

## CHAPTER 93: ABANDONED VEHICLES

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### § 93.01 DEFINITIONS.

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

***COSTS.*** The expense of removing, storing or selling a disabled or discarded vehicle.

***DISABLED VEHICLE.*** A vehicle that is temporarily inoperative due to mechanical failure or lack of fuel.

***DISCARDED VEHICLE.***

(1) A vehicle that does not have an unexpired license plate lawfully affixed to it or is in one or more of the following conditions:

- (a) Inoperative, not legal on state streets and highways;
- (b) Wrecked;
- (c) Dismantled;
- (d) Partially dismantled;
- (e) Abandoned; or

(f) Junked.

(2) **DISCARDED VEHICLES** include major parts of vehicles, including but not limited to bodies, engines, transmissions and rear ends.

**LAW ENFORCEMENT OFFICER.** Any authorized law enforcement officer of the city.

**PERSON IN CHARGE OF PROPERTY.** An agent, occupant, lessee, tenant, contract purchaser, owner or person having possession, control or title to real property where a vehicle is located.

**PUBLIC WAY.** Any highway, street, road, alley, right-of-way, pedestrian or bicycle easement for public use.

**VEHICLE.** Every device in, upon or by which a person or property is or may be transported or drawn on a public way, except devices moved by human power or used exclusively upon stationary rails or tracks.

**VEHICLE OWNER.** An individual, firm, corporation or unincorporated association with a claim, either individually or jointly, or ownership or an interest, legal or equitable, in a vehicle.

#### § 93.02 DECLARATION OF PUBLIC NUISANCE.

(A) The open accumulation and storage of a discarded vehicle is found to create a condition tending to reduce the value of private property; to promote blight, deterioration and unsightliness; to invite plundering; to create fire hazards; to constitute an attractive nuisance causing a hazard to the health and safety of minors; to create a harborage for rodents and insects; and to be injurious to the health, safety and general welfare.

(B) Therefore, the presence of a discarded vehicle on private or public property is declared to constitute a public nuisance which may be abated as provided in this chapter.

#### § 93.03 PROHIBITED ACTION.

No person shall store or permit the storing of a discarded vehicle upon public property for more than 72 hours and may not store or permit the storing of a discarded vehicle upon private property for more than 30 days unless the vehicle is either completely enclosed or is visually obscured from view from a public right-of-way, or unless it is in connection with a lawfully conducted business enterprise dealing in junked vehicles.

Penalty, see § 10.99