter. Words that are not defined in this chapter shall be defined as contained in the latest edition of the Webster's Unabridged Dictionary of the English Language. Words used in the present tense shall include the future tense.

A. When consistent with usage in the text, singular number includes the plural, and words in the plural include the singular.

B. The words "shall," "will," "must," and "is" denote a mandatory action.

C. The word "may" or "should" indicate permissive actions. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.020 Abut, abutting, adjoining.**

"Abut," "abutting," or "adjoining" all mean contiguous to or touching. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.030 Accepted farming practice.**

"Accepted farming practice" means a land use to produce plant or animal products utilizing customary, safe, and adequate techniques for crop management, harvesting, and marketing. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.040 Access, vehicular.**

"Access" means the physical means by which an individual in a vehicle is able to enter upon or exit public or private property from a street.

"Ingress" (to enter) and "egress" (to exit) are words describing the type of access. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.050 Accessory dwelling.**

"Accessory dwelling" means either an attached or detached dwelling unit that provides living quarters for one or more persons and is in addition to an existing dwelling. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.060 Accessory use, structures.**

A. "Accessory use" means a land use that is associated with an existing permitted or conditional use within a zoning district.

B. "Accessory structures" means usual and customary buildings normally associated with a permitted or conditional use. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.070 Acre.**

"Acre" means a measure of real property equaling forty-three thousand five hundred sixty (43,560) square feet. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.080     Administrative code.**

“Administrative code” means the code used to implement state legislation as approved by the Office of Administrative Law. (Ord. 210 § 3 (Exh. A) (part), 2007)



**18.06.090 Administrative permit.**

“Administrative permit” means any permit issued as a ministerial act by the city. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.100 Aggrieved party.**

“Aggrieved party” means a person, organization, corporation, concerned citizen, or any individual or group that demonstrates to the city council that they have an interest, either financial or otherwise, in property affected by the decision of the original decision maker.

This definition is not intended to and does not confer standing to maintain an action in a court of law where standing would not otherwise exist. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.110 Agriculture equipment sales.**

“Agriculture equipment sales” means a business that is primarily engaged in the sale of equipment, vehicles, materials, supplies, and tools to serve farming, ranching or timber interests and businesses. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.120 Agriculture product processing.**

“Agriculture product processing” means the conversion of raw agriculture products into marketable commodities. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.130 Agriculture product sales.**

“Agriculture product sales” means the sale of food or fiber commodities, typically from the property where produced. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.140 Airport.**

“Airport” or “heliport” means a place on land or water where aircraft may land and take

off, receive and disembark passengers or cargo, may take on fuel, purchase accessories or obtain service or repair.

“Airstrip” also means airport. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.150 Alley.**

“Alley” means a public or private thoroughfare that affords only a secondary means of access to abutting property. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.160 Apartment.**

“Apartment” means a dwelling unit located within a structure that contains one or more attached dwelling units in which the units are available for rent or lease.

“Apartment” also means an individual unit within a multiple-family residential development. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.170 Apartment complex.**

“Apartment complex” means a multiple-family residential project or development. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.180 Area.**

“Area” means a piece of land that can be definitively described and located with specific boundaries. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.190 Automobile sales.**

“Automobile sales” means a land use in which the primary business is based upon retail or wholesale transactions involving the transfer of title to motor vehicles including automobiles, light utility vehicles, trucks, motorcycles, recreation vehicles, and all terrain vehicles, including mobile homes. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.200 Automobile service.**

“Automobile service” means a land use that is involved in the business of repairing and maintaining motor vehicles. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.210 Automobile service station.**

“Automobile service station” means any place where motor fuel or lubricating oil or grease is offered for sale to the public and deliveries are made directly into vehicles. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.220 Automobile dismantling yard.**

“Automobile dismantling yard” means a land use used for the business of buying, selling, or dealing in vehicles of a type required to be registered under the state of California Motor Vehicle Code, including nonrepairable vehicles, for the purpose of dismantling the vehicles, who buys or sells the integral parts and component materials thereof, in whole or in part, or deals in used motor vehicle parts. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.230 Bar, club, lounge.**

“Bar, club, or lounge” means a land use in which the primary activity is the sale of alcoholic beverages for on-site consumption. A bar, club, or lounge may also provide entertainment for its patrons. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.240 Bed and breakfast inn.**

“Bed and breakfast inn” means an owner- or manager-occupied residence wherein a room or rooms are rented for the purpose of providing overnight accommodations for paying guests for a period not to exceed one week per individual rental, with not more than one meal to be provided daily, the entire service offered

to be included in one stated price. This use is further defined in Chapter 18.44. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.250 Billboard.**

“Billboard” means an outdoor sign advertising, promoting or informing of a business, product, issue or activity which takes place or is available at a location other than the parcel on which the billboard is located. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.260 Block.**

“Block” means all property fronting upon one side of a street, between intersecting and intercepting street, or between a street and a railroad right-of-way, waterway, dead-end street or unsubdivided land. An intercepting street shall determine only the boundary of the block on the side of a street that it intercepts. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.270 Boarding house.**

“Boarding house” means a structure where lodging and meals for boarders are provided for compensation. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.280 Bottling plant.**

“Bottling plant” means a land use in which beverages, including water, are processed for sale, resale, or distribution. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.290 Building footprint.**

“Building footprint” means the land area covered by a building as measured at its perimeter foundation walls including any roofed area that may not have perimeter foundation walls. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.300 Building.**

“Building” means any structure having a roof supported by columns or by walls and designed for the shelter or housing of any person, animal or property, or requiring a permanent attachment to the ground at a fixed location. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.310 Building, accessory.**

“Accessory building” means a subordinate building, including shelters of pools, the use of which is incidental to that of the main building on the same lot and/or building site, but not including living quarters, and which may or may not require a permanent attachment to the ground. Such accessory buildings may include construction shacks, construction trailers and temporary office trailers. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.320 Building intensity.**

“Building intensity” means the percentage of land area covered over by the building footprint or land use. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.330 Building, main.**

“Main building” means a building that is designed for or in which is conducted the principal use of the lot and/or building site on which it is situated. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.340 Building official, building inspector.**

“Building official” or “building inspector” means the department head or person in charge of the city building department or performing the city’s building inspections. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.350 Building, residential.**

“Residential building” means a building designed to be used exclusively for dwelling purposes. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.360 Building setback.**

“Building setback” means the distance from a property line or edge of a road easement or public right-of-way to the edge of any building. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.370 Building site.**

“Building site” means the portion of a parcel of land, in a single or joint ownership, occupied or to be occupied by a building, together with such setbacks as are required by the terms of this zoning ordinance and having its principal frontage on a public street, road or highway. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.380 Business.**

“Business” means a land use or activity established for the purposes of commerce and as a means of generating revenue or income. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.390 Business, retail.**

“Retail business” means the retail sale of any article, substance or commodity within a building, but not including the sale of lumber or other building materials. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.400 Business, wholesale.**

“Wholesale business” means the selling of commodities in large quantities, as to retailers or jobbers rather than to consumers directly, but not including the storing and/or sale of any material or commodity, and not including the

processing or manufacture of any product or substance. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.410 Business and Professions Code.**

“Business and Professions Code” means the California Business and Professions Code. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.420 Campground.**

“Campground” means a parcel of land upon which individuals may occupy locations for overnight accommodations in a recreational vehicle, tent or cabin. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.430 Carport.**

“Carport” means a structure that is attached or detached from another building, and that is open on at least two sides with a covering for vehicle storage. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.440 Cemetery.**

“Cemetery” means a place for the internment of the remains of the deceased either by burial, cryostorage, mausoleum, or cremation. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.450 Centerline.**

“Centerline” means the line located equidistant from the edges of an easement or right-of-way. Centerline of a road right-of-way or easement does not necessarily mean the center of the physical location of the road. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.460 Church.**

“Church” means a land use that is used for the purposes of conducting religious services. Whether or not any reference is made, a church

includes all other places of worship. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.470 Civic center.**

“Civic center” means an area developed or to be developed with any of the following public buildings or uses including offices, libraries, playgrounds, parks, assembly halls, police stations and fire stations. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.480 CEQA guidelines.**

“CEQA guidelines” means the procedures and guidelines for implementation of the California Environmental Quality Act (CEQA), including any specific local requirements adopted by the city of Dorris. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.490 Clinic.**

“Clinic” means a land use that is established for the purposes of providing a health or lifestyle related service. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.500 Commercial.**

“Commercial” means a use related to commerce and the production of revenue or income. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.510 Common area.**

“Common area” means a parcel or parcels that are part of a subdivision, which are retained in the common ownership of the property owners of the subdivisions for common use or development. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.520 Conditional use permit.**

“Conditional use permit” means a land use permit issued in a zone for uses that have the

potential to be incompatible with neighboring land uses and zoning, and are to be permitted, but may be denied, following a public hearing in which interested parties have the opportunity to comment. “Use permit” also means conditional use permit. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.530 Condominium.**

“Condominium” means as defined in the California Civil Code, Section 783 et seq. In general, it is a multiple-family residential land use in which each of the dwelling units may be individually owned. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.540 Construction.**

“Construction” means the physical development of a parcel, including site excavation and grading, framing and finishing, up to the point of final inspection, use, or occupancy, whichever occurs first. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.550 Consumer service.**

“Consumer service” means a business that derives its principal revenue from offering an intangible product for sale, or provides a service. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.560 Contractor’s equipment yard.**

“Contractor’s equipment yard” means a parcel of land that is used for the temporary or ongoing outside storage of equipment, tools, materials, and vehicles used in the performance of a contractor’s business. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.570 Corner lot.**

“Corner lot” means a lot that has two or more parcel lines contiguous to a public street. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.580 Customer area.**

“Customer area” means that portion of a structure that is used for the purposes of transacting business, purchasing, or selling products or services, and does not include any portion of the structure used for warehousing or storage that is inaccessible to public use. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.590 Date of decision.**

“Date of the decision” granting or denying a permit under this title means the date on which the decision is announced or final vote taken. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.600 Daycare center, family daycare home.**

A. “Daycare center” means a land use to which children are taken for care and/or educational experience, other than that of a public or private school, while parents or legal guardians are unavailable to watch the children for periods of less than eighteen (18) hours with no land-use limit on the number of children within the facility unless otherwise specified in the facility’s permit.

B. “Small family daycare home” means a daycare center in the home of the person operating the facility, and providing care for no more than eight children, including children who are members of the provider’s family.

C. “Large family daycare home” means a daycare center in the home of the person operating the facility, and providing care for no more than twelve (12) children, including children who are members of the provider’s family.

D. “Adult care center” means a land use to which adults, generally those over the age of sixty (60), are taken for care or activities while the children or guardians of the adults are unavailable to watch or care for the adult. (Health and Safety Code Section 1596.) (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.610 Dead storage.**

“Dead storage” means the keeping of a motor vehicle, including recreation vehicle, travel trailer, trailer or mobile home, so that it cannot be inhabited. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.620 Density.**

“Density” means either of the following:

A. For residential use, density means the number of dwelling units per acre.

B. For nonresidential development, density means the percentage of lot coverage. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.630 Density bonus.**

“Density bonus” means a discretionary approval of up to twenty-five (25) percent more residential units for a proposed residential project based on meeting the criteria of this code. (Government Code Section 65915.) (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.640 Density, gross.**

“Gross density” means the total number of dwelling units per acre based on the minimum lot size or dwelling, counting the square feet of the base zone using the total acreage of the undeveloped site before streets or other dedications are provided. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.650 Density, net.**

“Net density” means the number of dwelling units per acre based on calculating the acreage of developed lots, excluding street area and other dedications. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.660 Density transfer.**

“Density transfer” means the exchanging of permitted density within a proposed development so that the number of parcels or lots created are equal to the number permitted by the general plan, but individual lots or parcels are potentially smaller than the minimum parcel size designation. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.670 District.**

“District” means a portion of the city within which certain uses of lands, buildings or structures are permitted or prohibited, and within which certain yards and other open spaces are required and certain height limits and building standards are established for the same, as set forth in this title. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.680 Duplex.**

“Duplex” means a dwelling unit that consists of two independent units that are attached. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.690 Dwelling.**

“Dwelling” means any building or portion thereof designed or used for habitation or residential occupancy.

A. “Dwelling, single-family” means any building or portion thereof that contains one dwelling unit.

B. “Dwelling, two-family” (or duplex) means any building or portion thereof that contains two dwelling units.

C. “Dwelling, multiple-family” (or triplex for three units; fourplex for four units; or multiple-family residential as defined) means any building or portion thereof that contains three or more dwelling units. Dwelling, multiple-family means the same as “multiple-family residential.” (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.700 Dwelling unit.**

“Dwelling unit” means a single residential unit designed for human habitation. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.710 Easement.**

“Easement” means any legal right defined as an easement in the California Code of Civil Procedure, Section 800 et seq. Generally, an easement is a right to the use of another’s land. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.715 Emergency shelter.**

“Emergency shelter” means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or households may be denied emergency shelter because of an inability to pay. (Ord. 219 § 1 (part), 2014)

#### **18.06.720 Encroachment permit.**

“Encroachment permit” means a permit issued by a government agency to allow private work within publicly owned property (e.g., to connect with a city street). (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.730 Explosive.**

“Explosive” means and includes any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion, and that contains any oxidizing and combustible units, packing, that an ignition by fire, by friction, by concussion, by percussion, or by detonation of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing effects on contiguous objects or of destroying life or limb. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.740 Exterior side yard.**

“Exterior side yard” means the required setback area on any corner lot from other than the front property line contiguous to a public street. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.750 Family.**

“Family” means a group of individuals with a common bond by means of blood, marriage, or conscientiously established relations living together as a housekeeping unit sharing a dwelling unit. Clients of a group home subject to Health and Safety Code Section 1501 are not deemed a family for purposes of this title. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.760 Fence, wall.**

“Fence” or “wall” means a structurally sound barrier constructed of posts, supports, and cross members that serves as an obstruction to mark property lines or delineate or restrict access to a portion of property. Fences for the purpose of this chapter also includes hedges and screen plantings. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.770     Flea market, yard sale, garage sale.**

“Flea market” means an interim or temporary land use in which a series of booths, tables, or other temporary display areas are set up in which an individual, persons, vendors, group, organization, or business, establish a retail trade. A commercial flea market may offer both new and used merchandise. (Ord. 210 § 3 (Exh. A) (part), 2007)



**18.06.780 Garage.**

“Garage” means a structure intended for use for storage of vehicles and other items. This definition does not replace the definition of a garage in the California Building Code. A garage may be incorporated within a building. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.790 Garage sale.**

“Garage sale” means a temporary garage, yard, lawn, patio or similar-type sale held anywhere on the premises in any residential zone for the purpose of disposing of personal property. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.800 General plan.**

“General plan” means the city of Dorris general plan as currently adopted, including all amendments. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.810 General vicinity, proximity.**

“General vicinity” or “proximity” means the parcels of land surrounding or near a subject property that have the potential to be affected by the proposed land use or land usage of the subject property. General vicinity or proximity cannot be defined by a specific distance or direction in that one type of land use may impact a greater area than another type of land use. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.820 Government Code.**

“Government Code” means the California Government Code. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.830 Gross floor area.**

“Gross floor area” means the total square footage of a structure as measured around the

exterior perimeter including any non-walled areas under roof and any outside storage or sales areas. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.840 Gross land area.**

“Gross land area” means the area of the parcel exclusive of any required public dedication. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.850 Group care home.**

“Group care home” means a facility licensed by the state pursuant to Health and Safety Code Section 1501 et seq. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.860 Health and Safety Code.**

“Health and Safety Code” means the California Health and Safety Code, also written “H&S.” (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.870 Height.**

“Height” means the vertical distance from the average base elevation to the highest point on the structure, excluding chimneys, antennas, and similar nonstructural elements. Average base elevation is determined by taking the elevation of the lowest point at the ground, and the elevation of the highest point at the ground, and finding the average. This definition is not intended to preclude applicable usage of the definition in the California Building Code. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.880 Heliport.**

“Heliport” means “airport” as defined in Section 18.06.140, except that it is for the exclusive use of helicopters. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.890 Highway.**

“Highway” means a state or federal route as defined by the State of California Department of Transportation (CALTRANS), or the Federal Highway Administration. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.900 Home occupation.**

“Home occupation” means a business located in a home that is subservient to the use of the dwelling as a residence, and meets the requirements of Section 18.32.030. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.910 Hospital.**

“Hospital” means a land use in which intensive and general medical care is provided for patients on an emergency, in- and out-patient basis. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.920 Hotel.**

“Hotel” means a land use in which there are six or more rooms for transient occupancy. Motel and hotel are synonymous. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.930 Household pets.**

“Household pets” means domestic animals or fowl normally kept in the house for company or pleasure and not for profit, such as dogs, cats, canaries, and parrots, but not including a sufficient number of dogs to constitute a kennel as defined herein. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.940 Inn.**

See Section 18.06.240, Bed and breakfast inn. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.950 Indemnification.**

“Indemnification” means compliance with a request to relieve the city of liability, or to accept the costs for defending the city, from any action brought as a result of the project. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.960 Interior side yard.**

“Interior side yard” means the required setback area from any property line between two parcels, neither of which are public streets. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.970 Intermittent.**

“Intermittent” means occurring or coming and going at intervals: not continuous. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.980 Intensity.**

“Intensity” means the same as “building intensity,” as described in the Dorris general plan. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.990 Industry.**

“Industry” means the manufacturing, fabrication, processing, reduction or assembly of any article, substance or commodity that results in a new product from the original materials. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1000 Junk.**

“Junk” means, but is not limited to, trash; refuse; paper; glass; cans; bottles; rags; ashes; trimming from lawns, yards, trees, and shrubbery, including plants and leaves; and other solid waste or salvageable materials other than garbage; inoperable appliances, parts, tools; inoperable and unregistered vehicles; vehicle parts; vehicle hulks; discarded furniture; dirt; rocks; and materials from the demolition, alter-

ation or construction of buildings or structures, unless such dirt, rocks, or other materials from demolition, alteration or construction are being used for purposes of fill. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.1010 Junkyard.**

“Junkyard” means a place in which junk (as defined in Section 18.06.1000), salvaged materials or products, scrap, or other waste materials are stored, broken up, dismantled, sorted, distributed, or sold privately or commercially. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.1020 Kennel.**

“Kennel” means a land use where four or more dogs four months or older and/or four cats six weeks or older are bred, raised, trained, or boarded. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.1030 Landfill.**

“Landfill” means a parcel of land that is used for the disposal of solid waste. Landfill classifications are determined by the North Coast Regional Water Quality Control Board. In general terms, a Class I landfill is for toxic and hazardous waste; Class II for municipal solid waste, designated waste, and certain commercial and industrial waste; Class III is for unclassified nonhazardous waste, such as building materials. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.1040 Landscaping.**

“Landscaping” means the replacement of developed or excavated areas of a parcel with introduced new living vegetation, shrubbery, trees, ground cover and combinations thereof. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.1050 Large animals.**

“Large animals” means any animal other than a household pet that is usually kept out of doors, including but not limited to emus, horses, cattle, llamas, goats, swine, and ostriches. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.1060 Legal description.**

“Legal description” means the terminology, words, mapping, or language contained in a deed or other legal document describing the location of a parcel of land or location of an easement. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.1070 Livestock.**

“Livestock” means domestic farm animals such as cattle, sheep, swine, horses, goats, donkeys, mules, burros, rabbits, poultry (including all domesticated fowl and wild birds reduced to captivity), and exotic animals such as American bison, llamas, and similar animals. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.1080 Living area.**

“Living area” means the interior habitable area for a dwelling unit, including basements and attics. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.1090 Lot.**

“Lot” means a legally established parcel of land mapped or otherwise described. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.06.1100 Lot coverage.**

“Lot coverage” means the percent of lot area covered by all building footprints. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1110 Lot depth.**

“Lot depth” means the average distance from the property line fronting a road or road easement to the rear or opposite property line. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1120 Lot frontage.**

“Lot frontage” means the width of the lot fronting on a road or private road easement, measured along the property line. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1130 Lot line.**

“Lot line” means any legally described parcel line as follows:

A. “Front lot line” is the shortest property line along the road or road easement.

B. “Side lot line” is the property line intersecting with the front lot line and dividing the parcel from other adjacent parcels or another public street.

C. “Exterior lot line” is the property line intersecting with the front lot line and contiguous with a public street on a corner lot.

D. “Interior lot line” is any property line dividing the parcel from other adjacent parcels.

E. “Rear lot line” is the property line opposite the front lot line. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1140 Lot line adjustment.**

“Lot line adjustment” means a change in the location of a parcel or lot line pursuant to the Subdivision Map Act. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1150 Lot width.**

“Lot width” means the distance from one side property line to the other side property line measured along the building setback line. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1160 Mitigation monitoring and reporting program.**

“Mitigation monitoring and reporting program (MMRP)” means a program adopted in conformance with the Public Resources Code and CEQA Guidelines.

The MMRP is adopted as a set of development standards, phasing specifications, and reporting requirements used to carry out adopted environmental mitigation measures for a project. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1170 Mobile home.**

“Mobile home” means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width, or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1180 Mobile home park.**

“Mobile home park” is any area or tract of land where two or more mobile home lots (spaces) are rented or leased, held out for rent or lease, or were formerly held out for rent or lease and later converted to a subdivision, cooperative, condominium, or other form of residential ownership, to accommodate manufactured homes or mobile homes used for human habitation. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1190 Modular house, manufactured home and factory built house.**

“Modular house,” “manufactured home” and “factory built house” means a house built in components to the standards of the California Building Code at a location other than the site upon which the house is delivered and installed. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1200 Motel.**

“Motel” means a land use in which there are six or more rooms for transient occupancy. Motel and hotel are synonymous. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1210 Multiple-family residential.**

“Multiple-family residential” means a group of attached dwelling units (three or more) within one structure. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1220 Net land area.**

“Net land area” means the area or land remaining after any required public dedication. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1230 Nonconforming building or use.**

A. “Nonconforming building” means a structure that does not conform to present regulations.

B. “Nonconforming use” means a land use which does not conform to present regulations.

C. “Legally existing” means a use that pre-dates present regulations but was legally constructed or established at the time the use or construction first commenced.

D. “Grandfathered” is a colloquial term which means the same as “legally existing” nonconforming building or use as described in

subsection (C) of this section. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1240 Nursery.**

“Nursery” means a business that is primarily engaged in the raising, propagation, growth, or sales of vegetation, plants and supplies. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1250 Occupancy.**

“Occupancy” means the establishment of a use within a structure or upon a parcel of land, including and not limited to installing display fixtures in a completed structure, stocking of inventory, or commencing temporary or permanent residency, whether or not a structure has been subject to an approved final inspection or a certificate of occupancy. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1260 Off-site.**

“Off-site” means an improvement or other reference feature concerning a proposed project or subject property where the improvement or feature is not located on the parcel under discussion. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1270 On-site.**

“On-site” means an improvement or other reference feature located on the subject property under discussion. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1280 Open space.**

“Open space” means the portion of the lot or parcel from the ground upward that is unoccupied by buildings, structures, parking lots and driveways, except as otherwise permitted by city regulations. Clubhouses, recreation buildings, pools, saunas, interior walkways, paths

and similar amenities may be included in open space. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1290 Parcel, lot.**

“Parcel,” or “lot” means a described area of land within an ownership. Parcel may also mean a parcel established for tax purposes, sometimes called an assessor’s parcel. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1300 Park, playground.**

“Park” or “playground” means a land use that is established for the purpose of providing passive or active recreation on a public or private basis. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1310 Parking area.**

“Parking area” means the paved portion of a parcel that is developed for the storage of customer and employee vehicles while the occupants of the vehicles are on site or off site. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1320 Permit.**

“Permit” means an authorization to proceed issued by the city for a specific activity. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1330 Professional office.**

“Professional office” means a non-retail or commercial wholesale activity. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1340 Property line.**

“Property line” is a legal boundary of parcel land. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1350 Public agency.**

“Public agency” means a political subdivision, federal, state, or local government or its

departments, or governmental jurisdictions or districts. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1360 Public Resources Code.**

“Public Resources Code” means the California Public Resources Code, also written PRC. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1370 Public right-of-way.**

“Public right-of-way” means a strip of land acquired by reservation, dedication, prescription or condemnation and intended to be occupied by a road, trail, water line, sanitary sewer and/or other public uses. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1380 Public services.**

“Public services” means services needed for development of a parcel of land. This may include, but is not limited to, electricity, access, water, sewage disposal, and telecommunications. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1390 Public utility.**

“Public utility” means a public or private business that provides a general service to the public, such as telecommunications, electricity, water, or other services. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1400 Quasi-public.**

“Quasi-public” means a public or private nonprofit organization that provides a general service to the public (e.g., a resource, conservation and development council, museum, health center, etc.) (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1410 Recreational vehicle park.**

“Recreational vehicle park” means any area or tract of land, or a separate section within a

mobile home park, where two or more lots or spaces are rented or leased or held out for rent or lease to owners or users of recreational vehicles or tents. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1420 Recreational vehicle storage.**

“Recreational vehicle storage” means a commercial activity in which recreational vehicles are garaged within either a building or an open enclosure for payment of a rental fee. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1430 Residential equivalent unit (household equivalent).**

“Residential equivalent unit” or “household equivalent” means a comparison which uses the intensity of a single-family residence as the base for data. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1440 Rooming house.**

See Section 18.06.270, Boarding house. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1450 School.**

“School” means an institution, public or private, established for the purpose of educating a class of students at any grade level, either for profit or nonprofit purposes. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1460 Secondary housing unit.**

“Secondary housing unit” means “accessory dwelling.” (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1470 Setback.**

See Section 18.06.360, Building setback. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1480 Shopping center.**

“Shopping center” means a commercial center, or group of commercial establishments, planned, developed, managed and maintained as a unit, with common off-street parking provided to serve all uses on the property. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1490 Sight distance.**

See Section 18.06.1580, Vision clearance. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1500 Sign.**

“Sign” means any device capable of visual communications or attraction, including declarations, announcements, demonstrations, displays, insignias, trademarks, or symbols, used for the purpose of informing, advertising, or promoting any business, place, or event. Sign includes on-site and off-site devices and structures (e.g., billboards). (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1510 Structure.**

“Structure” means shelter, building, dwelling unit, or other physical development upon the land to house, protect, store, or cover persons or things. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1515 Supportive housing.**

“Supportive housing” means housing with no limit on length of stay, that is occupied by the target populations as defined by Section 65582(g) of the California Government Code, and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. (Ord. 219 § 1 (part), 2014)

**18.06.1520 Temporary structure.**

“Temporary structure” means a building or structure to be utilized for a permitted use applicable to a parcel of land, which is hand-crafted of impermanent materials (e.g., PVC pipe and plastic tarps). (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1530 Temporary use.**

“Temporary use” means a land use defined as accessory to a permitted or conditional land use which may occur on a parcel of land for a period that shall not exceed twelve (12) calendar months. Some provisions of this code may provide more precise land use standards for longer or shorter temporary uses in accordance with the provisions of the applicable section of this code. In no case shall a temporary use be permitted for any period to exceed a total of twenty-four (24) calendar months unless overall public health and safety are clearly demonstrated to the city at the time of initial issuance. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1540 Townhouse.**

“Townhouse” means a single-family house of two or sometimes three stories that is typically connected to a similar house by a common sidewall. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1550 Transient occupancy.**

“Transient occupancy” means paying guests occupying a dwelling unit, room or space for periods of less than thirty (30) days. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1555 Transitional housing.**

“Transitional housing” means buildings configured as rental housing development, but operated under program requirements that call

for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. (Ord. 219 § 1 (part), 2014)

**18.06.1560 Use.**

“Use” means the activity that takes place on a parcel of land. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1570 Variance.**

“Variance” means a discretionary entitlement that permits the departure from the strict application of the development standards contained in this title. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1580 Vision clearance.**

“Vision clearance” means a setback from the intersection of a road, driveway, or other access with another road, driveway or access, in which objects or structures may not be constructed if such blocks or inhibits sight distance. The distance indicated as the visual clearance is the linear distance in feet commencing at the point where the two roads meet going to both the left and right on the main road, and from the main road back on the driveway or road that intersects the main road. The setback forms a triangle from the intersection. Also known as “sight distance.” (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1590 Yard.**

“Yard” means the area between a property line and structures on residential lots. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1600 Yard sale.**

“Yard sale” or “garage sale” means a temporary noncommercial market that is established



for an individual or group of individuals to sell used merchandise or belongings. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1610 Zero lot line.**

“Zero lot line” means the location of a structure on a lot in such a manner that one or more of the structure’s sides rest directly on a lot line. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.06.1620 Zone district.**

“Zone district” means a portion of the territory in the city within which territory certain uniform regulations and requirements, or various combinations thereof, apply pursuant to this title. “Zone” includes the word “district.” (Ord. 210 § 3 (Exh. A) (part), 2007)

## Chapter 18.08

### DISTRICTS GENERALLY

#### Sections:

- 18.08.010 Districts designated.**
- 18.08.020 Zoning map.**
- 18.08.030 Determination of uncertain boundaries.**
- 18.08.040 Prezones.**
- 18.08.050 Split zoning.**

#### **18.08.010 Districts designated.**

The districts are established by this title and are designated as follows:

**Table 1**

R-A	Residential Agriculture
R-1	Low Density Residential
R-2	Medium Density Residential
R-3	High Density Residential
M-H	Mobile Home Residential
C-1	Community Commercial
C-2	General Commercial
M	Manufacturing
O-S	Open Space
P-A	Public Agency
PUD	Planned Unit Development

The uses for each zoning district are set forth in Chapters 18.09 through 18.28. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.08.020 Zoning map.**

The designations, locations and boundaries of the districts established are delineated upon the map entitled "City of Dorris Zoning Map,"

which map and all notations and information thereon are made a part of this title by reference. The zoning map is on file in the office of the city administrator. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.08.030 Determination of uncertain boundaries.**

Where any uncertainty exists as to the correct location of any zoning district boundary shown on the zoning map referred to in Section 18.08.020, it shall be the duty of the city council to establish and clarify the correct location thereof according to the intent of this title. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.08.040 Prezones.**

Property outside of city limits shall be pre-zoned prior to annexation. Prezoning will be accomplished in the same manner as zoning amendments within the city and the application fee shall be as set by the city council. (See Chapter 18.38.) (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.08.050 Split zoning.**

Parcels with split zoning may be developed in conformance with the applicable zone district as long as each zoned area meets the minimum parcel size requirement for the zone. If the zoned area does not have sufficient area to meet the minimum parcel size requirement for the zone district, such area may only be used for purposes permitted in the applicable zone district upon approval of a use permit. The most restrictive zone district will take precedence. The property may be rezoned to take advantage of the less restrictive zone. Consistent with the zone districts involved, the property could be split without the need for rezoning. (Ord. 210 § 3 (Exh. A) (part), 2007)

**Chapter 18.09****RESIDENTIAL AGRICULTURE, R-A****Sections:**

- 18.09.010 Purpose.**
- 18.09.020 General plan consistency.**
- 18.09.030 Density/intensity.**
- 18.09.040 Site development standards.**
- 18.09.050 Permitted uses.**
- 18.09.060 Accessory uses.**
- 18.09.070 Conditional uses.**

**18.09.010 Purpose.**

The R-A zone district is intended to provide areas for conventional single-family homes on estate sized lots, permitting limited agricultural use in conjunction with the permitted residential use. The assigned density is consistent with residential development with one acre lot minimums. Nothing in this zone district prohibits larger lot sizes. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.09.020 General plan consistency.**

This zone district is consistent with the residential agricultural land use designation. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.09.030 Density/intensity.**

- A. One housing unit per gross acre.
- B. Minimum parcel size: forty-three thousand five hundred sixty (43,560) square feet.
- C. One single-family dwelling unit for each parcel.
- D. Maximum lot coverage, residential: twenty (20) percent.
- E. Maximum lot coverage, nonresidential: sixty (60) percent. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.09.040 Site development standards.**

- A. Setbacks (Minimum).
  - 1. Front:
    - a. Home: twenty (20) feet.
    - b. Garage or parking area: twenty (20) feet.
    - c. Accessory building: not permitted in front yard setback area.
  - 2. Rear:
    - a. Home: ten (10) feet.
    - b. Garage or parking area:
      - i. Alley access: ten (10) feet.
      - ii. Other: five feet.
    - c. Accessory building(s):
      - i. Not attached to main building(s): five feet.
      - ii. Attached to main building(s): ten (10) feet.
  - 3. Side, interior: five feet.
  - 4. Side, corner: fifteen (15) feet.
- B. Building.
  - 1. Height: thirty-five (35) feet.
  - 2. Height, accessory: twenty (20) feet.
  - 3. Distance between buildings: ten (10) feet.
- C. Lot Dimensions (Minimum).
  - 1. Width, standard: one hundred fifty (150) feet.
  - 2. Width, cul-de-sac: one hundred fifty (150) feet at setback line.
  - 3. Depth: one hundred fifty (150) feet.
- D. Parking.
  - 1. Two parking spaces per family unit outside of any required setback. One parking space must be covered.
  - 2. Parking stalls must be parallel and not tandem.
  - 3. The parking area and the driveway between the public street and the parking area must be covered in an all-weather surface (e.g., concrete, asphalt, bricks, etc.).

4. Each required parking space shall have a minimum dimension of nine feet by twenty (20) feet.

E. Signs.

1. A single sign not advertising any business, not exceeding two square feet in area in accordance with Section 18.32.170. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.09.050 Permitted uses.**

The following uses are permitted in the R-A zone district subject to issuance of a building permit, business license or other required permit(s):

- A. Single-family dwellings.
- B. Group care home of clients pursuant to the California Health and Safety Code, subject to review for overconcentration.
- C. Small family daycare facilities.
- D. Parks, picnic areas and playgrounds associated with approved development.
- E. Second dwelling units, pursuant to Section 18.32.180.
- F. Orchards, vineyards, produce gardens, farm crops and similar uses. The keeping of large animals or livestock may be permitted upon issuance of a use permit.
- G. Supportive housing.
- H. Transitional housing. (Ord. 219 § 2, 2014; Ord. 210 § 3 (Exh. A) (part), 2007)

**18.09.060 Accessory uses.**

The following uses are permitted in the R-A zone district as accessory to the primary permitted or conditionally permitted use:

- A. Garage or carport.
- B. Swimming pool.
- C. Fences, walls consistent with the provisions of Section 18.32.050.
- D. Home occupation consistent with the provisions of Section 18.32.030.

E. Usual and customary structures associated with a residence. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.09.070 Conditional uses.**

The following uses are permitted in the R-A zone district upon approval and validation of a conditional use permit, in addition to any other permits or licenses required for the use.

Setbacks and development criteria may be amended during the conditional use permit process:

- A. Large family daycare facilities.
- B. Places of assembly or learning:
  - 1. Church or other place of worship or spiritual assembly.
  - 2. Grange halls, community centers, meeting halls.
  - 3. Schools, public or private.
- C. Public and quasi-public facilities.
- D. Parks, picnic areas and playgrounds not associated with approved development.
- E. Buildings and structures taller than specified in Section 18.09.040(B).
- F. Large animals and livestock.
- G. Other uses similar to those listed in this section. (Ord. 210 § 3 (Exh. A) (part), 2007)

**Chapter 18.10****LOW DENSITY RESIDENTIAL, R-1****Sections:**

- 18.10.010 Purpose.**
- 18.10.020 General plan consistency.**
- 18.10.030 Density/intensity.**
- 18.10.040 Site development standards.**
- 18.10.050 Permitted uses.**
- 18.10.060 Accessory uses.**
- 18.10.070 Conditional uses.**

**18.10.010 Purpose.**

The R-1 zone district is intended to provide areas for conventional single-family homes served by city sewer and water systems. The assigned density is consistent with typical residential development with six thousand (6,000) square foot lot minimums. Nothing in this zone district prohibits larger lot sizes. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.10.020 General plan consistency.**

This zone district is consistent with the low density residential land use designation. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.10.030 Density/intensity.**

- A. One to seven housing units per gross acre.
- B. Minimum parcel size: six thousand (6,000) square feet.
- C. One single-family dwelling unit for each parcel.
- D. Maximum lot coverage, residential: thirty-five (35) percent.
- E. Maximum lot coverage, nonresidential: sixty (60) percent. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.10.040 Site development standards.**

- A. Setbacks (Minimum).
  - 1. Front:
    - a. Home: twenty (20) feet.
    - b. Garage or parking area: twenty (20) feet.
    - c. Accessory building: not permitted in front yard setback area.
  - 2. Rear:
    - a. Home: ten (10) feet.
    - b. Garage or parking area:
      - i. Alley access: ten (10) feet.
      - ii. Other: five feet.
    - c. Accessory building(s):
      - i. Not attached to main building(s): five feet.
      - ii. Attached to main building(s): ten (10) feet.
  - 3. Side, interior: five feet.
  - 4. Side, corner: fifteen (15) feet.
- B. Building.
  - 1. Height: thirty-five (35) feet.
  - 2. Height, accessory: twenty (20) feet.
  - 3. Distance between buildings: ten (10) feet.
- C. Lot Dimensions (Minimum).
  - 1. Width, standard: fifty (50) feet.
  - 2. Width, cul-de-sac: fifty (50) feet at setback line.
  - 3. Depth, standard: one hundred (100) feet.
  - 4. Depth, cul-de-sac: ninety (90) feet.
- D. Parking.
  - 1. Two parking spaces per family unit outside of any required setback. One parking space must be covered.
  - 2. Parking stalls must be parallel and not tandem.
  - 3. The parking area and the driveway between the public street and the parking area must be covered in an all-weather surface (e.g., concrete, asphalt, bricks, etc.).

4. Each required parking space shall have a minimum dimension of nine feet by twenty (20) feet.

E. Signs.

1. A single sign not advertising any business, not exceeding two square feet in area in accordance with Section 18.32.170.

F. Eave Overhang. All single-family dwellings including manufactured homes shall have a minimum eave overhang of at least sixteen (16) inches. If the council finds a lesser overhang is the standard in the neighborhood, a minimum eave overhang consistent with the neighborhood standard shall be permitted. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.10.050 Permitted uses.**

The following uses are permitted in the R-1 zone district subject to issuance of a building permit, business license or other required permit(s):

A. Single-family dwellings.

B. Group care home of clients pursuant to the California Health and Safety Code, subject to review for overconcentration.

C. Small family daycare facilities.

D. Parks, picnic areas and playgrounds associated with approved development.

E. Second dwelling units, pursuant to Section 18.32.180.

F. Supportive housing.

G. Transitional housing. (Ord. 219 § 3, 2014; Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.10.060 Accessory uses.**

The following uses are permitted in the R-1 zone district as accessory to the primary permitted or conditionally permitted use:

A. Garage or carport.

B. Swimming pool.

C. Fences, walls consistent with the provisions of Section 18.32.050.

D. Home occupation consistent with the provisions of Section 18.32.030.

E. Usual and customary structures associated with a residence. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.10.070 Conditional uses.**

The following uses are permitted in the R-1 zone district upon approval and validation of a conditional use permit, in addition to any other permits or licenses required for the use. Setbacks and development criteria may be amended during the conditional use permit process:

A. Large family daycare facilities.

B. Places of assembly or learning:

1. Church or other place of worship or spiritual assembly.

2. Grange halls, community centers, meeting halls.

3. Schools, public or private.

C. Public and quasi-public facilities.

D. Parks, picnic areas and playgrounds not associated with approved development.

E. Buildings and structures taller than specified in Section 18.10.040(B).

F. Other uses similar to those listed in this section. (Ord. 210 § 3 (Exh. A) (part), 2007)

## Chapter 18.12

### MEDIUM DENSITY RESIDENTIAL, R-2

#### Sections:

- 18.12.010 Purpose.**
- 18.12.020 General plan consistency.**
- 18.12.030 Density/intensity.**
- 18.12.040 Site development standards.**
- 18.12.050 Permitted uses.**
- 18.12.060 Accessory uses.**
- 18.12.070 Conditional uses.**

#### **18.12.010 Purpose.**

The R-2 zone district is intended to provide areas for medium density residential development, particularly for duplex and townhouse units. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.12.020 General plan consistency.**

This zone district is consistent with the medium density residential land use designation. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.12.030 Density/intensity.**

A. One to twelve (12) housing units per gross acre.

B. Minimum parcel size: seven thousand (7,000) square feet.

C. One family unit for each three thousand five hundred (3,500) square feet of lot area.

D. Maximum lot coverage, residential: fifty (50) percent.

E. Maximum lot coverage, nonresidential: sixty (60) percent. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.12.040 Site development standards.**

- A. Setbacks (Minimum).
  - 1. Front:
    - a. Home: twenty (20) feet.
    - b. Garage or parking area: twenty (20) feet.
    - c. Accessory building: not permitted in front yard setback area.
  - 2. Rear:
    - a. Home: ten (10) feet.
    - b. Garage or parking area:
      - i. Alley access: ten (10) feet.
      - ii. Other: five feet.
    - c. Accessory building(s):
      - i. Not attached to main building(s): five feet.
      - ii. Attached to main building(s): ten (10) feet.
  - 3. Side, interior: five feet.
  - 4. Side, corner: fifteen (15) feet.
- B. Building.
  - 1. Height: thirty-five (35) feet.
  - 2. Height, accessory: twenty (20) feet.
  - 3. Distance between buildings: ten (10) feet.
- C. Lot Dimensions (Minimum).
  - 1. Width, standard: sixty (60) feet.
  - 2. Width, cul-de-sac: sixty (60) feet at setback line.
  - 3. Depth, standard: one hundred (100) feet.
  - 4. Depth, cul-de-sac: ninety (90) feet.
- D. Parking.
  - 1. Two parking spaces outside of any required setback per dwelling unit, of which one space must be covered.
  - 2. Parking stalls must be parallel and not tandem.
  - 3. The parking areas and the driveway between the public street and the parking area must be covered in an all-weather surface (e.g., concrete, asphalt, bricks, etc.).

4. Each required parking space shall have a minimum dimension of nine feet by twenty (20) feet.

E. Signs.

1. A single sign per each street frontage advertising the multifamily project, not exceeding six square feet in area in accordance with Section 18.32.170. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.12.050 Permitted uses.**

The following uses are permitted in the R-2 zone district subject to issuance of a building permit, business license or other required permit(s):

A. All uses permitted in the R-1 district pursuant to the provisions of Chapter 18.10.

B. Duplex and townhouse units.

C. Group care home of clients pursuant to the California Health and Safety Code subject to review for overconcentration.

D. Small family daycare facilities.

E. Second dwelling units pursuant to Section 18.32.180.

F. Supportive housing.

G. Transitional housing. (Ord. 219 § 4, 2014; Ord. 210 § 3 (Exh. A) (part), 2007)

**18.12.060 Accessory uses.**

The following uses are permitted in the R-2 zone district as accessory to the primary permitted or conditionally permitted use.

A. Garage or carport.

B. Swimming pool.

C. Fences, walls consistent with the provisions of Section 18.32.050.

D. Home occupation consistent with the provisions of Section 18.32.030.

E. Usual and customary structures associated with a residence. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.12.070 Conditional uses.**

The following uses are permitted in the R-2 zone district upon approval and validation of a conditional use permit, in addition to any other permits or licenses required for the use. Set-backs and development criteria may be amended during the conditional use permit.

A. Triplexes.

B. Large family daycare facilities.

C. Places of assembly or learning:

1. Church, place of worship or spiritual assembly.

2. Grange halls, community centers, meeting halls.

3. Schools, public or private.

D. Public and quasi-public facilities.

E. Parks, picnic areas and playgrounds not associated with approved development.

F. Bed and breakfast inns.

G. Buildings and structures taller than specified in Section 18.12.040(B).

H. Other uses similar to those listed in this section. (Ord. 210 § 3 (Exh. A) (part), 2007)



**Chapter 18.14****HIGH DENSITY RESIDENTIAL, R-3****Sections:**

- 18.14.010 Purpose.**
- 18.14.020 General plan consistency.**
- 18.14.030 Density/intensity.**
- 18.14.040 Site development standards.**
- 18.14.050 Permitted uses.**
- 18.14.060 Accessory uses.**
- 18.14.070 Conditional uses.**

**18.14.010 Purpose.**

The R-3 zone district is intended to provide areas for higher density residential development such as triplexes and apartments. The zone district also allows professional office development. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.14.020 General plan consistency.**

This zone district is consistent with the high density residential land use designation. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.14.030 Density/intensity.**

- A. One to twenty (20) housing units per gross acre.
- B. Minimum parcel size: seven thousand (7,000) square feet.
- C. One family unit for each two thousand (2,000) square feet of lot area.
- D. Maximum lot coverage, residential: seventy-five (75) percent.
- E. Maximum lot coverage, nonresidential: seventy-five (75) percent. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.14.040 Site development standards.**

- A. Setbacks (Minimum).
  - 1. Front:
    - a. Home: twenty (20) feet.
    - b. Garage or parking area: twenty (20) feet.
    - c. Accessory building: not permitted in front yard setback area.
  - 2. Rear:
    - a. Home: ten (10) feet.
    - b. Garage or parking area:
      - i. Alley access: ten (10) feet.
      - ii. Other: ten (10) feet.
    - c. Accessory building(s):
      - i. Not attached to main building(s): five feet.
      - ii. Attached to main building(s): ten (10) feet.
  - 3. Side, interior: ten (10) feet.
  - 4. Side, corner: fifteen (15) feet.
- B. Building.
  - 1. Height: forty-five (45) feet.
  - 2. Height, accessory: twenty (20) feet.
  - 3. Distance between buildings: ten (10) feet.
- C. Lot Dimensions (Minimum).
  - 1. Width, standard: sixty (60) feet.
  - 2. Width, cul-de-sac: sixty (60) feet at setback line.
  - 3. Depth, standard: one hundred (100) feet.
  - 4. Depth, cul-de-sac: ninety (90) feet.
- D. Parking.
  - 1. Triplex units:
    - a. Two parking spaces outside of any required setback. One parking space must be covered.
    - b. Parking stalls must be parallel and not tandem.
    - c. The parking areas and the driveway between the public street and the parking area must be covered in an all-weather surface (e.g., concrete, asphalt, bricks, etc.).

2. Multiple-family: as shown in subsection (D)(1) of this section plus one space for every two dwelling units over three units.

3. Professional office: one parking space for each two hundred (200) square feet of floor area.

4. Each required parking space shall have a minimum dimension of nine feet by twenty (20) feet.

5. Handicapped parking spaces shall have a minimum dimension of twelve (12) feet by twenty (20) feet.

E. Signs.

1. A single sign on each street frontage providing the name of the multifamily project, not exceeding twelve (12) square feet in accordance with Section 18.32.170. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.14.050 Permitted uses.**

The following uses are permitted in the R-3 zone district subject to issuance of a building permit, business license or other required permit(s):

A. All uses permitted in the R-1 district pursuant to the provisions of Chapter 18.10.

B. All uses permitted in the R-2 district pursuant to the provisions of Chapter 18.12.

C. Triplex units.

D. Multiple-family apartments.

E. Professional offices.

F. Group care home of clients pursuant to the California Health and Safety Code, subject to review for overconcentration.

G. Small family daycare facilities.

H. Second dwelling units pursuant to 18.32.180.

I. Parks, picnic areas and playgrounds not associated with approved development.

J. Supportive housing.

K. Transitional housing. (Ord. 219 § 5, 2014; Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.14.060 Accessory uses.**

The following uses are permitted in the R-3 zone district as accessory to the primary permitted or conditionally permitted use:

A. Garage or carport.

B. Swimming pool.

C. Fences, walls consistent with the provisions of Section 18.32.050.

D. Home occupation consistent with the provisions of Section 18.32.030.

E. Usual and customary structures associated with a residence. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.14.070 Conditional uses.**

The following uses are permitted in the R-3 zone district upon approval and validation of a conditional use permit, in addition to any other permits or licenses required for the use. Setbacks and development criteria may be amended during the conditional use permit.

A. Large family daycare facilities.

B. Places of assembly or learning:

1. Church, place of worship or spiritual assembly.

2. Grange halls, community centers, meeting halls.

3. Schools, public or private.

C. Public and quasi-public facilities.

D. Transient residential uses such as motels, hotels, bed and breakfast inns, etc.

E. Buildings and structures taller than specified in Section 18.14.040(B).

F. Other uses similar to those listed in this section. (Ord. 210 § 3 (Exh. A) (part), 2007)

## Chapter 18.16

### MOBILE HOME RESIDENTIAL, M-H

#### Sections:

- 18.16.010 Purpose.**
- 18.16.020 General plan consistency.**
- 18.16.030 Density/intensity.**
- 18.16.040 Site development standards.**
- 18.16.050 Permitted uses.**
- 18.16.060 Accessory uses.**
- 18.16.070 Conditional uses.**

#### **18.16.010 Purpose.**

The M-H zone district is intended to provide areas for higher density apartment development and mobile home development. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.16.020 General plan consistency.**

This zone district is consistent with the mobile home park land use designation. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.16.030 Density/intensity.**

A. One to twenty (20) housing units per gross acre.

B. Minimum parcel size: eight thousand (8,000) square feet interior, nine thousand (9,000) square feet corner lot. Additional two thousand (2,000) square feet for each unit over four.

C. Maximum lot coverage: sixty-five (65) percent. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.16.040 Site development standards.**

All mobile home parks shall be subject to the following requirements, plus other requirements that may be made conditions of use permit approval:

A. Minimum lot area: two acres.

B. Minimum recreation space: one hundred (100) square feet of outdoor or indoor recreation area (exclusive of required yards or vehicle parking areas). The minimum size for any single outdoor recreation area shall be two thousand five hundred (2,500) square feet.

C. Minimum setbacks around the perimeter of the parks:

1. Front (abutting any street): twenty (20) feet landscaped.

2. Side and rear: ten (10) feet, suitably landscaped.

3. No mobile home space or dwelling unit shall be located in a front, side or rear yard required of the zoning district within which it may be located.

4. Not less than five feet of yard adjoining a property line of a mobile home park shall be landscaped and permanently maintained. The city council shall require additional landscaping and fences or walls where necessary to ensure privacy, protect adjoining property, insulate against wind, noise or glare, or screen unsightliness.

D. All areas not used for access, parking, circulation, recreation or services shall be completely and permanently landscaped, and the entire site shall be maintained in a neat, clean and sanitary condition.

E. Mobile home parks shall be located on or have direct access to a major street or highway, except that mobile home parks may have indirect access to a major street or highway from another street where access to such other street is provided not less than three hundred (300) feet from the intersection of such street and the major street or highway.

F. Each mobile home site shall have a minimum of three thousand (3,000) square feet of area for each mobile home space located on the site.

G. The minimum distance between mobile homes shall be ten (10) feet. The minimum distance between an accessory structure on one site and a mobile home on an adjacent site shall be ten (10) feet.

H. No accessory structure other than a carport, garden structure, storage building, sun or wind shelter shall be erected within a mobile home space for the use of the occupants of an individual mobile home.

I. Not less than four off-street parking spaces shall be provided for each three mobile home spaces.

J. Signs. A single sign on each street frontage providing the name of the multifamily project, not exceeding twelve (12) square feet in accordance with Section 18.32.170. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.16.050 Permitted uses.**

The following uses are permitted in the M-H zone district subject to issuance of a building permit, business license or other required permit(s):

A. All uses permitted in the R-1 district pursuant to the provisions of Chapter 18.10.

B. All uses permitted in the R-2 district pursuant to the provisions of Chapter 18.12.

C. All uses permitted in the R-3 district pursuant to the provisions of Chapter 18.14.

D. Mobile home projects with four or fewer units. (A permit from the California Department of Housing and Community Development may be required.)

E. Group care home of clients pursuant to the California Health and Safety Code subject to review for overconcentration.

F. Small family daycare facilities.

G. Parks, picnic areas and playgrounds not associated with approved development.

H. Supportive housing.

I. Transitional housing. (Ord. 219 § 6, 2014; Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.16.060 Accessory uses.**

The following uses are permitted in the M-H zone district as an accessory to the primary permitted or conditionally permitted use.

A. Garage or carport.

B. Swimming pool.

C. Fences, walls consistent with provisions of Section 18.32.050.

D. Home occupations consistent with the provisions of Section 18.32.030.

E. Usual and customary structures associated with a residence. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.16.070 Conditional uses.**

The following uses are permitted in the M-H zone district upon approval and validation of a conditional use permit, in addition to any other permits or licenses required for the use. Setbacks and development criteria may be amended during the conditional use permit.

A. Mobile home projects of more than four units. (An approved permit will also be required from the California Department of Housing and Community Development.)

B. Multiple-family apartments.

C. Professional offices.

D. Large family daycare facilities.

E. Places of assembly or learning:

1. Church, place of worship or spiritual assembly.

2. Grange halls, community centers, meeting halls.

3. Schools, public or private.

F. Public and quasi-public facilities.

G. Second dwelling units pursuant to Section 18.32.180.

H. Other uses similar to those listed in this section. (Ord. 210 § 3 (Exh. A) (part), 2007)

## Chapter 18.18

### COMMUNITY COMMERCIAL, C-1

#### Sections:

- 18.18.010 Purpose.**
- 18.18.020 General plan consistency.**
- 18.18.030 Density/intensity.**
- 18.18.040 Site development standards.**
- 18.18.050 Permitted uses.**
- 18.18.060 Accessory uses.**
- 18.18.070 Conditional uses.**

#### **18.18.010 Purpose.**

The C-1 zone district is intended to serve as the commercial land use district for areas of the city not located along US 97. Located along collector streets, this district provides for a variety of commercial activities that are compatible with the community. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.18.020 General plan consistency.**

This zone district is consistent with the commercial land use designation. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.18.030 Density/intensity.**

A. Minimum parcel size: two thousand five hundred (2,500) square feet.

B. Maximum lot coverage: seventy-five (75) percent. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.18.040 Site development standards.**

- A. Setbacks (Minimum).
  - 1. Front: None.
  - 2. Rear:
    - a. Adjacent commercial: none.
    - b. Adjacent residential: ten (10) feet.

- 3. Side:
  - a. Adjacent commercial: none.
  - b. Adjacent residential: ten (10) feet.
- B. Building.
  - 1. Height: forty-five (45) feet.
  - 2. Distance between buildings: as required by the California Building Code.
- C. Lot Dimensions (Minimum).
  - 1. Width: twenty-five (25) feet.
  - 2. Depth: one hundred (100) feet.
- D. Parking.
  - 1. Retail: one parking space for each three hundred (300) square feet of floor area.
  - 2. Professional office: one parking space for each two hundred (200) square feet of floor area.
  - 3. Bed and breakfast inns: one parking space for each guestroom.
  - 4. Churches and theaters: one parking space for each four seats or every eight feet of bench length.
  - 5. Banks and post offices: one parking space for each four hundred (400) square feet of floor area.
  - 6. Restaurants, bakeries and coffee shops: one parking space for each four seats and one space for every two employees.
  - 7. Laundromats: one parking space for every five machines.
  - 8. Beauty salons and barbershops: one parking space for every seventy-five (75) square feet of floor area.
  - 9. Existing: none.
  - 10. Each standard parking space shall have a minimum dimension of nine feet by twenty (20) feet. Handicapped parking spaces shall have a minimum dimension of twelve (12) feet by twenty (20) feet.

E. Signs.

1. A single sign per each street frontage not exceeding one hundred (100) square feet in accordance with Section 18.32.170. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.18.050 Permitted uses.**

The following uses are permitted in the C-1 zone district subject to issuance of a building permit, business license or other required permit(s):

A. Retail business establishments within a building, conducting sale and/or rental of the following: apparel, books, confectionery, medicines, baked goods, flowers, food, general merchandise, crafts, videos and similar commercial uses.

B. Retail business establishments within a building, and possibly having some incidental outside sales including: restaurants, bakeries, coffee shops, and nurseries.

C. Personal service establishments including: banks, health clinics, laundromats, pet grooming and veterinary services (no boarding), barber and beauty shops, professional offices, office services, photography studios, shoe and other small item repair.

D. Bed and breakfast inns. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.18.060 Accessory uses.**

The following uses are permitted in the C-1 zone district as an accessory to the primary permitted or conditionally permitted use:

A. Garage or carport.

B. Fences and walls.

C. Temporary outside sales such as sidewalk or patio sales.

D. Usual and customary structures associated with a commercial use. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.18.070 Conditional uses.**

The following uses are permitted in the C-1 zone district upon approval and validation of a conditional use permit, in addition to any other permits or licenses required for the use. Setbacks and development criteria may be amended during the conditional use permit process:

A. All uses permitted in the R-3 district pursuant to the provisions of Chapter 18.14.

B. Veterinary offices with overnight boarding and hospitalization and overnight boarding of animals not associated with a veterinary use.

C. Places of assembly or learning:

1. Church or other place of worship or spiritual assembly.

2. Grange halls, community centers, meeting halls.

3. Schools, public or private.

D. Public and quasi-public facilities.

E. Sales conducted primarily outside of a building.

F. Buildings and structures taller than specified in Section 18.18.040(B).

G. Supportive housing.

H. Transitional housing.

I. Other uses similar to those listed in this section. (Ord. 219 § 7, 2014; Ord. 210 § 3 (Exh. A) (part), 2007)

## Chapter 18.20

### GENERAL COMMERCIAL, C-2

#### Sections:

- 18.20.010 Purpose.**
- 18.20.020 General plan consistency.**
- 18.20.030 Density/intensity.**
- 18.20.040 Site development standards.**
- 18.20.050 Permitted uses.**
- 18.20.060 Accessory uses.**
- 18.20.070 Conditional uses.**

#### **18.20.010 Purpose.**

The C-2 zone district is intended to provide a specialized commercial zone along US 97. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.20.020 General plan consistency.**

This zone district is consistent with the commercial land use designation. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.20.030 Density/intensity.**

A. Minimum parcel size: two thousand five hundred (2,500) square feet.

B. Maximum lot coverage:

1. New parcels: seventy-five (75) percent.
2. Existing parcels: one hundred (100) percent. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.20.040 Site development standards.**

A. Setbacks (Minimum).

1. Front: none.
2. Rear:
  - a. Adjacent commercial: none.
  - b. Adjacent residential: ten (10) feet.
3. Side:
  - a. Adjacent commercial: none.
  - b. Adjacent residential: ten (10) feet.

B. Building.

1. Height: forty-five (45) feet.
2. Distance between buildings: as required by the California Building Code.

C. Lot Dimensions (Minimum).

1. Width: twenty-five (25) feet.
2. Depth: one hundred (100) feet.

D. Parking.

1. Retail: one parking space for each three hundred (300) square feet of floor area.
2. Professional offices: one parking space for each two hundred (200) square feet of floor area.

3. Hotels, motels, bed and breakfast inns: one parking space for each guestroom.

4. Churches and theaters: one parking space for each four seats or every eight feet of bench length.

5. Banks and post offices: one parking space for each four hundred (400) square feet of floor area.

6. Restaurants, bars, bakeries and coffee shops: one parking space for each four seats and one space for every two employees.

7. Laundromats: one parking space for every five machines.

8. Beauty salons and barbershops: one parking space for every seventy-five (75) square feet of floor area.

9. Service stations: one parking space for each employee on largest shift plus one parking space for each work bay, or for every gas pump, whichever is greater.

10. Emergency shelters: one parking space for staff and one space for every five allowed occupants.

11. Existing: none.

12. Each standard parking space shall have a minimum dimension of nine feet by twenty (20) feet. Handicapped parking spaces shall have a minimum dimension of twelve (12) feet by twenty (20) feet.

E. Signs.

1. A single sign per each street frontage not exceeding one hundred (100) square feet in accordance with Section 18.32.170. (Ord. 219 § 8 (part), 2014; Ord. 210 § 3 (Exh. A) (part), 2007)

**18.20.050 Permitted uses.**

The following uses are permitted in the C-2 zone district subject to issuance of a building permit, business license or other required permit(s):

A. Retail business establishments within a building, conducting sale and/or rental of the following: apparel, auto parts, books, medicines, computers and software, confectionery, baked goods, flowers, food, furniture, general merchandise, tack and livestock supplies, crafts, gifts, home electronics, jewelry, liquor, office supplies, periodicals, photo supplies, shoes, sporting equipment, videos and similar commercial uses.

B. Retail business establishments within a building, and possibly having some outside and incidental sales, including restaurants, coffee shops and snack bars, hardware stores, nurseries, service stations.

C. Personal service establishments including banks, barber and beauty shops, dry cleaners, laundromats, pet grooming and veterinary services which may include overnight boarding and hospitalization, professional offices, office services, photography studios, shoe, electronic and other small item repair.

D. Hotels, motels, and bed and breakfast inns.

E. Movie theaters and playhouses.

F. Emergency shelters. (Ord. 219 § 8 (part), 2014; Ord. 210 § 3 (Exh. A) (part), 2007)

**18.20.060 Accessory uses.**

The following uses are permitted in the C-2 zone district as an accessory to the primary permitted or conditionally permitted use:

A. Garage or carport.

B. Fences and walls.

C. Temporary outside sales such as sidewalk or patio sales.

D. Usual and customary structures associated with a commercial use. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.20.070 Conditional uses.**

The following uses are permitted in the C-2 zone district upon approval and validation of a conditional use permit, in addition to any other permits or licenses required for the use. Setbacks and development criteria may be amended during the conditional use permit process:

A. All uses permitted in the R-3 district pursuant to the provisions of Chapter 18.14.

B. Places of assembly or learning:

1. Church or other place of worship or spiritual assembly.

2. Grange halls, community centers, meeting halls.

3. Schools, public or private.

C. Public and quasi-public facilities.

D. Sales or uses conducted primarily outside of a building.

E. Parks, picnic areas and playgrounds not associated with approved development.

F. Automotive sales and repair.

G. Modified or joint use parking standards.

H. Breweries, creameries, wineries.

I. Bars, lodges, dormitory establishments.

J. Recreational vehicle parks.



K. Buildings and structures taller than specified in Section 18.20.040(B).

L. Supportive housing.

M. Transitional housing.

N. Other uses similar to those listed in this section. (Ord. 219 § 8 (part), 2014; Ord. 210 § 3 (Exh. A) (part), 2007)

**Chapter 18.22**  
**MANUFACTURING, M**

**Sections:**

- 18.22.010 Purpose.**
- 18.22.020 General plan consistency.**
- 18.22.030 Density/intensity.**
- 18.22.040 Site development standards.**
- 18.22.050 Permitted uses.**
- 18.22.060 Accessory uses.**
- 18.22.070 Conditional uses.**

**18.22.010 Purpose.**

The M zone district is primarily for industries, manufacturers, trades, storage, warehouses, lumberyards, and other uses excluded from the commercial district; provided, that such uses are not detrimental to the public health, safety, and general welfare of adjacent districts by reason of odor, smoke, gas, dust, vibration, or noise, or are not deemed to be exceptional fire or explosion hazards. This district also provides flexibility to allow certain types of professional office and heavy commercial land uses. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.22.020 General plan consistency.**

This zone district is consistent with the industrial land use designation. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.22.030 Density/intensity.**

A. One dwelling unit per acre to provide for a caretaker residence.

B. Minimum parcel size: five thousand (5,000) square feet.

C. Maximum lot coverage: seventy-five (75) percent. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.22.040 Site development standards.**

- A. Setbacks.
  - 1. Front: thirty (30) feet.
  - 2. Rear:
    - a. Adjacent commercial or industrial: none.
    - b. Adjacent residential: ten (10) feet.
  - 3. Side:
    - a. Adjacent commercial or industrial: none.
    - b. Adjacent residential: ten (10) feet.
- B. Building.
  - 1. Height: fifty (50) feet.
  - 2. Distance between buildings: as required by the California Building Code.
- C. Lot Dimensions (Minimum).
  - 1. Width: fifty (50) feet.
  - 2. Depth: one hundred (100) feet.
- D. Parking.
  - 1. Manufacturing and storage: one parking space for each one thousand (1,000) square feet of floor area.
  - 2. Retail: one parking space for each three hundred (300) square feet of floor area.
  - 3. Professional offices: one parking space for each two hundred (200) square feet of floor area.
  - 4. Each required parking space shall have a minimum dimension of nine feet by twenty (20) feet. Handicapped parking spaces shall have a minimum dimension of twelve (12) feet by twenty (20) feet.
- E. Signs.
  - 1. A single sign per each street frontage not exceeding one hundred (100) square feet in accordance with Section 18.32.170. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.22.050 Permitted uses.**

The following uses are permitted in the M zone district subject to issuance of a building permit, business license or other required permit(s):

A. Retail business establishments within a building, conducting sale of the following: sheet metal, paint, automotive and truck supplies, engines, electrical components, plumbing supplies, building materials, lumber, tires, warehousing, mini storage, etc.

B. Retail businesses that involve the manufacturing of some or all of the products sold on site including outdoor equipment, etc.

C. Personal service establishments including pet hospitals with overnight boarding, professional offices, processing centers, printing and photography companies, public and private training facilities.

D. Retail businesses that require outside storage and sales, including mobile home sales and manufacture, heavy equipment sales and service, prefabricated building manufacturing and sales.

E. Construction supply, lumber yards, building materials supply including bulk nursery supplies.

F. Wholesale distributors, food and herb packaging and processing. (Ord. 210 § 3 (Exh. A) (part), 2007)

D. One residential dwelling unit per acre for a caretaker residence. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.22.070 Conditional uses.**

The following uses are permitted in the M zone district upon approval and validation of a conditional use permit, in addition to any other permits or licenses required for the use. Setbacks and development criteria may be amended during the conditional use permit.

A. Buildings and structures taller than specified in Section 18.22.040(B).

B. Cement or asphalt batch plants.

C. Lumber mills and wood product processing facilities.

D. Breweries, creameries, water bottling plants, wineries.

E. Modified or joint use parking standards.

F. Other industrial uses not listed. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.22.060 Accessory uses.**

The following uses are permitted in the M zone district as an accessory to the primary permitted or conditionally permitted use:

A. Garage or carport.

B. Fences and walls.

C. Usual and customary structures associated with an industrial and/or commercial use.

**Chapter 18.24****OPEN SPACE, O-S****Sections:**

- 18.24.010 Purpose.**
- 18.24.020 General plan consistency.**
- 18.24.030 Density/intensity.**
- 18.24.040 Site development standards.**
- 18.24.050 Permitted uses.**
- 18.24.060 Accessory uses.**
- 18.24.070 Conditional uses.**

**18.24.010 Purpose.**

The O-S zone district is intended to support projects, activities and facilities deemed necessary for public health, safety, welfare, and recreation, where undeveloped open space is maximized and buildings are minimal. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.24.020 General plan consistency.**

This zone district is consistent with the open space land use designation. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.24.030 Density/intensity.**

- A. One single-family unit per parcel for use as a caretaker dwelling.
- B. Minimum parcel size: none.
- C. Maximum lot coverage: one hundred (100) percent. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.24.040 Site development standards.**

- A. Setbacks (Minimum).
  - 1. Front (when adjacent to):
    - a. Commercial uses: none.
    - b. Residential uses: ten (10) feet.
  - 2. Rear (when adjacent to):

- a. Commercial uses: none.
- b. Residential uses: ten (10) feet.
- 3. Side (when adjacent to):
  - a. Commercial uses: none.
  - b. Residential uses: fifteen (15) feet plus one foot for every two feet by which the structure exceeds twenty-eight (28) feet.
- B. Building.
  - 1. Height: thirty-five (35) feet.
  - 2. Distance between buildings: as required by the California Building Code.
- C. Lot Dimensions (Minimum).
  - 1. Width: fifty (50) feet.
  - 2. Depth: one hundred (100) feet.
- D. Parking. Parking shall be provided by comparing the proposed use with those uses permitted in other chapters of this title, and applying the parking standard of the use most similar to the proposed use. If this comparison cannot be readily made, the required parking shall be established by the city council. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.24.050 Permitted uses.**

The following uses are permitted in the O-S zone district subject to issuance of a building permit, business license or other required permit(s):

- A. Parks, picnic areas, playgrounds, swimming pools, ball fields, bocce courts, basketball, tennis and handball courts.
- B. Public parking lots and structures, public restrooms.
- C. Community promotions, farmers markets, festivals, and similar public service events.
- D. Public utilities, wells, storm drainage basins, power and phone substations. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.24.060 Accessory uses.**

The following uses are permitted in the O-S zone district as an accessory to the primary permitted or conditionally permitted use:

- A. Garage or carport.
- B. Fences and walls. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.24.070 Conditional uses.**

The following uses are permitted in the O-S zone district upon approval and validation of a conditional use permit, in addition to any other permits or licenses required for the use. Setbacks and development criteria may be amended during the conditional use permit:

- A. Water and wastewater treatment facilities.
- B. Telecommunication facilities.
- C. Regional-serving sports complexes such as softball, soccer, basketball, football and baseball tournament parks.
- D. Golf courses and driving ranges. (Ord. 210 § 3 (Exh. A) (part), 2007)

**Chapter 18.26****PUBLIC AGENCY, P-A****Sections:**

- 18.26.010 Purpose.**
- 18.26.020 General plan consistency.**
- 18.26.030 Density/intensity.**
- 18.26.040 Site development standards.**
- 18.26.050 Permitted uses.**
- 18.26.060 Accessory uses.**
- 18.26.070 Conditional uses.**

**18.26.010 Purpose.**

The P-A zone district is intended to allow projects, activities and facilities deemed necessary for the maintenance of the public health, safety and welfare, plus such other public purposes consistent with the general plan, including non-public activities permitted by governmental agencies. Public facilities include any activity undertaken or structures held, used or controlled for public or quasi-public purposes. Such determination shall be made without reference to the ownership of the structure or the realty upon which it is situated. Public facilities do not include telecommunications facilities. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.26.020 General plan consistency.**

This zone district is consistent with the public agency land use designation. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.26.030 Density/intensity.**

- A. One single-family unit per parcel for use as a caretaker dwelling.
- B. Minimum parcel size: none.

C. Maximum lot coverage: one hundred (100) percent. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.26.040 Site development standards.**

- A. Setbacks (Minimum).
  - 1. Front (when adjacent to):
    - a. Commercial uses: none.
    - b. Residential uses: ten (10) feet.
  - 2. Rear (when adjacent to):
    - a. Commercial uses: none.
    - b. Residential uses: ten (10) feet.
  - 3. Side (when adjacent to):
    - a. Commercial uses: none.
    - b. Residential uses: fifteen (15) feet plus one foot for every two feet by which the structure exceeds twenty-eight (28) feet.
- B. Building.
  - 1. Height: seventy (70) feet.
  - 2. Distance between buildings: as required by the California Building Code.
- C. Lot Dimensions (Minimum).
  - 1. Width: fifty (50) feet.
  - 2. Depth: ninety (90) feet.
- D. Parking. Parking shall be provided by comparing the proposed use with those uses permitted in other chapters of this title, and applying the parking standard of the use most similar to the proposed use. If this comparison cannot be readily made, the required parking shall be established by the city council. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.26.050 Permitted uses.**

The following uses are permitted in the P-A zone district subject to issuance of a building permit, business license or other required permit(s):

- A. Federal, state, county, or municipal offices or facilities.
- B. Public and private schools including vocational schools, colleges and campuses.

C. Public parking lots and structures, public restrooms.

D. Parks, picnic areas, playgrounds, swimming pools, gymnasiums, ball fields, bocce courts, basketball, tennis and handball courts.

E. Hospitals, health clinics and nursing homes.

F. Community promotions, chamber of commerce and similar public service events.

G. Public utilities, wells, storm drainage basins, power and phone substations. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.26.060 Accessory uses.**

The following uses are permitted in the P-A zone district as an accessory to the primary permitted or conditionally permitted use:

A. Garage or carport.

B. Fences and walls. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.26.070 Conditional uses.**

The following uses are permitted in the P-A zone district upon approval and validation of a conditional use permit, in addition to any other permits or licenses required for the use. Setbacks and development criteria may be amended during the conditional use permit:

A. Water and wastewater treatment facilities.

B. Telecommunication facilities.

C. Buildings and structures taller than specified in Section 18.26.040(B). (Ord. 210 § 3 (Exh. A) (part), 2007)

## Chapter 18.28

### PLANNED UNIT DEVELOPMENT, PUD

#### Sections:

- 18.28.010 Purpose.**
- 18.28.020 General plan consistency.**
- 18.28.030 Permitted uses.**
- 18.28.040 Accessory uses.**
- 18.28.050 Conditionally permitted uses.**
- 18.28.060 Site development standards.**
- 18.28.070 Prohibited uses.**
- 18.28.080 Processing of an application for a development plan.**

#### **18.28.010 Purpose.**

The PUD zone district is intended to enable and encourage flexibility of design and development of land in such manner as to promote its most appropriate use. The PUD also allows diversification in the relationship of various uses, structures and spaces.

Planned unit developments, involving the careful application of design, are encouraged to achieve a more functional, aesthetically pleasing and harmonious living and working environment within the city which otherwise might not be possible by strict adherence to the regulations of specific zoning districts. The PUD zone district is designed to accommodate various types of developments, such as shopping centers, single-family housing developments, multiple-family housing developments, professional and administrative areas, commercial service centers and industrial parks, or any other use or combination of uses that can be made appropriately a part of a PUD.

The proposed development shall be designed to produce an environment with a sta-

ble and desirable character and shall provide standards of open space and permanently reserved areas for off-street parking adequate for the occupancy proposed, and at least equivalent to those required elsewhere by the provisions of this title for such use. In case of residential development, it should include provisions for recreation areas to meet the needs of the anticipated population. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.28.020 General plan consistency.**

This zone district is consistent with the mixed use—planned development land use designation. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.28.030 Permitted uses.**

Subject to issuance of a building permit, business license or other required permit(s), the following uses are permitted in the PUD zone district without need for a planned development permit, provided there is no division of property:

- A. Single-family dwellings.
- B. Group care home of clients pursuant to the California Health and Safety Code subject to review for overconcentration.
- C. Small family daycare facilities.
- D. Parks, picnic areas and playgrounds associated with approved development.
- E. Second dwelling units, pursuant to Section 18.32.180.
- F. Supportive housing.
- G. Transitional housing. (Ord. 219 § 9 (part), 2014; Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.28.040 Accessory uses.**

The following uses are permitted in the PUD zone district as accessory to the primary per-



mitted or conditionally permitted use without need for a planned development permit, provided there is no division of property:

- A. Garage or carport.
- B. Swimming pool.
- C. Fences, walls consistent with the provisions of Section 18.32.050.
- D. Home occupation consistent with the provisions of Section 18.32.030.
- E. Usual and customary structures associated with a residence. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.28.050 Conditionally permitted uses.**

Upon approval and validation of a conditional use permit, in addition to any other permits or licenses required for the use, the following uses are permitted in the PUD zone district without need for a planned development permit, provided there is no division of property. Setbacks and development criteria may be amended during the conditional use permit process:

- A. Large family daycare facilities.
- B. Places of assembly or learning:
  - 1. Church or other place of worship or spiritual assembly.
  - 2. Grange halls, community centers, meeting halls.
  - 3. Schools, public or private.
- C. Public and quasi-public facilities.
- D. Buildings and structures taller than specified in Section 18.10.040(B).
- E. Emergency shelters.
- F. Other uses similar to those listed in this section. (Ord. 219 § 9 (part), 2014; Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.28.060 Site development standards.**

The standards of site area and dimensions, site coverage, yard spaces, distances between structures, off-street parking and off-street

loading facilities and landscaped areas need not be equivalent to the standards prescribed for the regulations for other districts which involve similar uses if the applicant has demonstrated, by his or her design proposal, that the objectives of this title will be achieved.

The average population density per net acre may not exceed the maximum population density prescribed in the general plan. Since planned developments may also involve the subdivision process, the applicant must be prepared to show what changes in conventional street and lot design will be necessary to achieve the desired goals. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.28.070 Prohibited uses.**

No use shall be permitted, and no process, equipment or material shall be employed, which is found by the city council to be objectionable to persons residing or working in the vicinity or injurious to property located in the vicinity by reason of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried wastes, noise, vibration, illuminations, glare, unsightliness or heavy truck traffic or to involve any hazard of fire or explosion. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.28.080 Processing of an application for a development plan.**

Prior to development of properties within the PUD zone district that includes subdivision of property, the owner/applicant shall submit an application to the city:

- A. The application shall be accompanied by a development plan of the entire site, drawn to scale and showing the contours of the site in intervals of not more than five feet and provisions for: stormwater detention, public utility rights-of-way; streets; public and private

access; driveways and sidewalks; off-street parking and loading facilities; reservations and dedications for public uses; residential uses, including dwelling types; nonresidential uses, including types; lot layout, including setbacks; heights and elevations of structures; and landscaped areas.

B. In addition to the data prescribed in subsection (A) of this section, the application shall be accompanied by a tabulation of the area proposed to be devoted to each land use and a tabulation of the average population density per net acre and per gross acre in the area or areas proposed to be devoted to residential use.

C. The application shall also be accompanied by text that establishes development standards for the PUD including lot sizes, setbacks, building heights, parking requirements, etc.

D. A written statement setting forth the source of water supply, method of sewage disposal and provisions for maintenance of landscaped areas.

E. Proposed parcel or subdivision map consistent with the development plan.

Upon approval of a parcel map or tentative subdivision map in accordance with the procedures prescribed by the Subdivision Map Act, the city council may issue a final approval of the applicant's proposal if it makes the following findings:

1. That the proposed location of the planned development is in accordance with the objectives of this title;

2. That the proposed location of the planned development and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity;

3. That the proposed planned development will comply with each of the applicable provisions of this section;

4. That the standards of population density, site area and dimensions, site coverage, yard spaces, heights of structures, distance between structures, off-street parking and off-street loading facilities and landscaped areas will produce an environment of stable and desirable character consistent with the objectives of the city of Dorris;

5. That the standards of population density, site area and dimensions, site coverage, yard spaces, height of structures, distances between structures and off-street parking and off-street loading facilities will be such that the development will not generate more traffic than the streets in the vicinity can carry without congestion and will not overload utilities;

6. That the combination of different dwelling types and variety of land uses in the development will complement each other and will harmonize with existing and proposed land uses in the vicinity;

7. The proposed planned development or the first use or group of uses can be substantially completed within two years after the district is established. (Ord. 210 § 3 (Exh. A) (part), 2007)

## Chapter 18.30

### HEARINGS AND APPEALS

#### Sections:

**18.30.010 Notice required—Defects.**

**18.30.020 Appeals of administrative action.**

#### **18.30.010 Notice required—Defects.**

A. Notice of any public hearing required under the terms of this title shall be given at least ten (10) days prior to the first hearing by at least one publication in a newspaper of general circulation within the city and by the U.S. mail, postage prepaid, to all persons whose name and address appear on the latest adopted tax roll as owning property within a distance or of not less than three hundred (300) feet from the exterior boundaries of the real property subject to the hearing. (Government Code Section 65090.)

B. Any defect or error appearing in such notice shall not divest the city council or jurisdiction nor invalidate any proceedings. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.30.020 Appeals of administrative action.**

A. All interpretations and decisions of the city staff authorized by this title are subject to appeal. Appeals of any administrative interpretation or decision shall be made by filing a written appeal with the city clerk. The city council shall hear and decide on the appeal within forty-five (45) days of filing the appeal, and shall make findings supporting their decision on the matter.

B. All such appeals shall be filed with the city clerk within ten (10) calendar days of the decision.

C. The city council will conduct the appeal as a de novo hearing and may approve, deny or modify conditions of approval; provided, that the actions of the council are consistent with the general plan and are in compliance with city code. The city council may also refer the matter back to staff for additional consideration or to obtain additional information.

D. The decision of the city council shall be final on all matters.

E. No building permit shall be issued in any case where a conditional use permit is required by the terms of this title until after the period allowed for appeal. In the event of an appeal no such permit shall be granted until the matter has been finally approved by the city council. Building permits issued pursuant to this chapter shall conform to the terms and conditions of the conditional use permit granted. (Ord. 210 § 3 (Exh. A) (part), 2007)

## Chapter 18.32

## SPECIAL PROVISIONS

## Sections:

- 18.32.010 Application.
- 18.32.020 Temporary structures.
- 18.32.030 Home occupations.
- 18.32.040 Height limits.
- 18.32.050 Fences, walls, hedges and screen planting.
- 18.32.060 Site plan.
- 18.32.070 Plan lines.
- 18.32.080 Yards—Special provisions.
- 18.32.090 Sales from vehicles, trailers or mobile units, or on public property.
- 18.32.100 Garage sales.
- 18.32.110 Open space requirements for multifamily development.
- 18.32.120 Nonconforming uses.
- 18.32.130 Nonconforming buildings.
- 18.32.140 Nonconforming parcels.
- 18.32.150 Conversion of residential garages.
- 18.32.160 Accessory structures.
- 18.32.170 Outdoor advertising signs.
- 18.32.180 Second units in single-family and multifamily residential zones.
- 18.32.190 Placement of manufactured homes in single-family residential districts.
- 18.32.200 Electric and telephone facilities.
- 18.32.210 Garage or carport exception.
- 18.32.220 Portable structures and carports.
- 18.32.230 Emergency shelters.

## 18.32.240 Single-room occupancies (SROs).

## 18.32.010 Application.

All regulations specified in this title shall be subject to the general provisions, conditions and exceptions contained in this chapter. (Ord. 210 § 3 (Exh. A) (part), 2007)

## 18.32.020 Temporary structures.

A. A conditional use permit for any such temporary structure shall be required in accordance with procedures set forth in Chapter 18.34; provided, that any non-complying aspects of the temporary structure shall only be approved by the city council if it makes the findings as required by Section 18.34.040.

B. In cases where the city council is able to make the findings as required by Section 18.34.040, the city council may, but is not obliged to, issue a temporary approval for a specific time period, not to exceed twelve (12) months. (Ord. 210 § 3 (Exh. A) (part), 2007)

## 18.32.030 Home occupations.

A. The city of Dorris recognizes the need for some of its citizens to use their place of residence for some limited activity other than as a residence. However, the city also believes that the need to protect the residential integrity of its living areas is of paramount concern. A home occupation permit is the method used to allow acceptable activities within the city's residential districts.

B. The objective of a home occupation permit is to allow a limited commercial-type activity in a residential area only to the extent that, to all outward appearance, no neighbors or passersby will be aware of the activity. In practice, a home occupation permit gives the permittee the legal right to use his/her residence

for a business phone and business mailing address, but not to the extent that excessive foot and automobile traffic are generated.

C. Home occupation permits may be reviewed annually prior to issuance of business license.

D. A home occupation permit, which allows the operation of a business in a home located in a residential zone, may be issued administratively by the city, without the necessity of public notice, a public hearing, or city council action, upon a finding that the following conditions exist:

1. The business will not employ any persons at the subject premises who do not occupy the same as their residence;
2. No outdoor signage related to the business will be utilized at the subject site;
3. No customers, clients, patients, salespersons, or other persons will be visiting the subject premises in connection with the business;
4. There will be no other indications of business activity visible to neighbors or to the public at the subject site, resulting from the use; and
5. There will not be any other significant negative impact upon the environment, public safety, or public welfare.
6. Any person who is denied a home occupation permit by the city pursuant to subsection (A) of this section may apply to the city council for the same.
7. Any home occupation not consistent with these provisions may only be authorized by the approval of a conditional use permit. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.32.040 Height limits.**

A. Spires, chimneys, machinery, communications towers and water tanks may be con-

structed to a height limit established for the district in which the structures are located.

B. Public utility distribution and transmission lines, and towers and poles for such lines, are allowed in all districts to greater heights than established for the district in which the structures are located. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.32.050 Fences, walls, hedges and screen planting.**

A. No fence, wall, hedge or screen planting of any kind shall hereafter be constructed or grown to exceed six feet in height within the area encompassed by the rear yard setback or the side yard setback to the front yard setback line, nor shall the same exceed four feet in height within the area encompassed by the front yard setback. In M, C-1, and C-2 zones an additional two feet above the six-foot height limit is permitted for the purpose of wire security fencing. Fence height shall normally be measured from the natural ground level; provided, however, an alternate measurement may be authorized by the building official if special circumstances exist relating to the property.

B. Fence height in the front yard setback area may exceed four feet in residential zone districts if the fence does not exceed six feet, is at least eighty (80) percent open, and supporting posts are spaced at least eight feet apart. Fences exceeding four feet in height that do not meet these standards and chain link fences over four feet in height can only be authorized by approval of a conditional use permit.

C. No fence located at a street intersection (corner lot) may exceed three feet in height within a clear vision triangle formed by measuring twenty-five (25) feet along the property line from the corner right-of-way for what is considered the side yard setback area. The front yard setback area will be limited to the three-

foot height limitation along the street frontage unless the owner of such property obtains a use permit for a greater height by showing that no hazard exists to vehicular or pedestrian traffic. Such permit may be granted by the city provided all provisions of this chapter are otherwise satisfied and the council determines no safety hazard is created by the greater height.

D. Decorative columns, post caps or similar features not more than one foot in height may be added on top of fences or walls which adjoin a street or public walkway, or those fences or walls which the city clerk determines to be physically detached from an adjoining residential property. Such features would typically not be less than eight feet apart, and must be consistent with the design and materials of the fence or wall.

E. Fences or walls may exceed six feet in height to allow up to two feet of lattice, or material other than lattice that is typically at least fifty (50) percent open to the passage of light and air when viewed horizontally, to be added to the top of a fence or wall in the rear or side yards, and provided the lattice is determined by the city to be substantially open to the passage of light and air and compatible with the design and materials of the fence or wall. (Ord. 217, 2013; Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.32.060 Site plan.**

A. When a site plan is required by this title, the applicant shall submit one print of the site plan to the city when city council review is not required. If city council review is required, ten (10) prints shall be provided by the applicant. The site plan should be drawn to scale and shall indicate clearly and with full dimensions the information required.

B. Site plan requirements:

1. Exterior boundary lines of the property indicating easements, dimensions and lot size;

2. Label all adjacent streets or rights-of-way;

3. Location, elevations, size, height, dimensions, materials and proposed use of all buildings and structures (including walls, fences, signs, lighting and hooding devices) existing and intended to be on the site;

4. Distances between all structures and between all property lines or easements and structures;

5. Any nearby buildings relevant to application;

6. All existing trees on the site giving circumference, type and location and any significant plant material;

7. Any existing significant natural features such as rock outcroppings or watercourses;

8. Location, number of spaces, and dimensions of off-street parking spaces, loading docks and maneuvering areas; indicate internal circulation;

9. Pedestrian, vehicular and service points of ingress and egress; driveway widths and distances between driveways;

10. Proposed landscaping, include diagram, quantity, location, varieties and container size;

11. Proposed grading plan (for sites having over five-foot grade differential) showing direction and path of drainage on, through and off the site; indicate any proposed drainage channels or facilities;

12. Required and existing street dedications and improvements such as sidewalks, curb, gutter and pavement;

13. Vicinity map indicating nearby cross streets in relation to the site (need not be to scale);

14. The city shall approve, approve with such conditions as are deemed necessary to protect the public health, safety and general welfare, or disapprove the site plan. In approving the site plan, the city or city council shall

ascertain that all applicable provisions of this title are complied with;

15. Revisions by the applicant to an approved site plan shall be made pursuant to

the initial application procedure set forth in this chapter. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.32.070 Plan lines.**

Whenever an official plan line has been established for any street, required yards shall be measured from such line and in no case shall the provisions of this title be construed as permitting any encroachment upon any official plan line. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.32.080 Yards—Special provisions.**

A. Where four or more lots in a block have been improved with buildings, the minimum required front yard for the main buildings shall be the average of the front yards of the improved lots if less than the front yard requirements herein.

B. Architectural features such as cornices, eaves, canopies and porches shall not extend into the required front yard setback and no more than two feet into the side and back yard setbacks.

C. In any parcel of land having an average width of less than fifty-five (55) feet, the width of each side yard may be reduced to ten (10) percent of the width of such parcel, but in no case to less than five feet.

D. In those instances where the legal description of a parcel may be described from the centerline of the street, or where the front property line is not clear or consistent with others in the neighborhood, the front setback shall be determined by adding thirty (30) additional feet to the front setback as required by the applicable zone district and measuring this combined setback distance from the centerline of the street. If the resultant front setback is greater than the setback existing in the immediate neighborhood, it may be modified pursu-

ant to subsection (A) of this section. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.32.090 Sales from vehicles, trailers or mobile units, or on public property.**

A. Sales of food, beverages and merchandise from vehicles, trailers or mobile units shall be permitted in any district without a use permit, provided such business is conducted in the following manner:

1. Such vehicles, trailers or mobile units shall be parked upon private property with the consent of the property owner.

2. No such vehicle, trailer or mobile unit shall remain upon any such private property for a period in excess of one hour in any twenty-four (24) hour period unless a conditional use permit is first obtained in the same manner as set forth in subsection (B) of this section.

B. Any person desiring to conduct a business for the sale of food, beverages or merchandise from a vehicle, trailer or mobile unit on public streets or property shall obtain a conditional use permit in accordance with the provisions of Chapter 18.34. The city council may deny such application for a conditional use permit if the proposed use creates a traffic or safety problem or is detrimental to the health, safety, peace, morals, comfort, and general welfare of the city or its residents. In addition thereto, the city council may impose a condition that the applicant provides insurance in an amount recommended by the city insuring the city against liability arising out of the proposed use.

C. Sales on public streets or property shall not require a conditional use permit pursuant to this section at city sanctioned celebrations or promotions; provided, however, any such sales shall be conducted at such locations and in such



time and manner as may be directed by the city. (Ord. 210 § 3 (Exh. A) (part), 2007)

### **18.32.100 Garage sales.**

A. Frequency and Duration of Sale. It is unlawful for any person or persons to conduct, cause or permit to be conducted, at the same address, more than two garage sales during any calendar year. No single garage sale shall continue for more than three consecutive days.

B. Property Permitted to Be Sold. It is unlawful for any person or persons to sell or offer to sell at any garage sale any property other than personal property accumulated for personal use by the occupant or occupants residing at the address at which said sale is to be held; provided, however, nothing herein shall prohibit neighbors in the same residential area from conducting a combined garage sale at one specified address.

C. Advertising. It is unlawful to place a sign or other form of advertisement of a proposed garage sale upon any public property within the city. It is unlawful to exhibit a sign or other form of advertisement for more than two days prior to the day said sale is to commence, or to allow such sign to remain after six p.m. on the termination date of such sale. Two signs only, not exceeding twenty (20) by thirty (30) inches in size, may be placed in the front or side yard of the premises where the sale is conducted.

D. Hours of Operation. It is unlawful to conduct a garage sale before seven a.m. or after six p.m. of any day.

E. Notification Prior to Sale. Prior to conducting any garage sale, any person proposing to conduct a garage sale shall notify the city of Dorris, which such notification shall include the following:

1. Name and address of person proposing to conduct garage sale;

2. Location of proposed sale;

3. Date or dates during which the proposed sale is to be conducted.

F. Violation—Penalty. Any person violating any of the provisions of this section is guilty of an infraction with a fine of fifty dollars (\$50.00) for the first offense, one hundred dollars (\$100.00) for the second offense within one year, and two hundred fifty dollars (\$250.00) for the third offense within one year. Nothing herein shall be construed to prevent the city of Dorris from seeking injunctive or other relief which may be necessary to enforce the provisions of this code. (Ord. 210 § 3 (Exh. A) (part), 2007)

### **18.32.110 Open space requirements for multifamily development.**

A. On each multifamily development of four units or more within any district, whether such development is on a single recorded lot or on two or more adjacent recorded lots, such development shall be provided with usable and accessible open space for the recreation and outdoor living enjoyment of the development's residents and their guests. Such open space shall not be less than twenty-five (25) percent of the total parcel area.

B. Open space standards shall be as follows:

1. Open space may be provided in more than one location.

2. To qualify as required open space, such area shall have no area less than ten (10) square feet and at least fifty (50) percent open to the sky and free of any overhead structural or architectural projections.

3. Open space shall be landscaped and/or otherwise improved to serve the outdoor needs of occupants. Improvements may consist of planting areas containing living plant materials, walks, patios, swimming and wading

pools, arbors, temporary and removable shade elements, recreation equipment and facilities and such other appurtenances as are appropriate to serve the outdoor living needs of people.

4. Garages, carports, open off-street parking areas, vehicular access driveways, trash enclosures, clothes-drying yards and non-landscaped areas shall not be included in calculating required open space. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.32.120 Nonconforming uses.**

A. The lawful use of land or buildings existing prior to the adoption of the ordinances codified in this title may be continued, provided no such use shall be enlarged or increased, nor be extended to occupy a greater area than that occupied by such use on date of adoption of said ordinance, even though such use does not conform to the regulations herein specified for the district in which such land is located.

B. The nonconforming use of a portion of the building may be extended throughout the building; provided, that a conditional use permit shall first be obtained.

C. If a nonconforming use ceases voluntarily by the owner for a continuous period of six months, it shall be considered abandoned and shall thereafter be used only in accordance with the regulations for the district in which it is located. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.32.130 Nonconforming buildings.**

A. Nonconforming buildings or structures damaged or destroyed by fire, explosion, earthquake, flooding, or other act to an extent of more than fifty (50) percent of their reasonable value may be restored only if made to conform to all the regulations of the district in which it is located.

B. Nonconforming buildings or structures damaged or partially destroyed by fire, explosion, earthquake, flooding, or other act to an extent of less than fifty (50) percent of their reasonable value may be restored and the use thereof may be continued on condition that the restoration is started within six months and diligently continued to completion.

C. Reconstruction of Nonconforming Buildings or Structures. Notwithstanding the provisions of subsection (A) of this section, the owner of any nonconforming building or buildings may file an application with the city council for a conditional use permit to reconstruct any building or buildings in the event such building or buildings may be damaged to the extent greater than fifty (50) percent of its reasonable value either before or within six months after any such destruction. The city council may grant a conditional use permit for the construction of such building or buildings if it finds that such reconstruction would not be contrary to the public health, safety, comfort and general welfare and that such reconstruction would be compatible with the properties in the same general area within the same zone.

D. The owner of any nonconforming building or structure may file an application with the city council for a conditional use permit to reconstruct or replace any building or structure in the event such building or structure has deteriorated to the extent that continued occupancy or utilization of the building or structure is a threat to the comfort and safety of the occupants of the property. The city council may grant a conditional use permit for the reconstruction or replacement of such building or structure if it finds that such reconstruction would not be contrary to the public health, safety, comfort and general welfare and that such reconstruction would be compatible with

the properties in the same general area within the same zone.

E. Nonconforming residential dwellings may be reconstructed without a conditional use permit regardless of the extent of damage or deterioration; provided, that no further conflict with the regulations of the district in which it is located occurs. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.32.140 Nonconforming parcels.**

Any lot or parcel of land, under one ownership and of record on the effective date of the ordinance codified in this title, may be used as a building site even when it has less area or width than required by the regulations for the district in which it is located. A site plan shall be submitted by the applicant to the city clerk, who may approve the site plan upon finding that the application otherwise complies with all other provisions of this title. If the city clerk denies the application or imposes conditions unacceptable to the applicant, the applicant may file the request with the city council who may grant the use if it finds the application otherwise complies with all other provisions of this title. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.32.150 Conversion of residential garages.**

A. The owner of an existing one-family or two-family residential dwelling may apply for a use permit to convert the garage or carport for each such dwelling unit into an area for other residential purposes upon applying for and obtaining from the city a use permit therefor, on the following terms and conditions:

1. For each garage space or carport space converted, the owner shall provide one off-street parking space on the subject property, unless the subject property will otherwise have adequate parking pursuant to this code. The

parking spaces shall not be located within any required building setback area.

2. Such alternate parking space shall be paved with concrete, asphalt or brick.

3. The design and location of the alternate parking space, together with the access thereto, shall be administratively approved by the city.

4. Submission by the applicant of such plans for the garage conversion and construction of the parking place as may be required by the building inspector for the issuance of a building permit.

5. Prior to issuing the use permit, the city shall make a finding that other residences in the immediate neighborhood do not have garages and the proposed conversion is consistent with other development in the neighborhood.

B. No work shall commence on any such conversion or on construction of alternate parking prior to the issuance of a use permit by the city and the applicant obtaining a building permit for such construction and conversion and paying the necessary fee therefor. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.32.160 Accessory structures.**

A. Accessory uses and buildings in any C-1, C-2, or M district may be permitted where such uses or buildings are incidental to and do not alter the character of the premises in respect to their use or purpose permitted in the district. Such accessory buildings shall be allowed only when constructed concurrently with or subsequent to the main building.

B. In case an accessory building is attached to and made structurally a part of the main building, it shall comply in all respects with the requirements of this title applicable to the main building. A garage attached to the main building having its entrance from the side street or cul-de-sac turnaround shall be located at least

twenty (20) feet from the sidewalk or seventeen (17) feet from the property line, whichever is the greater. In the case of a corner lot where there is a key lot abutting the corner lot, accessory buildings shall not project beyond the front yard required on the key lot.

C. Canopy/Aluminum Structures. Canopy, aluminum and similar structures which are not constructed in accordance with the Uniform Building Code are considered accessory structures as defined within this title and shall conform to all required setbacks and height limitations. Such structures may be used to cover vehicles, but they cannot be used to satisfy the covered parking requirements as specified within this title. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.32.170 Outdoor advertising signs.**

A. All outdoor signs in the R-1, R-2, R-3 and M-H districts shall be unlighted and be wall or ground mounted unless approved as part of a conditional use permit. If ground mounted the sign shall not exceed four feet in height.

B. All outdoor signs in the C-1, C-2, and M districts shall either be wall mounted or ground mounted. If ground mounted the sign shall not exceed four feet in height if located in the front setback area, or not exceed six feet if the sign is not located in the front setback area. Such signs may be lighted if such lighting is not directed toward a residential zone district.

Any sign not consistent with these standards or the sign area limitations of the zone district may be allowed only by approval of a conditional use permit.

C. Temporary Signs. Real estate signs not exceeding twelve (12) square feet that advertise the sale, rental or lease of the premises upon which they are located are exempt from the provisions of this title, provided there is no

more than one such sign per parcel per street frontage. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.32.180 Second units in single-family and multifamily residential zones.**

A second dwelling unit in single-family or multifamily residential zones may be permitted by right subject to the following:

A. The lot contains an existing single-family dwelling;

B. The second dwelling unit is not intended for sale but may be rented as long as one of the residences on the parcel is occupied by the land owner;

C. The lot is zoned for single- or multifamily use;

D. The second dwelling is either attached to the existing dwelling and located within the living area of the existing dwelling or detached from the existing dwelling and located on the same lot as the existing dwelling;

E. The increased floor area of an attached second unit shall not exceed thirty (30) percent of the existing living area;

F. The total floor area of a detached second dwelling, excluding a garage, shall not exceed one thousand two hundred (1,200) square feet;

G. Requirements relating to height, setback, lot coverage, fees and other zoning requirements applicable to residential construction in the zone in which the property is located; and

H. One parking space shall be provided for each proposed bedroom. However, the maximum required spaces regardless of the number of bedrooms shall not exceed two spaces. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.32.190 Placement of manufactured homes in single-family residential districts.**

Pursuant to Government Code Section 65852.3(a), manufactured homes are permitted in residential zone districts as a single-family residence if such manufactured home is placed on a permanent foundation. Said manufactured home is subject to all requirements for a single-family residence in the applicable zone district in which it is proposed to be located. Any home for which more than three years have elapsed between the date of manufacture of the manufactured home and the date of the application for issuance of a permit to install the manufactured home requires a conditional use permit. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.32.200 Electric and telephone facilities.**

Electric and telephone substations, indoor or outdoor storage or repair facilities and similar activities, are allowed by right in the C-2 and M zone districts. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.32.210 Garage or carport exception.**

When a residence is being constructed or significantly rehabilitated as part of the local community development block grant program, the standard provision herein for two parking spaces, with one being a garage or carport, shall not be required. Instead, two paved parking spaces shall be required off-street; provided, that there shall be ample room for the construction of a garage or carport meeting all required setbacks, should such be desired in the future. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.32.220 Portable structures and carports.**

A. Carports required herein shall be permanent structures anchored to the ground, and constructed in such a manner that they comply with all structural, foundation, and snow load requirements of the California Building Code.

B. All portable structures or structures made of poles and awning or similar materials which may not otherwise be subject to building code requirements shall still meet all of the accessory building setback requirements of this title. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.32.230 Emergency shelters.**

A. The maximum number of beds for emergency shelters shall be fifteen (15).

B. A written management plan is required for all emergency shelters that includes provisions for staff training, neighborhood outreach, transportation, security, client services, and food services.

C. The maximum term of staying at an emergency shelter is six months in a consecutive twelve (12) month period. (Ord. 219 § 10, 2014)

**18.32.240 Single-room occupancies (SROs).**

A. Definition of Single-Room Occupancy (SRO). A single-room occupancy (SRO) means an efficiency unit, as defined by the California Health and Safety Code Section 17958.1, intended or designed to be used, or which is used, rented, or hired out, to be occupied, or which is occupied, as a primary residence, by individuals. A SRO does not include any institution in which persons are housed or detained under legal restraint or hospitalized or otherwise under medical, nursing, or psychiatric care, or fraternity or sorority houses. A SRO

provides permanent living space that may or may not have individual bathroom or kitchen facilities within a building that provides for four or more units.

B. Purpose. This section provides for the development of single-room occupancies (SROs) as a form of affordable housing.

C. Tenancy. Tenancy of single-room occupancy residential units shall not be less than thirty (30) days.

D. Kitchen and Bathroom Facilities. Those SROs without kitchen or bathroom facilities shall be provided congregate on-site facilities sufficient for the number of SROs pursuant to the California Building Code. Congregate bathrooms with showers must have individual stalls that can be locked.

E. Laundry. For all SRO buildings, congregate laundry facilities shall be provided with one washer or dryer for every five units.

F. Unit Size. The minimum size for a unit shall be two hundred (200) square feet and the maximum shall be four hundred (400) square feet. Units of two hundred (200) square feet shall house no more than one person. No unit shall house more than two people. Each unit shall have a separate closet.

G. Community Room. Buildings of over ten (10) units shall provide a common community area that is at least fifty (50) square feet per SRO.

H. Building and Development Standards. SRO buildings shall meet all state and local building and development standards, including parking, in accordance with the zoning district in which they are located.

I. Management Plan. All SRO buildings of six or more units shall provide a management plan that includes the placement of the congregate facilities (laundry, bathrooms, and kitchens), number of units, number of beds, and provision for twenty-four (24) hour on-site

management. If the units are for transitional or supportive housing, the management plan must so designate and meet the requirements for transitional or supportive housing including length of stay and the designation and contracting for supportive services. Verification of the services to be provided by contract must be provided. The management plan must provide the name, title and contact information for the management staff and the property owner for emergency purposes.

J. Zoning Districts. SRO buildings are permitted in the R-A and R-3 zoning districts with an administrative permit. SRO buildings are permitted in C-1 and C-2 zoning districts as second floor uses only, where the residential is combined with commercial on the first floor, with a use permit. An exception may be made and approved by the planning commission for handicapped accessible units with the provision of a site plan which defines which units are accessible. (Ord. 223 § 1, 2016)

**Chapter 18.34****CONDITIONAL USE PERMITS****Sections:**

- 18.34.010**      **Conditional use permits.**
- 18.34.020**      **Application.**
- 18.34.030**      **Public hearing.**
- 18.34.040**      **Action by the council.**
- 18.34.050**      **Modification of site plan for which a use permit has been granted.**
- 18.34.060**      **Revocation of permits.**

**18.34.010**      **Conditional use permits.**

A conditional use permit may be issued in the manner specified herein for any of the uses or purposes for which such conditional use permits are required by the terms of this title. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.34.020**      **Application.**

A. Application for a conditional use permit shall be made to the city council in writing on a form prescribed by the city council, and shall be accompanied by a site plan of sufficient detail to show the detail of the proposed use of land or building. Such application shall be accompanied by a fee set by the city council.

B. The city shall have thirty (30) days to determine if the application is complete and will give written notice of any additional information required to make the application complete. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.34.030**      **Public hearing.**

A public hearing by the city council shall be held within forty-five (45) days after the filing of the application for the conditional use permit; provided, that compliance with the California Environmental Quality Act has been

completed. Notice of the hearing shall be given in the manner set forth in Section 18.30.010. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.34.040**      **Action by the council.**

A. In order to grant any conditional use permit, the findings of the city council shall be that the establishment, maintenance or operation of the use or building applied for will not, under the circumstances of the particular case, be materially detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use, or be materially detrimental to property or improvements in the neighborhood or to the general welfare of the city.

B. The city council may designate such conditions in connection with approval of a conditional use permit as it deems necessary to secure the purposes of this title, and may require that such conditions will be complied with by the permittee.

C. The city council shall render its decision on any conditional use permit within thirty-five (35) days following close of the public hearing. Failure of the council to render its decision within the period shall be deemed to be a denial of the application. The granting of any use permit, when conforming to the provisions of this subsection, is an administrative function, the authority and responsibility for performing which is imposed upon the city council and the action thereon by the council shall be final and conclusive. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.34.050**      **Modification of site plan for which a use permit has been granted.**

Any use permit granted pursuant to this chapter shall be conducted only in accordance

with a site plan submitted pursuant to Section 18.32.060 and approved at the time of issuance of the use permit. In the event the holder of a use permit desires to modify said site plan, an application shall be filed for modification of the site plan for approval or disapproval of the city council, in accordance with the same procedure for the issuance of a use permit as provided in this chapter. Notwithstanding the foregoing, minor alterations of the site plan may be granted by the city administrator or his/her authorized employee, if he/she finds that such modification does not materially change the site plan or have the potential of adversely impacting adjacent property owners, and is otherwise in full compliance with all other provisions of this code or any other laws, rules or regulations relating thereto. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.34.060 Revocation of permits.**

A. The city may move to revoke an approved use permit if the permit is not used within one year from the date of approval, or in the event the use permitted is abandoned or not utilized for a period of one year, or the permittee fails to comply with the conditions of approval of the permit.

B. Any use permit granted in accordance with the terms of this title may be revoked if any of the conditions or terms of such permit are violated or if any law or ordinance is violated in connection therewith, or if the city council finds, that the continuance of the use permit will endanger the public health, safety or welfare.

C. The city council shall hold a hearing on any proposed revocation after giving written notice to the permittee at least ten (10) days prior to the hearing. (Ord. 210 § 3 (Exh. A) (part), 2007)



**Chapter 18.36****VARIANCES****Sections:**

- 18.36.010 Variances.**
- 18.36.020 Application.**
- 18.36.030 Public hearing.**
- 18.36.040 Action by city council.**
- 18.36.050 Revocation of variances.**

**18.36.010 Variances.**

The city council may approve variances from the terms of this title only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this title deprives such property of privileges enjoyed by the other property in the vicinity and under identical zoning classification.

Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

A variance shall not be granted for a parcel of property which authorizes a use or activity which is not otherwise authorized by the zone district governing the parcel of property. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.36.020 Application.**

Application for a variance shall be made to the city council in writing on a form prescribed by the city council, and shall be accompanied by a detailed statement justifying a variance and plans and elevations necessary to show the detail of the proposed variance. Such application shall be accompanied by a fee set by the

city council. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.36.030 Public hearing.**

A public hearing by the city council shall be held within forty-five (45) days after the filing of the application for the variance; provided, that compliance with the California Environmental Quality Act has been completed. Notice of the hearing shall be given in the manner set forth in Section 18.30.010. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.36.040 Action by city council.**

In order to grant any variance, the findings of the city council shall be:

A. Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this title deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

B. That the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

C. The variance does not authorize a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

D. The variance is not for a use not permitted in the relevant zone district. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.36.050 Revocation of variances.**

A. The city may move to revoke an approved variance if not used within one year from the date of approval, or in the event the

use for which the variance is approved is abandoned or not utilized for a period of one year.

B. Any variance granted in accordance with the terms of this title may be revoked if any of the conditions or terms of such variance are violated or if any law or ordinance is violated in connection therewith, or if the city council finds that the continuance of the variance will endanger the public health, safety or welfare.

C. The city council shall hold a hearing on any proposed revocation after giving written notice to the permittee at least ten (10) days prior to the hearing. (Ord. 210 § 3 (Exh. A) (part), 2007)

## Chapter 18.38

### AMENDMENTS

#### Sections:

- 18.38.010      When made.**
- 18.38.020      Initiation.**
- 18.38.030      Public hearings.**
- 18.38.040      Action by city council.**

#### **18.38.010      When made.**

Subject to the approval of the city council, the districts established by this title, or the boundaries thereof, may be changed, amended or altered, or any provision thereof may be changed, altered or amended, and any property within the city may be rezoned, reclassified or established whenever the public necessity or convenience or the general welfare require the same by following the procedure set forth in this chapter. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.38.020      Initiation.**

Any such change, amendment, alteration, rezoning or establishment (singly or collectively referred to herein as an “amendment”) may be initiated by:

A. The verified petition of one or more owners of the property affected by the proposed amendment, which petition shall be filed and accompanied by a fee set by the city council; or resolution of intention by the city council. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.38.030      Public hearings.**

The city council shall hold a public hearing on any proposed amendment and shall give notice of the time and place of the hearings, as set forth in Chapter 18.30. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.38.040      Action by city council.**

A. Following the aforesaid hearing, the city council shall make a report of its findings and recommendations with respect to the proposed amendment and shall file with the city clerk an attested copy of such report within sixty (60) days after the completion of the hearing. Failure of the city council so to report within the period shall be deemed to be denial by the city council of the proposed amendment.

B. Upon filing of such report by the city council or upon the expiration of the sixty (60) days as aforesaid and after notice has been given as provided in Chapter 18.30, the city council shall at a regular or special meeting or meetings publicly hear and consider the matter. Within ninety (90) days after the conclusion of the hearing, the city council may amend, alter, adopt or reject the amendment. The city council may also refer the matter back to staff to obtain information. (Ord. 210 § 3 (Exh. A) (part), 2007)

## Chapter 18.40

### ENFORCEMENT AND PENALTIES

#### Sections:

- 18.40.010      Officials and city employees to conform—Enforcement.**
- 18.40.020      Penalty for violation.**
- 18.40.030      Nuisances—Abatement.**
- 18.40.040      Remedies cumulative.**

#### **18.40.010      Officials and city employees to conform—Enforcement.**

All departments, officials, and public employees of the city vested with the duty or authority to issue permits or licenses shall conform to the provisions of this title, and shall issue no permit or license for uses, buildings, structures or purposes in conflict with the provisions of this title; and any such permit or license issued in conflict therewith shall be null and void. It shall be the duty of the building inspector of the city to enforce the provisions of this title pertaining to the erection, construction, reconstruction, maintenance, moving, conversion, alteration or addition to any building or structure. Any city official may refer any request for interpretation of this title to the city council. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.40.020      Penalty for violation.**

Any person, firm or corporation, whether as principal, agent, employee or otherwise, violating or causing the violation of any of the provisions of this title, is guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine established annually by the city council or by imprisonment for a term not exceeding six months, or by both such fine and imprisonment. Such person, firm or corporation, is guilty of a separate offense for each and

every day during any portion of which violation of this title is committed or continued by such person, firm or corporation, and shall be punishable as herein provided. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.40.030      Nuisances—Abatement.**

Any building or structure set up, erected, constructed, altered, enlarged, converted, moved or maintained contrary to the provisions of this title, and any use of lands, buildings, or premises established or conducted thereon, operated or maintained contrary to the provisions of this title is unlawful and a public nuisance; and the city attorney shall, upon order of the city council, immediately commence action or proceedings for the abatement and removal and enjoinder thereof in the manner prescribed by law, and shall take such other steps and shall apply to such courts as may have jurisdiction to grant such relief as will abate and remove such buildings or structures, and restrain and enjoin any person, firm or corporation from setting up, erecting, building, maintaining or using any such building or structure contrary to the provisions of this title. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.40.040      Remedies cumulative.**

The remedies provided for herein shall be cumulative and not exclusive. (Ord. 210 § 3 (Exh. A) (part), 2007)

**Chapter 18.42****NUISANCE ABATEMENT****Sections:**

- 18.42.010 Nuisance designated.**
- 18.42.020 Abatement—Initiation proceedings.**
- 18.42.030 Nuisance declared by enforcement official.**
- 18.42.040 Voluntary abatement of nuisances.**
- 18.42.050 Failure to voluntarily abate declared nuisance.**
- 18.42.060 Notice of public hearing.**
- 18.42.070 Hearing by city council.**
- 18.42.080 Decision by city council.**
- 18.42.090 Limitation of filing judicial action.**
- 18.42.100 Service of abatement order.**
- 18.42.110 Abatement by property owner.**
- 18.42.120 Abatement by the city.**
- 18.42.130 Record of cost for abatement.**
- 18.42.140 Report—Hearing and proceedings.**
- 18.42.150 Assessment of costs against property—Lien.**
- 18.42.160 Violation—Penalty.**
- 18.42.170 Recovery of attorney's fees in nuisance abatement actions.**

**18.42.010 Nuisance designated.**

Acts and conditions, when of such magnitude as to be injurious or potentially injurious to the public health, safety and welfare or which have a tendency to degrade the appearance and property values of surrounding property or which cause damage to public rights-of-

way, are declared nuisances. The following are also declared public nuisances:

A. Use or maintenance of property in violation of this title;

B. Matters elsewhere described in this code as nuisances;

C. The use or maintenance of any property in any manner as to constitute a public nuisance as defined in Civil Code Section 3480; and

D. The use or maintenance of a building in violation of Chapter 10 of the Housing Code or Section 203(a) of the California Building Code. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.42.020 Abatement—Initiation proceedings.**

The city council on its own motion or an enforcing officer may invoke the provisions of this chapter in lieu of or in addition to instituting civil enforcement proceedings or a criminal prosecution as to any violation of this title or any ordinance or code of the city or as to any other public nuisance. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.42.030 Nuisance declared by enforcement official.**

If an enforcement official finds that nuisance exists on any premises located within the city, he or she shall advise the occupant and the owner to abate the nuisance. The occupant and property owner shall be notified of the existence of the nuisance in writing and served personally or by certified mail. The notification shall detail the violations, specify corrective methods and establish a reasonable abatement period. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.42.040 Voluntary abatement of nuisances.**

The owner or tenant of any building, structure or property found to be a nuisance under the provisions of this chapter may abate the nuisance at any time within the abatement period. The enforcement officer shall be advised of the abatement and shall inspect the premises to ensure that the nuisance has in fact been abated. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.42.050 Failure to voluntarily abate declared nuisance.**

If a nuisance is not properly abated within the abatement period, the city council shall hold a public hearing to determine if the declared nuisance should be abated under the police powers of the city. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.42.060 Notice of public hearing.**

A written notice of public hearing shall be served on the owner of the property containing the alleged public nuisance at least ten (10) days prior to the date set for the city council public hearing. The written notice of public hearing will state time and place of hearing, location and assessor's parcel number of property involved, and a list of violations. The notice will advise the owner has a right to appear and present evidence. Service shall be made by personal service upon the owner or by certified or registered mail. If there is no known address for the owner, the notice shall be sent in care of the property address. "Owner" as used herein shall mean any person(s) shown as the property owner on the latest equalized property tax assessment rolls. If the owner of record, after diligent search, cannot be found, the notice shall be served by posting a copy of

the notice in a conspicuous place upon the property at least ten (10) days before the hearing and by publication in a newspaper of general circulation in the city at least ten (10) calendar days before the hearing. The failure of any person to receive notice shall not affect the validity of the proceedings. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.42.070 Hearing by city council.**

At the time and place stated in the notice of public hearing, the city council shall hear and consider all relevant evidence, objections, or protests, and shall receive testimony from owners, witnesses, city personnel and interested persons relative to the alleged public nuisance and to the proposed abatement methods. The hearing may be continued from time to time. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.42.080 Decision by city council.**

Following the public hearing, the city council shall consider all evidence and determine whether the premises, or any part of the premises, constitute a public nuisance. If the city council finds that a public nuisance does exist and that there is sufficient cause to abate the nuisance, the city council shall make written findings, and direct the enforcement officer to sign an order, ordering the owner to abate the nuisance. The order shall set forth the times within which the work shall be commenced and completed and shall be mailed to the owner. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.42.090 Limitation of filing judicial action.**

Any person wishing to challenge the order of abatement must bring a court action to contest such decision within thirty (30) days after the date of such decision of the city council. Oth-

erwise, all objections to such decision shall be deemed waived. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.42.100 Service of abatement order.**

Within five working days following the city council decision, the property owner and/or the person having charge or control of the premises shall be served with a copy of the written order of the city council in the manner provided in Section 18.42.060. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.42.110 Abatement by property owner.**

The property owner shall, at his or her own expense, abate the nuisance as prescribed by the order of the city council, and prior to the expiration of the abatement period set forth in the order. If the nuisance has been inspected by the enforcement officer and is found to be abated in accordance with the order, proceedings shall be terminated. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.42.120 Abatement by the city.**

If a declared nuisance is not completely abated within the time prescribed by the city council order, the city council is authorized at its discretion to cause the nuisance to be abated by city forces or private contact. In furtherance of this section, the enforcement officer or his or her designated agent(s) is expressly authorized to enter upon the premises for the purpose of abating the nuisance. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.42.130 Record of cost for abatement.**

A. The enforcement officer, or such city official as may be designated, shall keep an account of the costs (including incidental

expenses) of abating such nuisance on each separate lot or parcel of land where the work is done. He or she must render an itemized report in writing to the city council showing the cost of abatement including the cost of nuisance abatement proceedings, rehabilitating, demolishing, repairing, or removal of the premises, buildings, or structures and including any salvage value relating thereto; provided, that before the report is submitted to the city council, a copy of the report shall be served in accordance with the provisions of Section 18.42.060 together with a notice of the time when the report shall be heard by the city council for confirmation.

B. The term “incidental expenses” includes, but is not limited to, the actual expenses and costs of the city, including attorney’s fees or other costs incurred in the conduct of hearing, in the preparation of notices, specifications and contracts, and in inspecting the work, and the costs of printing and mailing required hereunder. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.42.140 Report—Hearing and proceedings.**

At the time and place fixed for receiving and considering the report, the city council shall hear and pass upon the reports of such costs of abatement, together with any objections or protests. Thereupon, the city council may make such revision, correction or modification in the report, as it may deem just, after which, by motion, the report, as submitted or as revised, corrected or modified, shall be confirmed. The decision of the city council on all protests and objections which may be made shall be final and conclusive. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.42.150      Assessment of costs against property—Lien.**

A. The total cost for abating the nuisance, as confirmed by the city council, shall constitute a special assessment against the respective lot or parcel or land to which it relates. Recordation in the office of the county recorder of a notice of lien, as so made and confirmed, shall constitute a lien on the property for the amount of the assessment.

B. After such confirmation and recordation, a copy may be turned over to the tax collector for the city, whereupon it shall be the duty of the tax collector to add the amounts of the respective assessment to the next regular tax bills levied against the respective lots and parcels of land for municipal purposes. Thereafter, the amounts shall be collected at the same time and in the same manner ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure under foreclosure and sale in case of delinquency as provided for ordinary municipal taxes; or

C. After recordation, the lien may be foreclosed by an action brought by the city for a money judgment. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.42.160      Violation—Penalty.**

A. Any person who removes any notice or order posted as required in this chapter, for the purpose of interfering with the enforcement of the provisions of this chapter, is guilty of an infraction.

B. Any person who obstructs, impedes or interferes with any representative of the city council or with any representative of a city department or with any person who owns or holds any estate or interest in a building which has been ordered to be vacated, repaired, reha-

bilitated or demolished or with any person to whom any such building has been lawfully sold pursuant to the provisions of this chapter when any of the aforementioned individuals are lawfully engaged in proceedings involving the abatement of a nuisance is guilty of a misdemeanor. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.42.170      Recovery of attorney's fees in nuisance abatement actions.**

In any action, administrative proceeding or special proceeding to abate a nuisance in which the city elects, at the initiation of the action or proceeding, to seek recovery of its attorney's fees, the prevailing party in the action or proceeding shall recover its attorney's fees incurred in the action or proceeding. In no action, administrative proceeding or special proceeding shall an award of attorney's fees to a prevailing party exceed the amount of reasonable attorney's fees incurred by the city in the action or proceeding. "Prevailing party" shall not include a party who complies with a notice of violation issued by the city or an order in any action, administrative proceeding or special proceeding. Attorney's fees shall include fees for the services of the city attorney or his or her assistant and deputies, calculated based on the effective hourly rate of such attorney. (Government Code Section 38773.5.) (Ord. 210 § 3 (Exh. A) (part), 2007)



## Chapter 18.44

### BED AND BREAKFAST INNS

#### Sections:

- 18.44.010 Purpose.**
- 18.44.020 Definition.**
- 18.44.030 General regulations.**
- 18.44.040 Permit application.**
- 18.44.050 Zones within which permitted.**
- 18.44.060 Owner or manager residence required.**
- 18.44.070 Off-street parking.**
- 18.44.080 Number of units/conditions.**
- 18.44.090 Sign.**
- 18.44.100 Inspection.**

#### **18.44.010 Purpose.**

It is the purpose of this chapter to establish regulations for the location, use, character, parking, signing and processing of applications for bed and breakfast inns and facilities within the city of Dorris. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.44.020 Definition.**

“Bed and breakfast inns,” or “B&B” inns and facilities, as used in this chapter, means the rental of rooms or space within a new or existing structure for the purpose of providing overnight accommodations for paying guests for a period not to exceed one week per individual rental, with not more than one meal to be provided daily, with the entire service offered to be included in one stated price. No meals may be served to persons who are not also renters except for those persons who are non-paying personal guests of the occupying owner or

manager of the B&B inn or facility. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.44.030 General regulations.**

A. In addition to any and all required permits and conditions pursuant thereto, and irrespective of whether a use permit is required in the particular instance, all bed and breakfast inns and facilities shall be subject to all other applicable provisions of the Dorris Municipal Code.

B. The establishment of bed and breakfast inns and facilities in any particular location shall be harmonious with the character of the neighborhood and zone in which they are to be located.

C. Adequate and surplus off-street parking is of primary concern in the establishment of bed and breakfast inns and facilities. (Ord. 210 § 3 (Exh. A) (part), 2007)

#### **18.44.040 Permit application.**

All applications for use permits for bed and breakfast inns and facilities, when necessary, shall be accompanied by the following:

A. A floor and site plan accurately depicting the following:

1. All existing and proposed structures;
2. All existing and proposed off-site improvements;
3. Off-street parking and driveway access;
4. All immediately adjacent properties and improvements;
5. Photographs or drawings of existing elevations and drawings of any proposed changes thereto;
6. Sign details and proposed locations;
7. Any other information required by the city council during processing of the application. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.44.050 Zones within which permitted.**

Bed and breakfast inns and facilities shall be allowed in the R-2 and R-3 zone districts by use permit only. They are allowed by right in the C-1 and C-2 zone districts. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.44.060 Owner or manager residence required.**

Bed and breakfast inns and facilities shall be permitted only where the occupying owner or manager maintains his or her primary place of residence on the site, and the bed and breakfast inn and facility shall be operated as an accessory use to the owner or manager's residence. A proposed inn that does not meet this criterion shall be considered a hotel and not a bed and breakfast. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.44.070 Off-street parking.**

The number of parking spaces required for bed and breakfast inns and facilities should be as follows:

A. At least one parking space for each rental room in addition to existing off-street parking for occupying owner or manager. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.44.080 Number of units/conditions.**

Bed and breakfast inns and facilities shall be limited to the number of rental rooms or units as follows:

A. Only bed and breakfast inns and facilities which are comprised of five or fewer rental units may be allowed when each and every regulation set forth in this chapter is met.

B. No premises shall be utilized for a bed and breakfast inn and facility unless there are at least two exits to the outdoors from such premises. Rooms utilized for sleeping shall have a

minimum size of one hundred (100) square feet for two occupants with an additional thirty (30) square feet for each additional occupant up to a maximum of four occupants per room.

C. Each sleeping room used for the bed and breakfast operation shall have a separate smoke detector alarm, as required by the California Building Code and/or California Fire Code; in case of any differences between the requirements, the stricter shall control. Lavatories and bathing facilities shall be available to all persons using any bed and breakfast operation.

D. For a two-story building or more, the building shall have a fire escape or escapes as required by the California Building Code and/or the California Fire Code; in case of any difference between the requirements, the stricter shall control. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.44.090 Sign.**

One sign identifying the bed and breakfast inn and facilities shall be permitted at any approved bed and breakfast inn and shall comply with the following:

A. Signs shall not exceed six square feet.

B. Signs shall not be illuminated except by indirect lighting. (Ord. 210 § 3 (Exh. A) (part), 2007)

**18.44.100 Inspection.**

Upon reasonable notice, any bed and breakfast inn may be inspected during normal business hours by the building inspector, health department inspector or fire chief of the city of Dorris to assure compliance with the provisions of this chapter or any other applicable rules, regulations, statutes or codes. (Ord. 210 § 3 (Exh. A) (part), 2007)

## Chapter 18.46

### MEDICAL MARIJUANA AND CULTIVATION

#### Sections:

- 18.46.010 Definitions.**
- 18.46.020 Prohibition.**
- 18.46.030 Public nuisance.**
- 18.46.040 Civil penalties.**

#### **18.46.010 Definitions.**

“Cannabis” shall have the same meaning as set forth in Business and Professions Code Section 19300.5(f) as the same may be amended from time to time.

“Caregiver” or “primary caregiver” shall have the same meaning as set forth in Health and Safety Code Section 11362.7 as the same may be amended from time to time.

“Commercial cannabis activity” shall have the same meaning as that set forth in Business and Professions Code Section 19300.5(k) as the same may be amended from time to time.

“Cooperative” shall mean two or more persons collectively or cooperatively cultivating, using, transporting, possessing, administering, delivering or making available medical marijuana, with or without compensation.

“Cultivation” shall have the same meaning as set forth in Business and Professions Code Section 19300.5(l) as the same may be amended from time to time.

“Cultivation site” shall have the same meaning as set forth in Business and Professions Code Section 19300.5(x) as the same may be amended from time to time.

“Delivery” shall have the same meaning as set forth in Business and Professions Code Section 19300.5(m) as the same may be amended from time to time.

“Dispensary” shall have the same meaning as set forth in Business and Professions Code Section 19300.5(n) as the same may be amended from time to time. For purposes of this chapter, “dispensary” shall also include a cooperative. “Dispensary” shall not include the following uses: (1) a clinic licensed pursuant to Chapter 1 of Division 2 of the California Health and Safety Code, (2) a health care facility licensed pursuant to Chapter 2 of Division 2 of the California Health and Safety Code, (3) a residential care facility for persons with chronic life-threatening illnesses licensed pursuant to Chapter 3.01 of Division 2 of the California Health and Safety Code, (4) a residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the California Health and Safety Code, (5) a residential hospice or home health agency licensed pursuant to Chapter 8 of Division 2 of the California Health and Safety Code.

“Dispensing” shall have the same meaning as set forth in Business and Professions Code Section 19300.5(o) as the same may be amended from time to time.

“Distribution” shall have the same meaning as set forth in Business and Professions Code Section 19300.5(p) as the same may be amended from time to time.

“Distributor” shall have the same meaning as set forth in Business and Professions Code Section 19300.5(q) as the same may be amended from time to time.

“Manufacturer” shall have the same meaning as set forth in Business and Professions Code Section 19300.5(y) as the same may be amended from time to time.

“Manufacturing site” shall have the same meaning as set forth in Business and Professions Code Section 19300.5(af) as the same may be amended from time to time.

“Medical cannabis,” “medical cannabis product,” or “cannabis product” shall have the same meanings as set forth in Business and Professions Code Section 19300.5(ag) as the same may be amended from time to time.

“Medical Marijuana Regulation and Safety Act” or “MMRSA” shall mean the following bills signed into law on October 9, 2015, as the same may be amended from time to time: AB 243, AB 246, and SB 643.

“Nursery” shall have the same meaning as set forth in Business and Professions Code Section 19300.5(ah) as the same may be amended from time to time.

“Qualifying patient” or “qualified patient” shall have the same meaning as set forth in Health and Safety Code Section 11362.7 as the same may be amended from time to time.

“Testing laboratory” shall have the same meaning as set forth in Business and Professions Code Section 19300.5(z) as the same may be amended from time to time.

“Transport” shall have the same meaning as set forth in Business and Professions Code Section 19300.5(am) as the same may be amended from time to time.

“Transporter” shall have the same meaning as set forth in Business and Professions Code Section 19300.5(aa) as the same may be amended from time to time. (Ord. 222 § 2 (part), 2016; Ord. 221 § 2 (part), 2016)

#### **18.46.020 Prohibition.**

A. Commercial cannabis activities of all types are expressly prohibited in all zones and all specific plan areas in the city of Dorris. No person shall establish, operate, conduct or allow a commercial cannabis activity anywhere within the city.

B. Cultivation of medical cannabis, whether as a commercial cannabis activity, part of a cooperative or dispensary, or by or for a

qualifying patient, is prohibited in all zones and all specific plan areas in the city of Dorris. No person, including a qualified patient or primary caregiver, shall cultivate any amount of medical cannabis in the city.

C. This chapter is meant to prohibit all commercial activities and cultivation activities within the city of Dorris. Accordingly, the city shall not issue any permit, license or other entitlement for any commercial activity or cultivation activity for which a state license is required under the MMRSA. (Ord. 222 § 2 (part), 2016; Ord. 221 § 2 (part), 2016)

#### **18.46.030 Public nuisance.**

Any use or condition caused, or permitted to exist, in violation of any provision of this chapter shall be, and hereby is declared to be, a public nuisance and may be summarily abated by the city pursuant to Code of Civil Procedure Section 731 or any other remedy available to the city. (Ord. 222 § 2 (part), 2016; Ord. 221 § 2 (part), 2016)

#### **18.46.040 Civil penalties.**

In addition to any other enforcement permitted by this chapter, the city attorney may bring a civil action for injunctive relief and civil penalties pursuant to Chapter 1.16 against any person or entity that violates this chapter. Any such violation is treated as an infraction under Chapter 1.16. In any civil action brought pursuant to this chapter, a court of competent jurisdiction may award reasonable attorney’s fees and costs to the prevailing party. (Ord. 222 § 2 (part), 2016; Ord. 221 § 2 (part), 2016)

**STATUTORY REFERENCES  
FOR  
CALIFORNIA CITIES**

The statutory references direct the code user to those portions of the state statutes that are applicable to the laws of the municipality. This reference list is up-to-date through July, 1999. As the statutes are revised, these references will be updated by Book Publishing Company.

**General Provisions**

Code adoption  
Gov. Code 50022.1—50022.10

Ordinances  
Gov. Code 36900 *et seq.*

Penalties for ordinance violations  
Gov. Code 36900 and 36901

Imprisonment  
Gov. Code 36903 and 36904

Citations for misdemeanors  
Penal Code 853.5—853.85

Judicial review of city decisions  
Code of Civil Procedure 1094.6

Elections  
Gov. Code 34050 and 36503  
and Elections Code 1301,  
9200 *et seq.* and 10100 *et seq.*

Classification of cities  
Gov. Code 34100—34102

General powers  
Gov. Code 37100 *et seq.* and  
Cal. Const. Art. II § 7

Conflict of interest code  
Gov. Code 87100 *et seq.*

**Administration and Personnel**

City records  
Gov. Code 34090—34090.7 *et seq.*

Alternative forms of government  
Gov. Code 34851 *et seq.*

City Manager  
Gov. Code 34851—34859

Elective Mayor  
Gov. Code 34900—34906

City officers generally  
Gov. Code 36501 *et seq.*

Legislative body  
Gov. Code 36801 *et seq.*

Election of legislative body by districts  
Gov. Code 34870 *et seq.*

Meetings  
Gov. Code 54950 *et seq.*

Mayor  
Gov. Code 40601 *et seq.*

## STATUTORY REFERENCES

City clerk  
Gov. Code 40801 et seq.

City treasurer  
Gov. Code 41001 et seq.

City assessor  
Gov. Code 41201 et seq.

Chief of police  
Gov. Code 41601 et seq.

City attorney  
Gov. Code 41801 et seq.

Local planning agencies  
Gov. Code 65100 et seq.

Emergency services  
Gov. Code 8550 et seq.

Fire Department  
Gov. Code 38611

Peace officer standards and training  
Penal Code 13520 et seq.

Personnel system  
Gov. Code 45000 et seq.

Retirement systems  
Gov. Code 45341 et seq.

### Revenue and Finance

Financial powers  
Gov. Code 37200 et seq.

Transfer of tax function to county  
Gov. Code 51500 et seq.

Property tax assessment, levy and collection  
Gov. Code 43000 et seq.

Sales and use tax  
Rev. and Tax. Code 7200 et seq.

Transient occupancy tax  
Rev. and Tax. Code 7280 through 7283

Real property transfer tax  
Rev. and Tax. Code 11901 et seq.

Special gas tax street improvement fund  
Str. and Hwys. Code 2106 et seq.

Unclaimed property  
Civil Code 2080 et seq.

Local agency service fees and charges  
Gov. Code 66013 et seq.

Public works and public purchases  
Gov. Code 4000 et seq.

Contracting by local agencies  
Pub. Contracts Code 20100 et seq.

Uniform public construction cost accounting act  
Pub. Contracts Code 22000 et seq.

Claims against public entities  
Gov. Code 900 et seq.

### Business Licenses, Taxes and Regulations

Authority to license businesses  
Gov. Code 37101, Bus. and Prof. Code 16000 et seq. and Const. Art. II § 2

## STATUTORY REFERENCES

Bingo  
Penal Code 326.5

Community antenna TV systems  
Gov. Code 53066

Charitable solicitations  
Bus. and Prof. Code 17510 et seq.

Commercial Filming  
Gov. Code 65850.1

Private investigators  
Bus. and Prof. Code 7512 et seq.

Taxicabs  
Vehicle Code 16500 et seq., 21100 and 21112

Gaming clubs  
Bus. and Prof. Code 19800 et seq.

Massage parlors  
Gov. Code 51030 et seq.

Automatic checkout systems  
Civil Code 7100 et seq.

Telecommunications  
Gov. Code 50030

### Animals

Animals generally  
Food and Agric. Code 16301 et seq.

Dogs  
Gov. Code 38792 and Food and Agric. Code 30501 et seq.

Rabies control  
Health and Saf. Code 121575 et seq.

Cruelty to animals  
Penal Code 597 et seq.

### Health and Safety

Garbage and refuse collection and disposal  
Public Resources Code 49300 and 49400

Nuisance abatement  
Gov. Code 38771 et seq. and Penal Code 373a

Littering  
Penal Code 374 et seq.

Smoking  
Labor Code 6404.5

Graffiti abatement  
Gov. Code 38772

Fire Prevention  
Health and Saf. Code 13000 et seq.

Noise control  
Health and Saf. Code 46000 et seq. and Gov. Code 65302(f)

Hospitals  
Gov. Code 37600 et seq.

### Public Peace, Morals and Welfare

Crimes against public justice  
Penal Code 92 et seq.

Crimes against the person  
Penal Code 187 et seq.

## STATUTORY REFERENCES

Crimes against the person involving sexual assault and against public decency and good morals

Penal Code 261 et seq.

Crimes against public health and safety

Penal Code 369d et seq.

Crimes against the public peace

Penal Code 403 et seq.

Crimes against property

Penal Code 450 et seq.

Weapons

Penal Code 12000 et seq.

### **Vehicles and Traffic**

Local traffic rules and regulations

Vehicle Code 21100 et seq.

Traffic signs, signals and markings

Vehicle Code 21350 et seq.

Turning movements

Vehicle Code 22100 et seq. and 22113

Speed limits

Vehicle Code 22348 et seq.

One-way street designations

Vehicle Code 21657

Stopping, standing and parking

Vehicle Code 22500 et seq.

Through highways

Vehicle Code 21101, 21353, 21354

Curb markings

Vehicle Code 21458

Weight limits

Vehicle Code 35700 et seq.

Pedestrians

Vehicle Code 21950 et seq.

Establishment of crosswalks

Vehicle Code 21106

Bicycles

Vehicle Code 21100, 21206 and 39000 et seq.

Penalties

Vehicle Code 40000.1 et seq.

### **Streets, Sidewalks and Public Places**

Improvement Act of 1911

Str. and Hwys. Code 5000 et seq.

Construction of sidewalks and curbs

Str. and Hwys. Code 5870 et seq.

Underground utility districts

Str. and Hwys. Code 5896.1 et seq.

Obstructions and encroachments on public ways

Gov. Code 38775

Municipal parks

Public Res. Code 5181 et seq.

Tree planting

Str. and Hwys. Code 22000 et seq.

Landscaping and Lighting Act of 1972

Str. and Hwys. Code 22500 et seq.

Charitable solicitations

Bus. and Prof. Code 17510 et seq.



## STATUTORY REFERENCES

Advertising displays  
Bus. and Prof. Code 5230 and 5231

### Public Services

Municipal water systems  
Gov. Code 38730 *et seq.*

Municipal sewers  
Gov. Code 38900 *et seq.* and Health and  
Saf. Code 5470 *et seq.*

Water wells  
Water Code 13803 *et seq.*

### Buildings and Construction

Authority to regulate buildings and  
construction  
Gov. Code 38601 and 38660

State Housing Law  
Health and Saf. Code 17910 *et seq.*

Mobile homes  
Health and Saf. Code 18200 *et seq.*

Signs  
Gov. Code 38774 and 65850; Bus. and Prof.  
Code 5229 *et seq.*

Inspection warrants  
Civil Pro. Code 1822.50 *et seq.*

### Subdivisions

Subdivision Map Act  
Gov. Code 66410 *et seq.*

### Zoning

Local planning generally  
Gov. Code 65000 *et seq.*

Local authority to regulate land use  
Gov. Code 65850

Local zoning administration  
Gov. Code 65900 *et seq.*

Open-space zoning  
Gov. Code 65910 *et seq.*

Family day care homes  
Health and Saf. Code 1597.30 *et seq.*

### Environmental Protection

Environmental Quality Act  
Public Res. Code 21000 *et seq.*

Noise Control Act  
Health and Saf. Code 46000 *et seq.*

**CROSS-REFERENCE TABLE  
FOR DORRIS, CALIFORNIA**

<b>Prior Code §</b>	<b>Herein</b>	<b>Prior Code §</b>	<b>Herein</b>
1100	Not codified	1407	Repealed by 200
1101	Not codified	1408	2.32.020
1102	Not codified	1409	2.32.020
1103	Not codified	1410	2.32.030
1104	Not codified	1500	1.12.010
1105	Not codified	1501	Repealed by 200
1106	Not codified	1600	3.20.010
1107	Not codified	1601	3.20.020
1108	Not codified	1602	3.20.030
1200	1.04.010	2100	Repealed by 200
1201	Not codified	2101	Repealed by 200
1202	1.04.040	2102	Repealed by 200
1203	1.04.050	2103	Repealed by 200
1204	1.04.060	2104	Repealed by 200
1205	Not codified	2105	Repealed by 200
1206	1.04.070	2106	Repealed by 200
1207	1.04.030	2107	Repealed by 200
1208	1.04.030	2108	Repealed by 200
1209	1.04.030	2109	Repealed by 200
1210	1.04.020	2110	Repealed by 200
1211	1.04.020	2111	Repealed by 200
1212	1.04.020	2112	Repealed by 200
1213	1.04.020	2113	Repealed by 200
1214	1.04.020	2114	Repealed by 200
1215	1.04.020	2115	Repealed by 200
1216	1.04.020	2116	Repealed by 200
1217	1.04.020	2117	Repealed by 200
1218	1.04.020	2118	Repealed by 200
1219	1.04.020	2119	Repealed by 200
1300	2.04.010	2120	Repealed by 200
1301	Repealed by 200	2121	Repealed by 200
1302	1.08.010	2122	Repealed by 200
1303	1.08.020	2123	Repealed by 200
1304	2.08.010	2124	Repealed by 200
1400	2.32.010	2125	Repealed by 200
1401	2.32.020	2126	Repealed by 200
1402	2.32.020	2127	Repealed by 200
1403	2.32.020	2128	Repealed by 200
1404	Repealed by 200	2129	Repealed by 200
1405	Repealed by 200	2130	Repealed by 200
1406	Repealed by 200	2131	Repealed by 200

# CROSS-REFERENCE TABLE

<b>Prior Code §</b>	<b>Herein</b>	<b>Prior Code §</b>	<b>Herein</b>
2132	Repealed by 200	4102	2.36.080
2133	Repealed by 200	4103	2.36.090
2134	Repealed by 200	4104	2.36.100
2135	Repealed by 200	4105	2.36.110
2136	Repealed by 200	4106	2.36.020
2137	Repealed by 200	4107	2.36.030
2138	Repealed by 200	4108	2.36.040
2139	Repealed by 200	4109	2.36.120
2140	Repealed by 200	4110	2.36.050
2141	Repealed by 200	4111	Repealed by 200
2142	Repealed by 200	4112	2.36.060
2143	Repealed by 200	4113	Repealed by 200
2200	Repealed by 200	4114	Repealed by 200
2201	Repealed by 200	4115	2.36.130
2202	Repealed by 200	4116	2.36.140
3100	Not codified	4117	2.36.150
3101	Not codified	4118	Repealed by 200
3102	Not codified	4119	2.36.160
3103	Not codified	4200	10.04.010
3104	Not codified	4201	10.04.010
3105	Not codified	4202	10.04.010
3106	Not codified	4203	10.04.010
3107	Not codified	4204	10.04.010
3108	Not codified	4205	10.04.010
3109	Not codified	4206	10.04.010
3110	Not codified	4207	10.04.010
3111	Not codified	4208	10.04.010
3200	Not codified	4209	10.04.010
3201	Not codified	4210	10.04.010
3210	Not codified	4211	10.04.010
3211—3272	Not codified	4212	10.04.010
3273	Not codified	4213	10.04.010
3300	Repealed by 200	4214	10.04.020
3301	Repealed by 200	4215	10.04.040
3302	Repealed by 200	4216	10.04.050
3310	Repealed by 200	4217	10.04.060
3311	Repealed by 200	4218	10.04.030
3312	Repealed by 200	4219	10.04.070
3313	Repealed by 200	4220	Repealed by 200
3320	Repealed by 200	4221	10.04.080
3321	Repealed by 200	4222	10.04.090
3322	Repealed by 200	4223	10.04.100
4100	2.36.010	4224	10.04.110
4101	2.36.070	4225	10.04.120

# CROSS-REFERENCE TABLE

<b>Prior Code §</b>	<b>Herein</b>	<b>Prior Code §</b>	<b>Herein</b>
4226	10.08.010	4275	Superseded by 196
4227	10.08.040	4276	Superseded by 196
4228	Not codified	4277	Superseded by 196
4229	10.08.050	4278	Superseded by 196
4230	10.08.060	4279	Superseded by 196
4231	10.08.020	4280	10.24.010
4232	10.08.030	4281	10.24.040
4233	10.12.010	4282	10.24.020
4234	10.12.020	4283	10.24.030
4235	10.12.030	4285	10.28.010
4236	10.12.040	4286	10.28.020
4237	10.16.010	4287	10.28.030
4238	10.16.020	4288	Repealed by 200
4239	10.16.030	5100	Repealed by 200
4240	10.32.010	5101	Repealed by 200
4241	10.32.020	5102	Repealed by 200
4242	10.32.030	5103	Repealed by 200
4243	10.32.040	5104	Repealed by 200
4244	10.32.050	5105	Repealed by 200
4245	10.32.060	5106	Repealed by 200
4246	10.32.070	5107	Repealed by 200
4250	10.20.010	5108	Repealed by 200
4251	10.20.020	5120	Repealed by 200
4252	10.20.030	5121	Repealed by 200
4253	10.20.040	5122	Repealed by 200
4255	Superseded by 196	5123	Repealed by 200
4256	Superseded by 196	5124	Repealed by 200
4257	Superseded by 196	5125	Repealed by 200
4258	Superseded by 196	5126	Repealed by 200
4259	Superseded by 196	5127	Repealed by 200
4260	Superseded by 196	5200	Repealed by 200
4261	Superseded by 196	5201	Repealed by 200
4262	Superseded by 196	5202	Repealed by 200
4263	Superseded by 196	5203	Repealed by 200
4264	Superseded by 196	5204	Repealed by 200
4265	Superseded by 196	5205	Repealed by 200
4266	Superseded by 196	5206	Repealed by 200
4267	Superseded by 196	5207	Repealed by 200
4268	Repealed by 200	5208	Repealed by 178
4270	Superseded by 196	5209	Repealed by 178
4271	Superseded by 196	5210	Repealed by 200
4272	Superseded by 196	5211	Not codified
4273	Superseded by 196	5300	Repealed by 200
4274	Superseded by 196	5301	9.08.010

# CROSS-REFERENCE TABLE

<b>Prior Code §</b>	<b>Herein</b>	<b>Prior Code §</b>	<b>Herein</b>
5302	9.04.010	7411	13.04.110
6100	2.40.010	7412	13.04.120
6101	2.40.020	7413	13.04.130
6102	2.40.030	7414	13.04.140
6103	2.40.040	8100	15.04.010
6104	2.40.040	8101	15.04.020
6105	Repealed by 200	8102	15.04.030
6106	Repealed by 200	8103	15.04.040
6107	Repealed by 200	8104	15.04.050
6108	Repealed by 200	8105	15.04.060
6109	Repealed by 200	8106	15.04.070
6110	Repealed by 200	9100	Repealed by 200
6111	Repealed by 200	9101	Repealed by 200
6112	Repealed by 200	9102	Repealed by 200
6113	Repealed by 200	9103	Repealed by 200
6114	Repealed by 200	9104	Repealed by 200
6115	Repealed by 200	9105	Repealed by 200
6116	Repealed by 200		
6117	Repealed by 200		
6118	Repealed by 200		
6119	Repealed by 200		
6120	Repealed by 200		
6121	Repealed by 200		
6122	Repealed by 200		
6123	Repealed by 200		
6124	Repealed by 200		
6200	13.16.010, 13.16.020		
6201	Repealed by 200		
7200	12.04.010		
7201	12.04.020		
7202	12.04.030		
7203	12.04.040		
7400	13.04.010		
7401	Repealed by 200		
7402	13.04.020		
7403	Repealed by 169		
7404	13.04.030		
7405	13.04.040		
7405(a)	13.04.050		
7406	13.04.060		
7407	Repealed by 229		
7408	13.04.080		
7409	13.04.090		
7410	13.04.100		

## ORDINANCE LIST FOR DORRIS, CALIFORNIA

Ordinance Number	Disposition
1	Town meetings (Repealed by 131)
2	Officers (Repealed by 131)
3	Town seal (Repealed by 131)
4	Liquor licenses (Repealed by 131)
5	(Repealed by 131)
6	Health officer (Repealed by 131)
7	Town marshal (Repealed by 131)
8	Sidewalks (Repealed by 131)
9	Public peace and order (Repealed by 131)
10	Public health (Repealed by 131)
11	Licenses; poll tax (Repealed by 131)
12	Licensing of dogs; taxes (Repealed by 131)
13	Explosives (Repealed by 131)
14	(Not available)
15	(Not available)
16	Elections (Repealed by 131)
17	Amends § 4 of Ord. 7, town marshal (Repealed by 131)
18	Proposes tax levy for water works system (Special)
19	Saloon restrictions (Repealed by 131)
20	Barber shop licenses (Repealed by 131)
21	Franchise grant to Siskiyou Electric Power and Light Company (Special)
22	Amends subsection 9 of § 12 of Ord. 5, restaurant and lodging house tax (Repealed by 131)
23	Amends § 1 of Ord. 8, sidewalks (Repealed by 131)
24—46	(Not available)
47	(Repealed by 131)
48	Gambling (Repealed by 131)
49	Grants permission to Standard Oil Company to build and operate on particular tract of land (Special)
50—70	(Not available)
71	(Repealed by 131)
72	(Repealed by 131)
73	Radio broadcast interference (Repealed by 131)

## ORDINANCE LIST

<b>Ordinance Number</b>	<b>Disposition</b>
74	Dog licenses (Repealed by 131)
75—77	(Not available)
78	Sewage disposal (Repealed by 131)
79—99	(Not available)
100	Dog licenses (Repealed by 131)
101	Firearms; drunkenness (Repealed by 178)
102	Taxes (Repealed by 131)
103	City clerk and treasurer salaries (Repealed by 131)
104	(Not available)
105	Fire department (Repealed by 131)
106—110	(Not available)
111	Public pound (Repealed by 131)
112—115	(Not available)
116	Repeals § 4 of Ord. 7 and Ords. and 103 (Repealer)
117	Amends Ord. 8, sidewalks (Repealed by 131)
118	Adds § 5 to Ord 75, punch board gambling devices (Repealed by 131)
119	Amends subsection (a) of § 3 of Ord. 75, tax on mechanical devices for the reproduction of music (Repealed by 131)
120	Amends §§ 13, 14, 15 and 18 of Ord. 102, taxes; repeals Ord. 42 (Repealed by 131)
121	Adds § 62.1 to Ord. 69, taxing of wholesalers (Repealed by 131)
122	Adds § 67 to Ord. 69, interstate commerce (Repealed by 131)
123	(Repealed by 131)
124	Amends § 11 of Ord. 70, water rates (Repealed by 131)
125	Traffic regulations (Repealed by 131)
126	Amends § 11 of Ord. 70, water rates (Repealed by 131)
127	Well drilling (Repealed by 131)
128	Business license fees (Repealed by 200)
129	Fire department and fire prevention code (2.36)
130	Sidewalks (12.04)
131	Code adoption (Not codified)
132	Special election (Special)
133	Street vacation (Special)
134	Franchise grant to Marshall Hamilton and George Jordan, radio and television (Special)
135	Street vacation (Special)
136	Curfew for minors (Repealed by 195, 200)
137A	Civil defense and disasters (2.44)
137	Street vacation (Special)

## ORDINANCE LIST

<b>Ordinance Number</b>	<b>Disposition</b>
138	Street vacation (Special)
139	Adds § 7405(a) to prior code water services and rates (13.04)
140	(Not available)
141	Franchise grant to Pacific Power and Light Company, electricity (Special)
142	Sales and use tax (3.12)
143	Changes name from “Town of Dorris” to “City of Dorris” (Not codified)
144	Special bond election (Special)
145	Adopts official city seal (1.08)
146	Sewer laterals (13.08)
147	Privies, cesspools, urinals, sinks, drains and bathtubs; connection to sewers; nuisances (13.08)
148	City council meeting times (2.04)
149	Street and alley vacations (Special)
150	Board of condemnation; menacing buildings; abatement (15.08)
151	Street excavations (12.08)
152	Motor vehicle placement (Repealed by 164)
153	Auto and trailer coaches and camps (15.16)
154	Prohibits deposit of certain materials at particular location (Not codified)
155	Amends Chs. 1 and 2 of Art. III of prior code, business licenses and permits (5.04)
156	Transfers duties of city assessor and city tax collector to the assessor and tax collector of the county of Siskiyou (3.04)
157	Real property transfer tax (3.08)
158	Alcoholic beverages (9.04)
159	Special election (Special)
160	Environmental impact procedure (8.04)
161	Adds §§ 12.5 and 12.6 to Ord. 142; amends § 11 of Ord. 142, sales and use tax (3.12)
162	Training of peace officers (2.48)
163	Utility facilities (13.20)
164	Abatement of vehicle nuisances (10.40)
164	(Adopted 2-2-2004.) Amends § 10.40.030, abandoned vehicles (10.40)
165	Subdivision of land (16.04)
166	Adopts Uniform Fire Code and establishes bureau of fire prevention (15.12)
167	Community antenna television systems (5.08)
168	Franchise grant to James Wilburn (Comstock Communications), cable television system (Special)
169	Amends §§ 3, 4, 8 and 10 of Ord. 70, water service; repeals § 12 of Ord. 70 (13.04)
170	Nuisance abatement (Repealed by 190)



## ORDINANCE LIST

<b>Ordinance Number</b>	<b>Disposition</b>
171	Animal control (Not codified)
172	Amends § 12 of Ord. 161, sales and use tax (3.12)
173	Zoning ordinance and land use element (Repealed by 210)
174	Garbage service (8.08)
175	Personnel system (Repealed by 181)
176	Cross-connections to water system (13.12)
177	Transient occupancy tax (3.16)
178	Discharge of firearms; repeals Ord. 101 (9.12)
179	Drunkenness on private property (Not codified)
180	Curfew for minors (Repealed by 195)
181	Repeals Ord. 175 (Repealer)
182	Conflict of interest code (2.28)
183	Amends Art. V of Ord. 173, zoning (Repealed by 210)
184	Standing vehicles (10.36)
5208a	Amends Ord. 179, drunkenness on private property (Not codified)
185	Amends zoning ordinance Art. IV § 4.5 (Repealed by 210)
186	Authorizes exception to zoning ordinance pending amendment of Art. IV, § 4.5 (Repealed by 210)
187	Amends Ord. 171, animal control (Not codified)
188	City administrator (2.12)
189	(Not available)
190	Public nuisances; repeals Ord. 170 and Res. 639 (8.12)
191	Animal control (Title 6)
192	(Not available)
193	Finance director; city clerk; city treasurer; public works director, and other appointed positions (2.16, 2.20, 2.24)
194	(Not available)
195	Curfew for minors; repeals Ords. 136 and 180 (9.16)
196	Parking restrictions (10.36)
196	(Adopted 12-15-2003.) Amends § 196.01.10(J) of Ord. 196, parking restrictions (10.36)
197	City administrator/chief fiscal officer (2.12)
198	(Not available)
199	Consolidates general municipal election with general election (Special)
200	Adopts Dorris Municipal Code; repeals 1953 Code §§ 1301, 1404 through 1407, 1501, 4111, 4113, 4114, 2100 through 2143, 2200 through 2202, 3300 through 3302, 3310 through 3313, 3320 through 3322, 4118, 4220, 4268, 4288, 5100 through 5108, 5120 through 5127, 5200, 5201, 5202, 5203, 5204, 5205 through 5207, 5210, 5300, 6105 through 6124, 6201, 7401 and 9100 through 9105, and

## ORDINANCE LIST

Ordinance Number	Disposition
	Ords. 128, 136, 161 §§ 2 and 3, 172 §§ 2, 3 and 4, 180 § 3 and 184 § 3, code adoption (1.01)
201	Adds Ch. 1.16, general penalty (1.16)
202	Amends § 13.04.140, water service violations (13.04)
203	Amends §§ 13.04.070(B) and 13.08.060, water and sewer rates (13.08)
204	Amends Art. IV § 4.4 of Ord. 173, zoning (Repealed by 210)
205	Adds Ch. 15.01, building numbering system (15.01)
206	Adds Ch. 15.20, manufactured home standards (15.20)
207	Amends §§ 13.04.070(B) and 13.08.060, water and sewer rates (13.08)
208	Adds Ch. 13.05, water conservation (13.05)
209	Adds § 13.04.135, other water regulations (13.04)
210	Adopts zoning code and repeals former zoning ordinance (18.04, 18.06, 18.08, 18.09, 18.10, 18.12, 18.14, 18.16, 18.18, 18.20, 18.22, 18.24, 18.26, 18.28, 18.30, 18.32, 18.34, 18.36, 18.38, 18.40, 18.42, 18.44)
211	Amends § 6.24.140, impoundment and enforcement (6.24)
212	Amends §§ 13.04.070(B) and 13.04.080, water rates and payments (13.04)
213	Amends §§ 13.08.060 and 13.08.130, sewer rates and payments (13.08)
214	Amends § 9.16.010, curfew for minors (9.16)
215	Adds Ch. 13.01, public services (13.01)
216	Claims procedures (3.24)
217	Amends § 18.32.050, zoning (18.32)
218	Fire department services (2.37)
219	Adds §§ 18.06.715, 18.06.1515, 18.06.1555 and 18.32.230; amends §§ 18.09.050, 18.10.050, 18.12.050, 18.14.050, 18.16.050, 18.18.070, 18.20.040, 18.20.050, 18.20.070, 18.28.030 and 18.28.050, zoning (18.06, 18.09, 18.10, 18.12, 18.14, 18.16, 18.18, 18.20, 18.28, 18.32)
220	Main Street conditional use permit (Special)
221	Urgency ordinance; adds Ch. 18.46, marijuana prohibitions (18.46)
222	Adds Ch. 18.46, medical marijuana (18.46)
223	Adds § 18.32.240, zoning (18.32)
224	Adds § 2.04.030, councilmembers' compensation (2.04)
225	Adds § 18.04.021, marijuana uses and activities (18.04)
226	Adds Ch. 12.10, camping on public or private property (12.10)
227	Adds [amends] § 18.04.021, cannabis uses and activities (18.04)
228	Rezone (Special)
229	Repeals § 13.04.070, charges for water service (Repealer)

## INDEX

### — A —

#### ADMINISTRATOR, CITY

- Bond 2.12.030
- Compensation 2.12.050
- Construction of provisions 2.12.090
- Eligibility 2.12.020
- Internal relations 2.12.080
- Office created 2.12.010
- Powers, duties
  - general 2.12.060
  - specific 2.12.070
- Pro tempore 2.12.040

#### AERIAL CONSTRUCTION

- Restrictions 9.08.010

#### ALCOHOLIC BEVERAGES

- Consumption in public prohibited 9.04.020

#### ANIMALS

- At large 6.08.070
- Beehives, swarms prohibited 6.08.030
- Control officer
  - interference with prohibited 6.24.110
  - powers, duties 6.24.100
  - right of entry 6.24.130
- Definitions 6.04.010
- Dogs
  - in heat, confinement 6.16.060
  - kennels 6.16.050
  - license
    - applicability of provisions 6.16.020
    - citations for noncompliance 6.24.150
    - fee, issuance 6.16.030
    - required 6.16.010
  - lost, stray 6.16.040
- Fowl
  - See Permits
- Impoundment
  - care of animal 6.24.060
  - disposition 6.24.090
  - fees 6.24.080

- grounds for
  - general 6.24.010
  - specific 6.24.020
- holding period, minimum 6.24.050
- notice 6.24.030
- recordkeeping 6.24.040
- redemption 6.24.070

#### In vehicles 6.08.080

#### Livestock

- permitted where 6.20.020
- private pasturing 6.20.030
- purpose of provisions 6.20.010

#### Noise 6.08.060

#### Nuisances

- complaints 6.24.120
- when 6.08.100

#### Permits

- permittee considered owner 6.08.020
- required when 6.08.010

#### Pigs, swine, hogs 6.08.040

#### Rabies control 6.08.090

#### Sanitation 6.08.050

#### Vicious, dangerous

- appeals 6.12.020
- determination, hearing 6.12.010
- exclusions from provisions 6.12.030
- licensing, disposition 6.12.040
- violations, penalties 6.12.050

#### Violation, penalty 6.24.140

#### Wild, exotic

- See Permits

### — B —

#### BED AND BREAKFAST INNS

- See ZONING Ch. 18.44

#### BOARD OF CONDEMNATION

- See BUILDING Ch. 15.08

#### BOARD OF HEALTH

- Created 2.40.010
- Duties 2.40.020

## BOND

Health officer  
    appointment 2.40.030  
    powers, duties 2.40.040

### BOND

Administrator, city 2.12.030  
Officers, city 2.08.010

### BUILDING

Board of condemnation  
    See Dangerous buildings abatement  
Dangerous buildings abatement  
    board of condemnation  
        created 15.08.020  
        powers, duties 15.08.030  
    definitions 15.08.010  
    findings, determination 15.08.050  
    hearing 15.08.040  
    nuisance declaration 15.08.070  
    violation, penalty 15.08.060  
Inspector  
    authority 15.04.060  
    office established 15.04.010  
Manufactured homes, standards 15.20.010  
Numbering system  
    effective date 15.01.020  
    requirement 15.01.010  
Permit  
    fee 15.04.030  
    required 15.04.020  
Sanitation requirements 15.04.050  
Violation, penalty 15.04.070  
Wiring, appliances, fixtures 15.04.040

### BUSINESS LICENSES

Application, issuance 5.04.060  
Branch establishments 5.04.040  
Construction of provisions 5.04.080  
Definitions 5.04.020  
Exemptions 5.04.050  
Fees  
    businesses  
        deemed a debt 5.04.190  
        delinquent, collection 5.04.210  
        designated 5.04.130  
        enforcement authority 5.04.230  
        failure to file 5.04.180

not enumerated 5.04.150  
outside city limits 5.04.160  
payment 5.04.120  
reports by collector 5.04.220  
without fixed place 5.04.140

Investigations 5.04.170  
Police chief to make inquiry 5.04.070  
Posting requirements 5.04.110  
Purpose of provisions 5.04.010  
Recordkeeping 5.04.100  
Required 5.04.030  
Transferability 5.04.090  
Violations  
    conviction, effect on debt 5.04.200  
    each day, separate offense 5.04.240  
    penalties 5.04.250

— C —

### CABLE TELEVISION

See CATV FRANCHISES Ch. 5.08

### CAMPING

See also TRAILER COACHES, CAMPS Ch.  
    15.16  
Definitions 12.10.020  
Permit, positing 12.10.060  
Purpose 12.10.010  
Reservation of prosecution 12.10.080  
Special event  
    permit 12.10.050  
    rules, regulations 12.10.070  
Storage of property 12.10.040  
Unlawful 12.10.030

### CATV FRANCHISES

Application procedure 5.08.160  
Duration 5.08.030  
Effective date 5.08.180  
Indemnification of city 5.08.110  
Inspections 5.08.120  
Limitations 5.08.050  
Office requirements 5.08.140  
Payments 5.08.040  
Performance bond 5.08.100  
Permits, installation, service time limits  
    5.08.070

## CITY SEAL

Permitted uses 5.08.020  
Property  
    location 5.08.080  
    removal, abandonment 5.08.090  
Renewal 5.08.170  
Required 5.08.010  
Rights of city 5.08.060  
Service refusal prohibited 5.08.150  
Standards of operation 5.08.130  
Violations, penalties 5.08.190

## CITY SEAL

See SEAL, CITY Ch. 1.08

## CIVIL DEFENSE AND DISASTER

Council  
    director  
        additional powers 2.44.060  
        powers, duties 2.44.050  
    membership 2.44.030  
    powers, duties 2.44.040  
Definitions 2.44.020  
Divisions, services, staff 2.44.080  
Organization 2.44.070  
Purpose of provisions 2.44.010  
Violation, penalty 2.44.090

## CLAIMS

Agreement 3.24.040  
Form 3.24.020  
Reinstatement, revival 3.24.070  
Retroactivity 3.24.080  
Scope 3.24.010  
Suit  
    prerequisite 3.24.050  
    requirements 3.24.060  
Timing 3.24.030

## CLERK, CITY

Duties, responsibilities 2.16.030  
Election, vacancies 2.16.020  
Office created 2.16.010

## CODE

Acts by deputies 1.04.060  
Adoption  
    authority 1.01.030

citation 1.01.020  
constitutionality 1.01.110  
effect on past actions and obligations  
    1.01.100  
generally 1.01.010  
headings 1.01.060  
ordinances  
    passed prior to code adoption 1.01.040  
    reference to 1.01.070  
    repeal of 1.01.090  
prior code  
    reference to 1.01.080  
    repeal of 1.01.090  
reference to code  
    applies to all amendments 1.01.050  
    generally 1.01.020  
    title 1.01.020  
Construction of provisions 1.04.010  
Definitions 1.04.020  
Interpretation of provisions 1.04.030  
Jurisdiction 1.04.040  
Notice proof 1.04.070  
Prohibited acts 1.04.050  
Violations  
    continuing 1.16.030  
    generally 1.16.010  
    penalty 1.16.020

## CONFLICT OF INTEREST CODE

Designated positions 2.28.010  
Financial interest categories  
    designated 2.28.020  
    disclosure required when 2.28.030

## COUNCIL, CITY

Compensation 2.04.030  
Meetings  
    place designated 2.04.010  
    time 2.04.020

## CURFEW

See MINORS Ch. 9.16

— D —

## DOGS

See ANIMALS Ch. 6.16

## ELECTION PRECINCTS 1.12.010

### — E —

#### ELECTION PRECINCTS 1.12.010

#### EMPLOYEES

See OFFICERS Ch. 2.08

#### ENVIRONMENTAL PROTECTION

Categorical exemptions 8.04.110  
Construction of provisions 8.04.030  
Definitions 8.04.010  
Effect of provisions 8.04.040  
Environmental  
    assessment 8.04.120  
    impact report 8.04.130  
Fees 8.04.050  
Findings, authority 8.04.070  
Ministerial projects 8.04.100  
Notice filing 8.04.090  
Procedures for actions 8.04.080  
Public comment 8.04.060  
Purpose of provisions 8.04.020

#### EXCAVATIONS

See STREETS, SIDEWALKS Ch. 12.08

#### EXPLOSIVES

See FIREWORKS, EXPLOSIVES Ch. 9.04

### — F —

#### FIREARMS

See WEAPONS Ch. 9.12

#### FIRE CODE

Adopted 15.12.010  
Amendments 15.12.070  
Appeals 15.12.080  
Bureau of fire prevention established, duties  
    15.12.020  
Definitions 15.12.030  
Explosives, blasting agents  
    See also FIREWORKS, EXPLOSIVES  
        Ch. 9.04  
    storage 15.12.060

Flammable, combustible liquids storage  
    15.12.040

Liquefied petroleum gases storage 15.12.050

New materials, processes 15.12.090

Violation, penalty 15.12.100

#### FIRE DEPARTMENT

See also PEACE OFFICERS Ch. 2.48

Badges 2.36.050

Chief

    accountability 2.36.080

    appointment 2.36.070

    powers, duties 2.36.090

Equipment

    generally 2.36.040

    use 2.36.120

Established 2.36.010

False alarms 2.36.130

Inspections

    compliance required 2.36.110

    right of entry 2.36.100

Membership 2.36.020

Police duties 2.36.150

Services deployment 2.37.010

Special police powers 2.36.140

Suspension, discharge 2.36.030

Vehicle insignia 2.36.060

Violation, penalty 2.36.160

#### FIREWORKS, EXPLOSIVES

Use prohibited 9.04.010

### — G —

#### GARAGES

See ZONING Ch. 18.32

#### GARBAGE

Burning restrictions 8.08.070

Collection

    noise restrictions 8.08.110

    rates 8.08.120

    vehicle specifications 8.08.100

Compliance required 8.08.020

## GAS TAX FUND

Definitions 8.08.010

Disposal

restrictions 8.08.060

weekly, required 8.08.080

Enforcement of provisions 8.08.140

Hauler

contract with city 8.08.130

permit required 8.08.090

Receptacles

collection along lanes, roads 8.08.050

for garbage, required, placement 8.08.030

for rubbish, waste, required, placement  
8.08.040

Violation, penalty 8.08.150

## GAS TAX FUND

See SPECIAL GAS TAX STREET

IMPROVEMENT FUND Ch. 3.20

— H —

## HEALTH BOARD

See BOARD OF HEALTH Ch. 2.40

## HOME OCCUPATIONS

### HOME OCCUPATIONS

See ZONING Ch. 18.32

### HOTEL TAX

See TRANSIENT OCCUPANCY TAX Ch.  
3.16

— L —

### LIVESTOCK

See ANIMALS Ch. 6.20

— M —

### MINORS

#### Curfew

- cost recovery 9.16.060
- detaining, citing violators 9.16.030
- generally 9.16.010
- hearings
  - community service 9.16.040
  - failure to appear 9.16.050
- parental responsibility 9.16.020

— N —

### NUISANCES

See also ZONING Ch. 18.42

#### Abatement

- alternative proceedings 8.12.230
- by city 8.12.150
- by property owner 8.12.140
- cost
  - accounting 8.12.170
  - assessment 8.12.200
  - determination 8.12.180
  - objections 8.12.190
- demolition 8.12.160
- emergency 8.12.240
- failure to comply 8.12.060
- notice 8.12.040
- order service 8.12.130
- voluntary 8.12.050

#### Animals

See ANIMALS Ch. 6.08

#### Appeals

- generally 8.12.100
- judicial 8.12.120

#### Definitions 8.12.010

#### Designated 8.12.030

#### Findings 8.12.020

#### Hearing

- conduct 8.12.090
- notice
  - form 8.12.080
  - service 8.12.070
- procedure 8.12.110

#### Notices 8.12.210

#### Violation, penalty 8.12.220

— O —

### OFFICERS

See also Specific Officer

#### Bonds 2.08.010

#### Conflict of interest

See CONFLICT OF INTEREST CODE Ch.  
2.28

— P —

### PARKING

See also ZONING

Applicability of California Vehicle Code  
10.36.160

#### Disabled persons parking alternatives 10.36.100

- blue curb space
  - marking 10.36.080
  - use 10.36.040
- definitions 10.36.030
- off-street 10.36.060
- on-street 10.36.050
- specifications 10.36.090
- unauthorized use 10.36.070

#### Restrictions

- generally 10.36.010
- streets designated 10.36.110
- vehicles over six feet in height 10.36.120

#### Sign posting 10.36.130



Violations

bail

procedure 10.36.140

receipt 10.36.200

schedule 10.36.190

frequency 10.36.170

notice charge 10.36.150

towing, storage authorization 10.36.180

Zone changes 10.36.020

PEACE OFFICERS

Recruitment standards 2.48.020

State aid 2.48.010

POLICE DEPARTMENT

See also PEACE OFFICERS Ch. 2.48

Chief, powers, duties 2.32.020

Deputies, appointment 2.32.010

Fire alarm duties

See FIRE DEPARTMENT Ch. 2.36

Restrictions 2.32.030

PUBLIC WORKS DIRECTOR

Appointment 2.24.020

Duties, responsibilities 2.24.030

Office created 2.24.010

— R —

RABIES

See ANIMALS Ch. 6.08

REAL PROPERTY TRANSFER TAX

Administration 3.08.050

Applicability of provisions 3.08.030

Exemptions 3.08.040

Imposed 3.08.020

Refund claims 3.08.060

Title of provisions 3.08.010

RECREATIONAL VEHICLES

See TRAILER COACHES, CAMPS Ch. 15.16

REFUSE

See GARBAGE Ch. 8.08

— S —

SALES, USE TAX

Contract with state 3.12.050

Enjoining collection prohibited 3.12.120

Exclusions, exemptions 3.12.110

Operative date 3.12.030

Permit, additional, not required 3.12.100

Purpose of provisions 3.12.020

Rate 3.12.040

Sales tax

imposed 3.12.060

place of sale 3.12.070

Statutory provisions 3.12.090

Title of provisions 3.12.010

Use tax imposed 3.12.080

Violation, penalty 3.12.130

SEAL, CITY

Adopted 1.08.010

Custodian 1.08.020

SEWER SYSTEM

Charges

See also Connection

adjustment, billing 13.08.120

delinquent payment 13.08.130

monthly 13.08.060

responsibility for 13.08.130

Connection

charges 13.08.050

permit

application 13.08.030

issuance, conditions 13.08.040

required 13.08.020

required when, traps 13.08.010

standards 13.08.070

Discharges, prohibited types 13.08.080

Enforcement of provisions 13.08.110

Laterals

certificate, map filing 13.08.170

laying 13.08.160

subsequent connectors 13.08.180

Maintenance requirements 13.08.090

Nuisance declared when 13.08.100

Privy, cesspools, septic tanks  
 See also Nuisance declared when  
 refilling required 13.08.140  
 Violation, penalty 13.08.150

## SIGNS

See ZONING

## SOLID WASTE

See GARBAGE Ch. 8.08

## SPECIAL GAS TAX STREET IMPROVEMENT FUND

Created 3.20.010  
 Expenditures 3.20.030  
 Revenue source 3.20.020

## STREETS, SIDEWALKS

Excavations  
 barriers, lights required 12.08.070  
 maintenance requirements 12.08.040  
 materials, placement 12.08.060  
 permit  
 application, issuance 12.08.020  
 new applications required when 12.08.030  
 required 12.08.010  
 refilling, repaving 12.08.080  
 street closure requests 12.08.050  
 Improvement fund  
 See SPECIAL GAS TAX STREET  
 IMPROVEMENT FUND Ch. 3.20  
 Sidewalk  
 construction specifications 12.04.010  
 driving prohibitions  
 See TRAFFIC Ch. 10.32

## SUBDIVISIONS

Approval 16.04.030  
 Tentative maps  
 filing 16.04.010  
 information required 16.04.020

— T —

## TAXES

See also Specific Tax

Collector  
 abolition of office 3.04.030  
 definitions 3.04.010  
 transfer of duties to county 3.04.020

## TELEVISION

See CATV FRANCHISES Ch. 5.08

## TRAFFIC

Accident  
 reports 10.04.050  
 studies 10.04.040  
 Alleys, private driveways 10.32.010  
 Applicability of provisions 10.04.100  
 Clinging to vehicles prohibited 10.32.030  
 Commercial vehicles  
 freight 10.24.010  
 restrictions generally 10.24.030  
 routes 10.24.020  
 sound amplification 10.24.040  
 Compliance with officials required 10.04.080  
 Control devices  
 hours of operation 10.08.030  
 lane markings 10.08.060  
 placement, maintenance 10.08.010  
 removal, relocation, discontinuance  
 10.08.020  
 signals 10.08.050  
 signs required 10.08.040  
 Crosswalk  
 establishment 10.20.010  
 use required 10.20.020  
 Damage report required 10.04.120  
 Definitions 10.04.010  
 Directing, authority 10.04.090  
 Driving prohibitions  
 limited access roadways 10.32.060  
 new pavement 10.32.050  
 on sidewalks 10.32.040  
 Exemptions to provisions 10.04.110  
 Freeway restrictions 10.32.070  
 Funeral processions 10.32.020  
 One-way streets 10.16.010  
 Pedestrians  
 See also Crosswalk  
 crossing at right angles 10.20.030  
 standing in roadways prohibited 10.20.040

## TRAILER COACHES, CAMPS

### Police

- authority 10.04.070
- chief, powers, duties 10.04.030
- department powers, duties 10.04.020

Safety report 10.04.060

### Signs, signals

- See Control devices
- through streets
  - designated 10.16.030
  - stop sign erection 10.16.020

### Trains

- blocking streets prohibited 10.28.030
- boarding, alighting from 10.28.010
- railway gates 10.28.020

### Trucks

- See Commercial vehicles

### Turning movements

- markers, obedience required 10.12.010
- no-turn signs 10.12.030
- restricted turn signs 10.12.020
- right turn against red, stop sign 10.12.040

## TRAILER COACHES, CAMPS

- Definitions 15.16.010
- Maintenance 15.16.020
- Permit required 15.16.030
- Violation, penalty 15.16.040

## TRAINS

- See TRAFFIC Ch. 10.28

## TRANSIENT OCCUPANCY TAX

- Appeals 3.16.090
- Collection
  - actions 3.16.120
  - failure to collect, report 3.16.080
- Definitions 3.16.020
- Failure to remit, fraud 3.16.070
- Imposed 3.16.030
- Operator duties 3.16.040
- Recordkeeping 3.16.100
- Refunds 3.16.110
- Registration 3.16.050
- Reporting, remitting 3.16.060
- Title of provisions 3.16.010

Violations, penalties 3.16.130

## TREASURER, CITY

- Duties, responsibilities 2.20.030
- Election, vacancies 2.20.020
- Office created 2.20.010

— U —

## UTILITIES

- Billing 13.01.020
- Delinquent 13.01.010
- Underground districts
  - definitions 13.20.010
  - designation 13.20.030
  - formation, hearing 13.20.020
  - notice 13.20.050
  - prohibited acts, exceptions 13.20.040
  - responsibilities
    - city 13.20.080
    - property owners 13.20.070
    - utility companies 13.20.060
  - time extension 13.20.090
  - violation, penalty 13.20.100

## USE TAX

- See SALES, USE TAX Ch. 3.12

— V —

## VEHICLES

- Abandoned
  - abatement
    - authority 10.40.070
    - cost determination 10.40.060
    - failure to abate 10.40.040
    - notice 10.40.080
    - right of entry 10.40.050
  - definitions 10.40.020
  - exceptions to provisions 10.40.130
  - exclusivity of provisions 10.40.140
  - findings, declarations 10.40.010
  - hearing 10.40.090
  - prohibited 10.40.030

## VEHICLES

removal

See also abatement

cost assessment 10.40.120

notice to DMV 10.40.110

procedure 10.40.100

Trucks

See TRAFFIC Ch. 10.24

## WATER SYSTEM

— W —

### WATER SYSTEM

See also WELLS Ch. 13.16

Amendment, alteration of provisions 13.04.130

Connections, notification required 13.04.030

#### Conservation

application 13.05.010

authorization 13.05.020

mandatory 13.05.040

penalty 13.05.070

request for exemption 13.05.050

restrictions 13.05.060

stages 13.05.030

#### Cross-connections

applicability of provisions 13.12.020

##### backflow prevention device

approval required 13.12.100

inspection, testing, repairs 13.12.110

installation 13.12.090

location 13.12.080

required when 13.12.060

types 13.12.070

definitions 13.12.040

enforcement of provisions 13.12.030

failure to comply 13.12.130

inspections, right of entry 13.12.120

prohibited 13.12.050

purpose of provisions 13.12.010

rates 13.12.140

#### Fees, charges

See also Rates, payment

other 13.04.135

tapping, installation 13.04.040

Fire alarms, irrigating during 13.04.120

Main extensions 13.04.050

Meters 13.04.060

#### Rates, payment

delinquency, shutoff 13.04.080

responsibility 13.04.090

#### Service

application 13.04.020

discontinuance 13.04.100

emergency turnoff 13.04.110

restrictions 13.04.135

Violation, penalty 13.04.140

Water works department created 13.04.010

### WEAPONS

Discharge prohibited 9.12.010

Exceptions to provisions, permit issuance

9.12.020

#### Explosives

See FIREWORKS, EXPLOSIVES Ch. 9.04

Violation, penalty 9.12.030

### WELLS

Construction requirements 13.16.020

Private, prohibited 13.16.010

— Z —

### ZONING

Accessory structures 18.32.160

Adopted 18.04.010

#### Amendments

action by city council 18.38.040

initiation 18.38.020

public hearings 18.38.030

when made 18.38.010

Appeals 18.30.020

#### Applicability

generally 18.04.040

special regulations 18.32.010

#### Bed and breakfast inns

definitions 18.44.020

general regulations 18.44.030

inspection 18.44.100

number of units allowed 18.44.080

off-street parking 18.44.070

owner, manager residence required  
18.44.060

permit applications 18.44.040

permitted where 18.44.050

purpose 18.44.010

signs 18.44.090

#### C-1 district

density/intensity 18.18.030

established 18.08.010

general plan consistency 18.18.020

purpose 18.18.010

site development standards 18.18.040

##### uses

accessory 18.18.060

conditional 18.18.070

permitted 18.18.050

C-2 district

- density/intensity 18.20.030
- established 18.08.010
- general plan consistency 18.20.020
- purpose 18.20.010
- site development standards 18.20.040
- uses
  - accessory 18.20.060
  - conditional 18.20.070
  - permitted 18.20.050

Cannabis uses, activities 18.04.021

Carports

- exception 18.32.210
- regulations 18.32.220

Community commercial district See C-1 district

Conditional use permits

- application 18.34.020
- generally 18.34.010
- granting 18.34.040
- public hearing 18.34.030
- revocation 18.34.060
- site plan modification 18.34.050

Conformance with provisions 18.04.040, 18.40.010

Definitions 18.06.010—18.06.1620

Districts

- See also Specific District
- established 18.04.030, 18.08.010

Electric, telephone facilities 18.32.200

Emergency shelters 18.32.230

Enforcement 18.40.010

Fences, walls, hedges, screen planting 18.32.050

Garage sales 18.32.100

Garages

- conversion of residential 18.32.150
- exception 18.32.210

General commercial district See C-2 district

Height

- See also Site development standards
- limits 18.32.040

High density residential district See R-3 district

Home occupations 18.32.030

Interpretation 18.04.060

Lot dimensions See Site development standards

Low density residential district See R-1 district

M district

- density/intensity 18.22.030
- established 18.08.010
- general plan consistency 18.22.020
- purpose 18.22.010
- site development standards 18.22.040
- uses
  - accessory 18.22.060
  - conditional 18.22.070
  - permitted 18.22.050

M-H district

- density/intensity 18.16.030
- established 18.08.010
- general plan consistency 18.16.020
- purpose 18.16.010
- site development standards 18.16.040
- uses
  - accessory 18.16.060
  - conditional 18.16.070
  - permitted 18.16.050

Manufactured homes, placement 18.32.190

Manufacturing district See M district

Marijuana

- See also Cannabis uses, activities
- commercial activities 18.46.020
- definitions 18.46.010
- medical cannabis cultivation 18.46.020
- prohibitions 18.46.020
- violation
  - penalty 18.46.040
  - public nuisance 18.46.030

Medium density residential district See R-2 district

Mobile home residential district See M-H district

Nonconforming

- buildings 18.32.130
- parcels 18.32.140
- uses 18.32.120

Notice of public hearing 18.30.010

Nuisances

abatement

- action 18.40.030
- by city 18.42.120
- by property owner 18.42.110
- failure 18.42.050
- filing judicial action limited 18.42.090
- initiation proceedings 18.42.020
- record of costs 18.42.130
- service of order 18.42.100
- voluntary 18.42.040

costs assessment, lien 18.42.150

declaration 18.42.030

designated 18.42.010

hearing

- decision 18.42.080
- notice 18.42.060
- procedure 18.42.070

recovery of attorney's fees 18.42.170

reports 18.42.140

violation, penalty 18.42.160

O-S district

- density/intensity 18.24.030
- established 18.08.010
- general plan consistency 18.24.020
- purpose 18.24.010
- site development standards 18.24.040
- uses

- accessory 18.24.060
- conditional 18.24.070
- permitted 18.24.050

Open space district See O-S district

Open space requirements 18.32.110

P-A district

- density/intensity 18.26.030
- established 18.08.010
- general plan consistency 18.26.020
- purpose 18.26.010
- site development standards 18.26.040
- uses

- accessory 18.26.060
- conditional 18.26.070
- permitted 18.26.050

Parking See Site development standards

Plan lines 18.32.070

Planned unit development district See PUD district

Portable structures 18.32.220

Prezones 18.08.040

Public agency district See P-A district

PUD district

- development plan application 18.28.080
- established 18.08.010
- general plan consistency 18.28.020
- purpose 18.28.010
- site development standards 18.28.060
- uses
- accessory 18.28.040
- conditionally permitted 18.28.050
- permitted 18.28.030
- prohibited 18.28.070

Purpose 18.04.020

R-1 district

- density/intensity 18.10.030
- established 18.08.010
- general plan consistency 18.10.020
- purpose 18.10.010
- site development standards 18.10.040
- uses
- accessory 18.10.060
- conditional 18.10.070
- permitted 18.10.050

R-2 district

- density/intensity 18.12.030
- established 18.08.010
- general plan consistency 18.12.020
- purpose 18.12.010
- site development standards 18.12.040
- uses
- accessory 18.12.060
- conditional 18.12.070
- permitted 18.12.050

R-3 district

- density/intensity 18.14.030
- established 18.08.010
- general plan consistency 18.14.020
- purpose 18.14.010
- site development standards 18.14.040

- uses
  - accessory 18.14.060
  - conditional 18.14.070
  - permitted 18.14.050
- R-A district
  - density/intensity 18.09.030
  - established 18.08.010
  - general plan consistency 18.09.020
  - purpose 18.09.010
  - site development standards 18.09.040
  - uses
    - accessory 18.09.060
    - conditional 18.09.070
    - permitted 18.09.050
- Remedies cumulative 18.40.040
- Residential agriculture district See R-A district
- Sales from vehicles, trailers, mobile units,
  - public property 18.32.090
- Second units 18.32.180
- Setbacks See Site development standards;
  - Yards
- Short title 18.04.050
- Signs
  - See also Site development standards
  - outdoor advertising 18.32.170
- Single-room occupancies (SROs) 18.32.240
- Site development standards
  - C-1 district 18.18.040
  - C-2 district 18.20.040
  - M district 18.22.040
  - M-H district 18.16.040
  - O-S district 18.24.040
  - P-A district 18.26.040
  - PUD district 18.28.060
  - R-1 district 18.10.040
  - R-2 district 18.12.040
  - R-3 district 18.14.040
  - R-A district 18.09.040
- Site plans 18.32.060
- Split zoning 18.08.050
- Temporary structures 18.32.020
- Uses
  - C-1 district 18.18.050, 18.18.060, 18.18.070
  - C-2 district 18.20.050, 18.20.060, 18.20.070
  - M district 18.22.050, 18.22.060, 18.22.070
  - M-H district 18.16.050, 18.16.060, 18.16.070
  - O-S district 18.24.050, 18.24.060, 18.24.070
  - P-A district 18.26.050, 18.26.060, 18.26.070
  - PUD district 18.28.030, 18.28.040, 18.28.050
  - R-1 district 18.10.050, 18.10.060, 18.10.070
  - R-2 district 18.12.050, 18.12.060, 18.12.070
  - R-3 district 18.14.050, 18.14.060, 18.14.070
  - R-A district 18.09.050, 18.09.060, 18.09.070
- Variances
  - application 18.36.020
  - granting, findings 18.36.040
  - procedure 18.36.010
  - public hearing 18.36.030
  - revocation 18.36.050
- Violation, penalty 18.40.020
- Yards
  - See also Setbacks
  - special provisions 18.32.080
- Zoning map
  - adopted by reference 18.08.020
  - boundaries 18.08.030