

**TITLE 12: VEHICLES AND TRAFFIC**

Chapter

**12.01. PARKING, STANDING AND STOPPING PROHIBITION**

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**12.50. ABANDONED AND WRECKED VEHICLES; ABATEMENT**



## CHAPTER 12.01: PARKING, STANDING AND STOPPING PROHIBITION

### Section

- 12.01.010 Definitions.
- 12.01.020 Parking, standing or stopping prohibited.
- 12.01.030 Violation.
- 12.01.040 Signs or markings
- 12.01.050 Supersede conflicting provisions.

#### **12.01.010 Definitions.**

The following words and phrases shall, for the purposes of this Chapter, be defined as follows, unless it is clearly apparent from the context that another meaning is intended.

(a) "Parking" shall mean the standing of a vehicle, whether occupied or not, other than temporarily for the purpose of and while actually engaged in the loading or unloading of merchandise or passengers.

(b) "Stop" or "Stopping" shall mean any cessation of movement of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or official traffic control device or signal.

(c) "Vehicle" shall mean a device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power and used exclusively upon stationary rails or tracks.  
(11-5/91 ' 12.01.001)

#### **12.01.020 Parking, standing or stopping prohibited on Railroad Canyon Road and Goetz Road within the City limits.**

It shall be unlawful to and no operator of any vehicle shall stop, stand, park, or leave standing such

vehicle on any side or any place along Railroad Canyon Road or Goetz Road within the City limits at any time or any hour of the day or night or where curb markings or signs prohibit such parking, standing, or stopping.  
(11-5/91 ' 12.01.002)

#### **12.01.030 Violation.**

Any violation of Section 12.01.020 shall be an infraction and shall be punishable as set out in Section 1.01.230 of this Code.  
(11-5/91 ' 12.01.003)

#### **12.01.040 Signs or markings.**

The City Manager or his designee hereby is authorized and directed to carry out the provisions of this Chapter by posting the appropriate signs or painting the curb red as necessary and reasonable to give notice of this prohibition.  
(11-5/91 section 3)

#### **12.01.050 Supersede conflicting provisions.**

This Chapter shall supersede any contrary or conflicting provisions of the ordinances of the County of Riverside which may be in effect as adopted by reference by Ordinance No. 1 of the City of Canyon Lake.  
(11-5/91 ' 4)



## **CHAPTER 12.02: TRAFFIC SAFETY IN ROADWAY**

### Section

- 12.02.010 No standing in roadways.
- 12.02.020 Violations.

#### **12.02.010 No standing in roadways.**

No person shall stand in a roadway for the purpose of soliciting a ride, employment, funds, political support or business from the driver or occupant of any vehicle.  
(Ord. 145, passed 4-3-2013)

#### **12.02.020 Violations.**

Violation of this Chapter shall be an infraction pursuant to Section 1.01.200 of this Code.  
(Ord. 145, passed 4-3-2013)



## CHAPTER 12.04: SPEED LIMITS

### Section

- 12.04.010 Speed limit designated-Railroad Canyon and Goetz Roads.
- 12.04.020 Advisory speed limit-Goetz Road.
- 12.04.030 Penalty

#### **12.04.010 Speed limit designated-Railroad Canyon and Goetz Roads.**

The speed limit on Railroad Canyon Road and on Goetz Road within the City shall be 45 mph with 35 mph advisory at and on the Salt Creek Curve on Railroad Canyon Road.  
(263/92 ' 12.5)

#### **12.04.020 Advisory speed limit.**

The advisory speed limit on Goetz Road within the City shall be 35 mph.  
(26-3/92 ' 12.5.1)

#### **12.04.030 Penalty.**

A violation of this Chapter shall be an infraction as set out in Section 1.01.200 of the Canyon Lake Municipal Code.  
(26-3/92 section 3)



## **CHAPTER 12.08: GOLF CART USE ON RAILROAD CANYON ROAD**

### Section

- 12.08.010 Golf cart crossing zone.
- 12.08.020 Golf cart otherwise prohibited.
- 12.08.030 Signs and markers.

#### **12.08.010 Golf cart crossing zone.**

It shall be lawful for golf carts to be operated across Railroad Canyon Road at Canyon Lake Drive South in response to the traffic signals at such intersection in the same manner as regular pedestrian traffic in the area is designated for such crossing. This Section imposes no registration, licensing or equipment requirements on golf carts except for lights required by Vehicle Code Section 24001.5 for operation during the hours of darkness.  
(29-5/92 section 2) (Ord. 55, passed 10-6-1995)

#### **12.08.020 Golf cart otherwise prohibited.**

It shall be unlawful to operate a golf cart on Railroad Canyon Road within the City including crossing Railroad Canyon Road, except as set out in Section 12.08.010 of this Code.  
(29-5/92 section 2) (Ord. 55, passed 10-6-1995)

#### **12.08.030 Signs and markers.**

The City Engineer is directed to cause to be erected and installed the signs, markers and push-button actuators prepared in accordance with engineering practice on a plan signed by a licensed civil engineer. The installation will regulate the golf cart crossings of Railroad Canyon Road, at the intersection, by requiring golf cart operators to press the signal actuation button and to comply with the pedestrian signal head indication for crossing of the roadway.  
(29-5/92 section 2) (Ord. 55, passed 10-6-1995)



## CHAPTER 12.50: ABANDONED AND WRECKED VEHICLES; ABATEMENT

### Section

- 12.50.010 Declaration of public nuisances.
- 12.50.020 Definitions.
- 12.50.030 Exceptions.
- 12.50.040 Regulation not exclusive.
- 12.50.050 Administration - Officer designated.
- 12.50.060 Administration - Cost recovery/charge.
- 12.50.070 Abatement - Authority of private contractor.
- 12.50.080 Abatement - Authority of Vehicle Abatement Officer.
- 12.50.090 Abatement - Notice of intention.
- 12.50.100 Public hearing - Request.
- 12.50.110 Public hearing - Procedure, action.
- 12.50.120 Abatement - Procedure.
- 12.50.130 Abatement - Notice to Department of Motor Vehicles.
- 12.50.140 Abatement - Costs.
- 12.50.150 Act of abandonment - Misdemeanor.
- 12.50.160 Refusal to abate - Misdemeanor.
- 12.50.170 Violation - Penalty.

### ***Cross-reference:***

*Vehicles parked for sale, see Chapter 14.20*

### **12.50.010 Declaration of public nuisances.**

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

(a) 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; and

(b) Therefore, the presence of an abandoned, wrecked, dismantled or inoperative vehicle or part thereof on private or public property, not including highways, except as expressly permitted in this Chapter, constitutes a public nuisance which may be abated as such in accordance with the provisions of this Chapter. (Ord. 140, passed 3-7-2012)

### **12.50.020 Definitions.**

For the purposes of this Chapter, the following words and phrases have the meanings set forth in this section, unless it is apparent from the context that a different meaning is intended.

(a) “Days” means calendar days.

(b) “Highway” means a way or place of whatever nature publicly maintained and open to the use of the public for purposes of vehicular travel. “Highway” includes “street.”

(c) “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.

(d) “Owner of the vehicle” means the last registered owner and legal owner of record.

(e) “Public property” does not include “highway.”

(f) "Vehicle" means a device by which any persons 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. 140, passed 3-7-2012)

#### **12.50.030 Exceptions.**

(a) This Chapter shall not apply to:

(1) A vehicle or part 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;

(2) A vehicle or part 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 part thereof which is located behind a solid fence six feet in height or which otherwise is not plainly visible from a highway.

(b) Notwithstanding, nothing in this section authorizes the maintenance of a public or private nuisance as defined under provisions of law other than Vehicle Code Division 11, Chapter 10 (commencing with Section 22650) and this Code.

(Ord. 140, passed 3-7-2012)

#### **12.50.040 Regulation not exclusive.**

This Chapter is not the exclusive means of 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 or any other legal entity or agency having jurisdiction.

(Ord. 140, passed 3-7-2012)

#### **12.50.050 Administration - Officer designated.**

Except as otherwise provided in this Chapter, the provisions of this Chapter shall be administered and enforced by a Vehicle Abatement Officer as designated by the City Manager. In the enforcement of this Chapter, such officer and his or her deputies may enter upon private or public property to examine a vehicle, or parts thereof, or obtain information as to the identity of a vehicle and to cause the removal of a vehicle or part thereof declared to be a nuisance pursuant to this Chapter.

(Ord. 140, passed 3-7-2012)

#### **12.50.060 Administration - Cost recovery/charge.**

The Council shall, from time to time, determine and fix an amount to be assessed as administrative costs (excluding the actual cost of removal of any vehicle or part thereof) under this Chapter.

(Ord. 140, passed 3-7-2012)

#### **12.50.070 Abatement - Authority of private contractor.**

When the Council has contracted with or granted a franchise to any person or persons to remove vehicles pursuant to this Chapter, such person or persons shall be authorized to enter upon private property or public property to remove or cause the removal of a vehicle or parts thereof declared to be a nuisance pursuant to this Chapter as allowed by law.

(Ord. 140, passed 3-7-2012)

#### **12.50.080 Abatement - Authority of Vehicle Abatement Officer.**

Upon discovering the existence of an abandoned, wrecked, dismantled or inoperable vehicle, or parts thereof, on private property or public property within the City, the Vehicle Abatement Officer shall have the authority to cause the abatement and removal thereof in accordance with the procedure described in this Chapter and as otherwise adopted by the City.

(Ord. 140, passed 3-7-2012)

**12.50.090 Abatement - Notice of intention.**

(a) A ten day notice of intention to abate and remove the vehicle, or parts thereof, as a public nuisance, shall be mailed by registered or 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.

(b) The notice is not required if the property owner and the owner of the vehicle have signed releases authorizing removal and waiving further interest in the vehicle or part thereof.

(c) A notice of intention is not required for removal of a vehicle or part thereof which is inoperable due to the absence of a motor, transmission or wheels and incapable of being towed, is valued at less than \$200 by an authorized appraiser (as defined in Vehicle Code Section 22855) and is determined to be a public nuisance presenting an immediate threat to public health or safety, provided that the property owner has signed a release authorizing removal and waiving further interest in the vehicle or part thereof.

(d) If evidence of registration is recovered, the City shall, prior to final disposition of such a low-valued vehicle or part thereof, provide notice to the registered and legal owners of the vehicle of intention to dispose of the vehicle or part, and if such vehicle or part is not claimed and removed from a specified scrap yard or automobile dismantler’s yard within 12 days after the notice is mailed, final disposition may proceed. This provision applies only to inoperable vehicles located upon a parcel that is either zoned for agricultural use or not improved with a residential structure containing one or more dwelling units.

(e) The notice of intention to abate and remove shall be in substantially the following forms:

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

“(Name and address of owner of the land).

“As owner shown on the last equalized assessment roll of the land located at (address), you are hereby notified that the undersigned, pursuant to (Section of 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 (Municipal Code Chapter number).

“You are hereby notified to abate said nuisance by the removal of said vehicle (or said parts of a vehicle) within ten (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 the costs thereof, together with administrative costs, assessed to you as owner of the land on which said vehicle (or said parts of a vehicle) is located.

“As owner of the land on which said vehicle (or said parts of a vehicle) is located, you are hereby notified that you may, within ten (10) days after the mailing of this notice of intention, request a public hearing, and if such a request is not received by the Board of Zoning Adjustment within such ten (10) day period, the City’s Vehicle Abatement Officer shall have the authority to abate and remove said vehicle (or said parts of a vehicle) as a public nuisance and assess the costs as aforesaid without a public hearing. You may submit a sworn written statement within such ten (10) day period denying responsibility for the presence of said vehicle (or said parts of a vehicle) on said land, with your reasons for denial, and such statement shall be construed as a request for hearing at which your presence is not required. You may appear in person at any hearing requested by you or the owner of the vehicle, or, in lieu thereof, may present a sworn written statement as aforesaid in time for consideration at such hearing.

“Notice Mail (Date)  
/s/  
(Locally Designated Officer)”

**Canyon Lake - Vehicles and Traffic**

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

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

“As last registered (and/or legal) owner of record of (description of vehicle - make, model, license, etc.), you are hereby notified that the undersigned, pursuant to (Section of City’s 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 (City’s Municipal Code Chapter \_\_\_\_\_ number).

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

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

“Notice Mail (Date)  
/s/”

(f) If a notice of intention to dispose is required pursuant to this section, such notice shall be in substantially the following form:

“NOTICE OF INTENTION TO DISPOSE OF INOPERATIVE VEHICLE OR PARTS THEREOF

“(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 said vehicle (or parts of such vehicle) was found at (describe location of public or private property) and was abated and removed as an inoperative vehicle and a public nuisance pursuant to the provisions of (City’s Municipal Code Chapter number).

“You are hereby notified that, pursuant to (Section of City’s Municipal Code), the City intends to cause the disposal of such vehicle (or parts thereof) if such is not claimed and removed from (describe location of scrap yard or automobile dismantler’s yard) within twelve (12) days from the date of mailing of this notice.

“Notice Mail (Date)  
/s/  
(Locally Designated Officer)”  
(Ord. 140, passed 3-7-2012)

**12.50.100 Public hearing - Request.**

(a) Upon request by the owner of the vehicle or owner of the land received by the City’s Vehicle Abatement Officer within ten 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 inoperative vehicle and the assessment of the administrative costs and the cost of removal of the vehicle, or parts thereof, against the property on which it is located.

(b) 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 day period, the statement shall be construed as a request for a hearing which does not require his or her presence. Notice of the hearing shall be mailed, by registered or certified mail, at least ten 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 the ten 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.

(c) The request for a public hearing shall stay abatement until completion of the hearing and a determination of the City Council.  
(Ord. 140, passed 3-7-2012)

**12.50.110 Public hearing - Procedure, action.**

(a) All hearings under this Chapter shall be held before the City Council, which shall hear all facts and testimony it deems pertinent. The facts and testimony may include testimony on the condition of the vehicle, or part 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 on which the vehicle is located may appear in person at the hearing or present a 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 the denial.

(b) 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 part thereof, if, in its opinion, the circumstances justify it. At the conclusion of the public hearing, the City Council may find that a

vehicle, or part thereof, has been abandoned, wrecked, dismantled or is inoperative on private or public property and by resolution order the same removed from the property as a public nuisance and disposed of as provided in this Chapter and determine the administrative costs and the cost of removal to be charged against the owner of the parcel of land on which the vehicle, or part thereof, is located. The order requiring removal shall include a description of the vehicle, or part thereof, and the correct identification number and license number of the vehicle, if available at the site.

(c) If it is determined at the hearing that the vehicle was placed on the land without the consent of the land owner and that he or she has not subsequently acquiesced in its presence, the City Council shall not assess costs of administration or removal of the vehicle against the property upon which the vehicle is located or otherwise attempt to collect the costs from the land owner.

(d) The determination of the City Council shall be final.

(e) The party requesting the hearing shall be notified in writing of the decision within ten days of the decision.  
(Ord. 140, passed 3-7-2012)

**12.50.120 Abatement - Procedure.**

(a) Five days after adoption of the order declaring the vehicle, or parts thereof, to be a public nuisance, or five days from the date of mailing of notice of the decision, as required by Section 12.50.110, whichever date is later, the vehicles, or parts thereof, may be disposed of by removal to a scrap yard or automobile dismantler's yard or to a suitable site operated by the City for processing as scrap or other final disposition consistent with this Section.

(b) After a vehicle has been removed, it shall not thereafter be reconstructed or made operable.  
(Ord. 140, passed 3-7-2012)

**12.50.130 Abatement - Notice to Department of Motor Vehicles.**

Within five days after the date of removal of the vehicle or part thereof, notice shall be given to the Department of Motor Vehicles identifying the vehicle or part thereof removed. At the same time there shall be transmitted to the Department of Motor Vehicles any evidence of registration available, including registration certificates, certificates of title and license plates.  
(Ord. 140, passed 3-7-2012)

**12.50.140 Abatement - Costs.**

If the administrative costs and the costs of removal which are charged against the owner of a parcel of land pursuant to Section 12.50.110 are not paid within 30 days of the date of the order, such costs shall be assessed against the parcel of land pursuant to Cal. Gov=t Code Section 38773.5 and shall be transmitted to the Tax Collector for collection. The assessment shall have the same priority as other City taxes.  
(Ord. 140, passed 3-7-2012)

**12.50.150 Act of abandonment - Misdemeanor.**

It is unlawful and a misdemeanor for any person to abandon, park, store or leave or permit the abandonment, parking, storing or leaving of any licensed or unlicensed vehicle or part thereof which is in an abandoned, wrecked, dismantled or inoperative condition upon any private property or public property, not including highways, within the City for a period in excess of five days, unless the vehicle or part 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 the vehicle is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler, licensed vehicle dealer or a junkyard.  
(Ord. 140, passed 3-7-2012)

**12.50.160 Refusal to abate - Misdemeanor.**

It is unlawful and a misdemeanor for any person to fail or refuse to remove an abandoned, wrecked, dismantled or inoperative vehicle or part thereof or refuse to abate the 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. 140, passed 3-7-2012)

**12.50.170 Violation - Penalty.**

Any person violating any of the provisions of this Chapter is guilty of a misdemeanor.  
(Ord. 140, passed 3-7-2012)