



# CITY OF SACRAMENTO

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## DEPARTMENT OF PLANNING AND DEVELOPMENT

1231 "I" Street

Sacramento, Ca. 95814

### Administration

Room 300 449-5571

### Building Inspections

Room 200 449-5716

### Nuisance Abatement

Room 301 449-5948

### Planning

Room 200 449-5604

August 24, 1989

Law and Legislation Committee  
Sacramento, California

Honorable Members in Session:

**SUBJECT: Ordinance Adding Article XV, to Chapter 25 of the Sacramento City Code Relating to Residential Automotive Repair and Maintenance and Accumulation of Vehicle Parts.**

### SUMMARY:

This report recommends City Council adoption of a new ordinance to help control home automotive repairs being conducted in residential zones.

### BACKGROUND

Section 2-H-12 of the Sacramento City Zoning Ordinance allows the repair or maintenance of automobiles and other vehicles in a residential zone, if the work is performed on a vehicle registered to an occupant of the premises. Currently City zoning laws restrict the number of vehicles undergoing repair to no more than two. An automotive repair business is a prohibited use in a residential zone.

Over 308 home auto repair complaints were received by the Nuisance Abatement Division in 1988. Over 160 similar complaints had been received by the end of May 1989.

Current City attempts to eliminate ongoing home auto repair operations from residential neighborhoods have been difficult to achieve, as generally the repairs are being conducted at times beyond normal City working hours. Staff has spent many overtime hours investigating such complaints, attempting to catch the operator(s) in the act. Another difficulty has been to legally establish that a business is being conducted at a particular residence, i.e., exchange of funds or goods for services rendered.

The investigative and enforcement process may span a time period of three to nine months, depending on the number of variables including the caseload of not only the assigned City Attorney, but also the court system.

Staff recommends the allowance of minor automotive repair and major automotive repair (with restrictions) in residential zones. Minor repairs may include: brake part replacement, minor tune up, change of oil and filter, repair of flat tires, lubrication and other similar operations. Examples of major repairs that would be prohibited in residential zones include removal of engines, transmissions, rear differentials or axles, or body and paint work. However, such major repairs could be performed by an occupant of the premises within a fully enclosed structure, with the exception of painting. Both minor and major

repairs would restrict the number of vehicles undergoing repair or maintenance to no more than two at any one time.

The enforcement process recommended to be followed under the proposed ordinance would include: investigation of an auto repair complaint, issuance of a field warning notice directing that all such repairs cease within a given period of time. If the repairs are still in progress after the time for compliance, a citation could be issued to the property owner, vehicle owner, or the person in control of the property. A citation could be issued daily for as long as the violation exists.

An additional problem associated with residential automotive repair is the accumulation of vehicle parts which are often strewn about a property causing visual blight. Therefore, the attached ordinance specifically addresses the accumulation of vehicle parts on residential properties.

**FINANCIAL DATA**

There is no fiscal impact associated with the proposed ordinance or this report.

There is no estimate at this time as to the amount of revenue which enforcement of the proposed ordinance would produce.

**POLICY CONSIDERATIONS**

None.

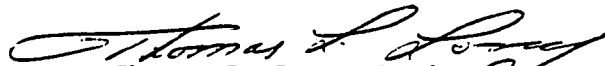
**MBE/WBE EFFORTS**

Not applicable.

**RECOMMENDATION**

That the Law and Legislation Committee recommend to the full City Council, adoption of the attached ordinance adding Article XV to Chapter 25 of the Sacramento City Code, relating to Residential Automotive Repair and Maintenance.

Respectfully submitted,

  
Thomas L. Long, Assistant  
Neighborhood Services Manager

RECOMMENDATION APPROVED:

August 24, 1989  
All Districts

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Walter J. Slipe, City Manager

Contact Person: Thomas L. Long, 449-5948

# ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

AN ORDINANCE ADDING ARTICLE XV, SECTIONS 25.400 THROUGH 25.404 TO CHAPTER 25 OF THE SACRAMENTO CITY CODE RELATING TO AUTOMOTIVE REPAIR IN RESIDENTIAL ZONES AND ACCUMULATION OF VEHICLE PARTS OUTSIDE RESIDENTIAL STRUCTURES

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

Section 1

Article XV is hereby added to Chapter 25 of the Sacramento City Code to read as follows:

ARTICLE XV. Vehicle Repair in Residential Zones

25.400 Definitions.

For the purposes of this Article, the following definitions shall have the following specified meanings:

- (a) Minor Vehicle Repair: Maintenance, repair or replacement of the alternator, generator, starter, water pump, fuel pump, battery or, brakes, or parts thereof; minor tune-up (which consists of distributor cap, rotor and spark plug replacement); change of oil and filter, fan belt, or hoses; lamp replacement; repair of flat tires; lubrication, spot painting.
- (b) Major Vehicle Repair: Any maintenance, repair or replacement not listed in subsection (a) including, but not limited to, the removal of engines, rebuilding of engines, repair of the internal components, repair or removal of transmissions, repair or removal of differentials or axles, dismantling of vehicles, and body work.
- (c) Vehicle: A self-propelled device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.

FOR CITY CLERK USE ONLY

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

25.401 Minor Vehicle Repair.

It shall be unlawful and a public nuisance for any person to engage in minor vehicle repair in any residential zone:

- (a) Upon any vehicle which is not registered to a current occupant of the premises where the work is being performed; or
- (b) Outside a fully enclosed structure, except that minor vehicle repair may be performed outside a fully enclosed structure where elapsed time between the beginning and end of the repair does not exceed forty-eight (48) hours; or
- (c) Upon more than two (2) vehicles at one time on the same premises or by the same person.

25.402 Major Vehicle Repair.

- (a) It shall be unlawful and a public nuisance for any person to engage in major vehicle repair in a residential zone, unless all of the following conditions exist:
  - (1) The repair is performed within a fully enclosed structure; and
  - (2) The vehicle under repair is registered to a current occupant of the premises; and
  - (3) No more than two (2) vehicles are being repaired at one time on the same premises or by the same person.
- (b) Subsection (a) notwithstanding, body painting, other than spot painting, is not permitted in a residential zone.

25.403 Engaging in Vehicle Repair Defined.

A person engages in minor or major vehicle repair when the person performs the repair, or permits the vehicle repair to be performed on said person's property, or arranges for such work to be performed on his or her vehicle knowing that it will be performed in a residential zone.

25.404 Accumulation of Vehicle Parts.

It shall be unlawful and a public nuisance to keep, store, or accumulate vehicle parts and auto body parts outside a residential structure which are within the view of persons on adjacent or nearby real property or the public right-of-way and which constitute visual blight or reduce the aesthetic appearance of the neighborhood or are offensive to the senses or are detrimental to nearby property or property values.

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FOR CITY CLERK USE ONLY

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

DATE PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

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**FOR CITY CLERK USE ONLY**

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_