

CHAPTER 92: ABANDONED VEHICLES

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§ 92.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PROPERTY. Any real property within the city which is not a street or highway.

STREET OR HIGHWAY. The entire width between the boundary lines of every public way when any part is open to use by the public for purposes of vehicular travel.

VEHICLE. A machine propelled by power, other than by human power, designed to travel along the ground by use of wheels, treads, runners, or slides and to transport persons or property or pull machinery and shall include, without limitation, automobiles, trucks, trailers, motorcycles, tractors, buggies, wagons, and campers.

(1993 Code, § 41.01)

§ 92.02 ABANDONED VEHICLES; GENERALLY.

(A) No person shall leave any vehicle at any place within the city for any time and under any circumstances that indicate an abandonment. A vehicle left upon a street or highway for seven consecutive days shall be presumed to be abandoned.

(B) Vehicles parked or stored on any property used for residential purposes shall be regulated by § 302.8 of the International Property Maintenance Code, as adopted by the city.

(C) Vehicles parked or stored on any property within a nonresidential district shall be regulated by § 302.8 of the International Property Maintenance Code, as adopted by the city. This division (C) shall not apply with regard to a vehicle in an enclosed building, a vehicle on the premises of a business enterprise operated in a lawful place and manner when necessary to the operation of the business enterprise, or a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the city.

(1993 Code, § 41.02) (Ord. 08-05, passed 5-21-2008) Penalty, see § 92.99

§ 92.03 WRECKED VEHICLES.

No person shall leave any partially dismantled, wrecked, or junked vehicle on any street or highway within the city.

(1993 Code, § 41.03) Penalty, see § 92.99

§ 92.04 PROHIBITED REPAIRS.

All repairs upon all automotive vehicles of all kinds and varieties, including motor scooters, motorcycles, and go-carts, are prohibited upon the public streets, alleys, or easements of the city.

(1993 Code, § 41.04) Penalty, see § 92.99

§ 92.05 PUBLIC NUISANCE.

The making of repairs upon automotive vehicles is declared to be a public nuisance for the reason that repairs have a tendency to block and impede traffic upon the streets of the city. Also, repairs tend to cause the streets of the city to become littered, cluttered, and oil- and grease-stained, all to the detriment of the citizens of the city generally.

(1993 Code, § 41.05) Penalty, see § 92.99

§ 92.06 DISPOSITION.

No person in charge or control of any property within the city, whether as an owner, tenant, occupant, lessee, or otherwise, shall allow any partially dismantled, nonoperating, wrecked, junked, abandoned, or discarded vehicle to remain on his or her property longer than seven days. No person shall leave any vehicle on any property within the city for a longer time than seven days. This section shall not apply with regard to a vehicle in an enclosed building, a vehicle on the premises of a business

enterprise operated in a lawful place and manner when necessary to the operation of the business enterprise, or a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the city.

(1993 Code, § 41.06) (Ord. 08-05, passed 5-21-2008) Penalty, see § 92.99

§ 92.07 REMOVAL.

Any member of the City Police Department is authorized to remove or have removed any vehicle left at any place within the city, which vehicle reasonably appears to be in violation of this chapter or to be lost, stolen, or unclaimed. The vehicle shall be impounded until lawfully claimed or disposed of and shall be removed and disposed of in conformity with the state statutes.

(1993 Code, § 41.07)

§ 92.99 PENALTY.

Any person, firm, or corporation violating any provisions of this chapter may, in lieu of being summoned to the District Court for a hearing, pay a fine of \$50 for the violation. If the city citation is not paid within five days of the violation, a citation to District Court shall be issued and any person, firm, or corporation violating this chapter shall be fined an amount of not less than \$100 nor more than \$200, imprisoned not less than ten days, nor more than 30 days, or both fined and imprisoned. Each day of violation shall constitute a separate offense.

(1993 Code, § 41.99) (Ord. 94-13, passed 8-3-1994; Ord. 08-05, passed 5-21-2008)