

## TITLE III COMMUNITY PROTECTION

### CHAPTER 10 JUNK AND JUNK VEHICLES

#### 3-10-1 Definitions

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**3-10-1 DEFINITIONS.** For use in this chapter the following terms are defined as follows:

1. "Junk" includes all scrap copper, brass, lead, or any other non-ferrous metal; old or discarded rope, rags, batteries, paper, trash, rubber, debris, glass, tinware, plastic or old or discarded household goods or hardware, waste or used lumber, or salvaged wood; dismantled vehicles, machinery and appliances or parts of such vehicles, machinery or appliances; Neatly stacked firewood located on a side yard or a rear yard is not considered junk.
2. "Junk vehicles" means any vehicle legally placed in storage with the County Treasurer or unlicensed and which has any of the following characteristics:"
  - A. Broken Glass. Any vehicle with a broken or cracked windshield, window, headlight or taillight, or any other cracked or broken glass.
  - B. Broken, Loose or Missing Part. Any vehicle with a broken, loose, or missing fender, door, bumper, hood, steering wheel, or trunk lid.
  - C. Habitat for Nuisance Animals or Insects. Any vehicle which has become the habitat for rats, mice, or snakes, or any other vermin or insects.
  - D. Flammable Fuel. Any vehicle which contains gasoline or any other flammable fuel.
  - E. Inoperable. Any motor vehicle which lacks an engine or two or more wheels or structural parts, rendering said motor vehicle totally inoperable, or which cannot be moved under its own power or has not been used as an operating vehicle for a period of thirty (30) days or more.
  - F. Defective or Obsolete Condition. Any other vehicle which, because of its defective or obsolete condition, in any other way constitutes a threat to public safety. Mere licensing of such vehicle shall not constitute a defense to the finding that the vehicle is a junk vehicle.
3. "Vehicle" means every device in, upon, or by which a person or property is or may be transported or drawn upon a highway or street, excepting devices moved by human power or used exclusively upon stationary rails or tracks, and includes without limitation a motor vehicle, automobile, truck, motorcycle, tractor, buggy, wagon, farm machinery, or any combination thereof.

**3-1-2 JUNK AND JUNK VEHICLES PROHIBITED.** It is unlawful for any person to store, accumulate, or allow to remain on any private property within the corporate limits of the City any junk or junk vehicle.

**3-10-3 JUNK AND JUNK VEHICLES A NUISANCE.** It is hereby declared that any junk or junk vehicle located upon private property, unless excepted by Section 3.10.4, constitutes a threat to the health and safety of the citizens and is a nuisance within the meaning of Section 657.1 of the Code of Iowa. If any junk or junk vehicle is kept upon private property in violation hereof, the owner of or person occupying the property upon which it is located shall be prima facie liable for said violation.

**3-10-4 EXCEPTIONS.** The provisions of this chapter do not apply to any junk or a junk vehicle stored within a garage or other completely enclosed structure or upon any of the following premises, as long as the garage, structure or premises is not in violation of any provision of this Code of Ordinances:

1. Authorized vehicle recycler.
2. Bona fide educational institution.
3. Licensed motor vehicle dealer.
4. Licensed travel.
5. Motor vehicle franchiser.
6. Salvage yard.

**3-10-5 NOTICE TO ABATE.** Upon discovery of any junk or junk vehicle located upon private property in violation of Title III Chapter 2, the City shall within five (5) days initiate abatement procedures as outlined in Title III Chapter 2 of this Code of Ordinances.