

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, TO IMPOUND MOTOR VEHICLES
USED IN THE COMMISSION OF ILLEGAL DUMPING

WHEREAS, illegal dumping has been an ongoing problem for neighborhoods in
the City of Fresno (City); and

WHEREAS, illegal dumping constitutes a health hazard and creates a public
nuisance for City residents; and

WHEREAS, unlawful dumping within the City has significantly increased over the
last three years; and

WHEREAS, Vehicle Code Section 23112.7 authorizes a court, in specific
instances, to impound a motor vehicle used in the commission of illegal dumping when
the registered owner has a prior misdemeanor conviction for illegal dumping; and

WHEREAS, the District Attorney has deputized two attorneys in the City
Attorney's office to prosecute misdemeanor offenses for illegal dumping; and

WHEREAS, under Charter Section 803(g) the City Council shall have control of
all legal business and proceedings; and

WHEREAS, the City Council has determined that prosecuting misdemeanor
offenses of illegal dumping and impounding vehicles will serve to promote and protect
the general health and safety of the residents of Fresno.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as
follows:

1. The City, through the City Attorney's office, shall prosecute misdemeanor violations for illegal dumping and where appropriate, shall petition the Court to impound an offender's vehicle for up to six months.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____, 2018.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2018
Mayor Approval/No Return: _____, 2018
Mayor Veto: _____, 2018
Council Override Vote: _____, 2018

YVONNE SPENCE, MMC
City Clerk

By: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Tracy Parvanian [Date]
Deputy City Attorney

TNP:ns [78272ns/tnp]