

ARTICLE III. INOPERABLE VEHICLES

10.60.110: Inoperable Vehicles

(a). Definition: "Inoperable motor vehicle" means any motor vehicle, including parts thereof, from which, for a period of at least seven (7) days, the engine, wheels, or other parts have been removed or on which the engine, wheels or other parts have been altered, damaged, or otherwise so treated that the vehicle is incapable of being driven under its own motor power. "Inoperable motor vehicle" shall not include a motor vehicle which has been rendered temporarily incapable of being driven under its own motor power in order to perform ordinary service or repair operations provided that the period of time in which it is inoperable does not exceed fourteen (14) days..

(b). Nuisance Declared: All inoperable motor vehicles and parts thereof in the city which are on public property, including roads, streets and alleys, are hereby declared to be a nuisance and are hereby prohibited. No person shall cause, continue, maintain, or permit to exist any such nuisance within the city.

(d) Inoperable Vehicle Determined, Procedure:

i. Ownership Determined, Removal:

A. If, upon investigation, it is determined that a vehicle within the city is an inoperable vehicle within the meaning of this section, an attempt shall be made to determine the ownership of such vehicle and the owner and occupant of the private property upon which such inoperable vehicle is located.

B. Upon determining the ownership of the inoperable vehicle, notification shall be sent to the owner by certified mail or by personal service that the vehicle must be removed or made operable within seven (7) days from the receipt of such notice, such motor vehicle will be removed by towing. Such notice shall also be sent to the owner and occupant of the private property upon which such inoperable motor vehicle is located. The notice shall advise the recipient that the recipient can appeal the determination that the vehicle is inoperable, which such appeal shall be directed to the city council. No action will be taken concerning a vehicle while an appeal is pending.

C. If no appeal is made and the vehicle remains inoperable after seven (7) days have expired from the date the owner has received the notice set forth above, the city police chief shall order the vehicle removed from its location by a towing service.

(e) Ownership Not Determined; Removal: Any inoperable motor vehicle whose ownership cannot be determined shall be removed from its location by a towing service on order of the city police chief once it is determined that the owner cannot be identified.

(f). Violation; Penalty: Any owner of an inoperable motor vehicle who fails to obey the notice referred to herein shall be guilty of a misdemeanor and, upon conviction thereof, shall be punishable as provided Title 1 of these Codes. Each day such violation is committed or permitted to continue shall constitute a separate offense.