

ARTICLE 8.05 JUNKED VEHICLES

Sec. 8.05.001 Title

This article shall be known and cited as the junked vehicle ordinance. (Ordinance A-241, sec. 1, adopted 8/9/01)

Sec. 8.05.002 Definitions

The terms used in this article shall have the following meanings ascribed to them:

Antique vehicle. A passenger car or truck that is at least 25 years old.

(Ordinance A-241, sec. 2, adopted 8/9/01)

Deputy. The city's resident deputy or representative authorized by the city council to enforce and administer this article. (Ordinance A-397 adopted 6/20/13)

Inoperable. Incapable of being propelled on its own power due to dismantling, disrepair, or some other cause. (Ordinance A-241, sec. 2, adopted 8/9/01)

Junked motor vehicle. A vehicle that is self-propelled and:

(1) Displays an expired license plate or invalid motor vehicle inspection certificate or does not display a license plate or motor vehicle inspection certificate; and

(2) Is:

(A) Wrecked, dismantled or partially dismantled, or discarded; or

(B) Inoperable and has remained inoperable for more than:

(i) Seventy-two (72) consecutive hours, if the vehicle is on public property; or

(ii) Thirty (30) consecutive days, if the vehicle is on private property.

(Ordinance adopting Code)

Motor vehicle collector. A person who:

(1) Owns one or more antique or special interest vehicles; and

(2) Acquires, collects, or disposes of an antique or special interest vehicle or part of an antique or special interest vehicle for personal use to restore and preserve an antique or special interest vehicle for historic interest.

Special interest vehicle. A motor vehicle of any age that has not been changed from original manufacturer's specifications and, because of its historic interest, is being preserved by a hobbyist.

(Ordinance A-241, sec. 2, adopted 8/9/01)

Sec. 8.05.003 Declaration of nuisance; prohibition

(a) The presence of any junked vehicle on any private lot, tract, or parcel of land, occupied or unoccupied, improved or unimproved, or on any public right-of-way or other public property, within the city, that is visible from a public place or public right-of-way:

- (1) Is detrimental to the safety and welfare of the public;
- (2) Tends to reduce the value of private property;
- (3) Invites vandalism;
- (4) Creates a fire hazard;
- (5) Is an attractive nuisance creating a hazard to the health and safety of minors;
- (6) Produces urban blight adverse to the maintenance and continuing development of municipalities; and
- (7) Is hereby declared a public nuisance.

(b) A person commits an offense if he causes or maintains such a public nuisance by wrecking, dismantling, partially dismantling, rendering inoperable, abandoning, or discarding a motor vehicle on a public right-of-way or other public property or on the real property of another or permits a junked vehicle to be parked, left, or maintained on personal real property.

(c) The deputy is authorized to enter private property to examine a public nuisance, to obtain information to identify the nuisance, and to remove or direct the removal of the nuisance.

(d) If the deputy reasonably believes that a vehicle is inoperable, the deputy may request the owner or person claiming control of the vehicle to demonstrate that it is operable.

(Ordinance A-241, sec. 3, adopted 8/9/01)