

DIVISION 5. JUNKED AND ABANDONED VEHICLES

Sec. 16 – 100. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) **Junked motor vehicle:** Means any vehicle or motor vehicle which is partially dismantled or wrecked and which cannot safely, or legally, be operated upon a highway. Junked motor vehicle also means any vehicle or motor vehicle, whether partially dismantled, wrecked, or in running condition, which does not have a valid and current vehicle or motor vehicle license plate (registration) issued by the proper state agency attached thereto.
- (2) **Motor vehicle:** Means any self-propelled land vehicle which can be used for towing or transporting people or materials, including but not limited to automobiles, trucks, buses, motor homes, motorized campers, motorcycles, motor scooters, tractors, snowmobiles, dune buggies and other wheeled off road vehicles.
- (3) **Motor vehicle accessories:** Means any part or parts of any vehicle or motor vehicle.
- (4) **Private property:** Means any real property not owned by the federal government, state, county, city, school board, or other public subdivisions.
- (5) **Removal:** Means the physical relocation of a vehicle or motor vehicle to an authorized location.
- (6) **Vehicle:** Means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, including but not limited to trailers, utility trailers, boat trailers, snowmobile trailers, camper trailers, travel trailers and fifth wheel type trailers, excepting devices used exclusively upon rails or stationary tracks.

Sec. 16 – 101. Prohibited storage.

- (1) It shall be unlawful for any person owning or having custody of any junked motor vehicle or motor vehicle accessories to store or permit any such vehicle or accessories to remain on any private property within the city for a period of more than thirty (30) days after the receipt of a notice requiring such removal. It shall be further unlawful for any person owning any private property in the city to store or to permit to remain any such vehicles or accessories on their property for more than a like period. Such storage is declared to be a public nuisance and may be abated or removed and penalties imposed as provided in this Article.
- (2) After a removal order has been given, it shall be unlawful for any person to remove any vehicle, motor vehicle, or motor vehicle accessories to any other private property upon which storage is not permitted or onto any public highway or other public property for storage.

Sec. 16 – 102. Permitted storage.

- (1) This section shall not apply to any vehicle or motor vehicle or motor vehicle accessories stored within an enclosed building, or on the premises of a business enterprise, operated in a lawful place and manner when necessary to the operation of such business enterprise, for storage or depository. Such business enterprises shall include auto junkyards, auto repair and body shops, and commercial storage facilities.
- (2) An exception would exist if a conditional use permit were issued.

Sec. 16 – 103. Investigation of premises.

The building inspector on routine inspection or any police officer upon receipt of a complaint may investigate a potentially unlawful junked motor vehicle or motor vehicle accessories and record the make, model, style, and identification numbers.

Secs. 16 – 104—16 – 109. Reserved.