

ARTICLE VII: JUNKED, WRECKED, ABANDONED, DISMANTLED, INOPERATIVE, UNLICENSED, UNREGISTERED OR TAX DELINQUENT VEHICLE(S)

Section 11-7.1

JUNKED, WRECKED, ABANDONED, DISMANTLED, INOPERATIVE, UNLICENSED, UNREGISTERED OR TAX DELINQUENT VEHICLE(S) PROHIBITED

No person except a duly licensed vehicle repair establishment shall for any purpose keep, retain, store or place for more than fourteen (14) days a vehicle that has been declared by the City as junked, wrecked, abandoned, dismantled, inoperative, unlicensed, unregistered or tax delinquent on any public or private property, street, highway or right-of-way in the City except in a completely enclosed building or a fenced area (minimum height of six (6') feet that cannot be seen from adjacent properties; nor shall any person except a duly licensed vehicle repair establishment, repair, rebuild, dismantle or tear down more than one (1) vehicle at any time except in a completely enclosed building or fenced area (minimum of six (6') in height) that cannot be seen from adjacent properties. All repairs must be completed within 30 days. No person shall be held liable for not completing repairs on a vehicle(s) under this Code resulting from the delay of material delivery, war, riot, weather conditions, governmental rule, regulation or order including orders and judgments of any courts, or acts of God.

No junked, wrecked, abandoned, dismantled inoperative, unlicensed, unregistered, or tax delinquent vehicle(s) shall be maintained on public or private property for the purpose of using parts or accessories for any purposes.

Section 11.7.1.2

JUNKYARDS, AUTOMOBILE GRAVEYARDS, SCRAP AND METAL PROCESSORS

Junkyards, automobile graveyards, scrap and metal processors are specifically prohibited in all zoning classifications and districts within the City.

Section 11-7.2

JUNKED, WRECKED, ABANDONED, DISMANTLED, INOPERATIVE, UNLICENSED, UNREGISTERED OR TAX DELINQUENT VEHICLE PERMITTED

A duly licensed vehicle repair establishment may keep, retain, store or place at any time more than one (1) vehicle that has been junked, wrecked, abandoned dismantled or determined to be inoperative, unlicensed, unregistered, or tax delinquent on the premises provided the vehicles are actively being repaired and that the vehicles do not remain on the premises for more than thirty (30) days. No person shall be held liable for not completing repairs on a vehicle(s) under this Code resulting from the delay of material delivery, war, riot, weather conditions, governmental rule, regulation or order including orders and judgments of any courts, or acts of God.

Section 11-7.3

MAXIMUM NUMBER PERMITTED.

No person shall keep more than three (3) junked, wrecked, abandoned, dismantled, inoperative, unlicensed, unregistered or tax delinquent vehicles; said vehicle(s) shall be

stored within an enclosed building or fenced area away from public view in the residential sections of the City.

No person shall keep more than six (6) operable vehicles within an enclosed building, fenced area or yard in the residential sections of the City.

**Section 11-7.4
DUTY OF OWNER OF VEHICLE**

When any junked, wrecked, abandoned, dismantled, inoperative, unlicensed, unregistered or tax delinquent vehicle, as defined in this article exists, the person in charge or control, whether as owner, tenant, occupant, lessee or otherwise, of the property on which said vehicle is situated, shall remove and dispose of such through a private contract or by private means and indemnify the City of all cost associated with the removal of the same.

**Section 11-7.5
REMOVAL OF JUNKED, WRECKED, ABANDONED, DISMANTLED, INOPERATIVE,
UNLICENSED, UNREGISTERED OR TAX DELINQUENT VEHICLES**

Any vehicle that is deemed by the City as junked, wrecked, abandoned, dismantled, inoperative, unlicensed, unregistered or tax delinquent pursuant to this article must be moved from the premises, discarded or repaired (made operable) or stored within fourteen (14) calendar days after being notified pursuant to City policy. Failure to do so will constitute a violation of this ordinance.

**Section 11-7.5.1
MEANS OF REMOVAL**

Removal of said vehicle(s) shall be by the following:

(a) BY THE OWNER: The vehicle shall be removed by the owner provided the owner is given fourteen (14) days written abatement notice addressed to the owner by certified mail or hand delivered at his last known address.

(b) BY THE CITY: the City shall remove the vehicle after the owner is found to be in violation of the Code, convicted by the courts and has failed to remove the vehicle after all appeals have failed. The owner shall become liable for all expenses incurred.

**Section 11-7.6
IMPOUND LOTS.**

Impound lots, incident to the operation of a business, may be established within districts pursuant to the zoning laws of the City for the storage of vehicles under the following conditions and requirements:

The area used for an impound lot must be free of debris and regularly maintained according to the City's "Appearance Standards";

The area used for an impound lot must be completely enclosed by a fence having a minimum height of six (6) feet; if the impound lot adjoins a residential district, that section adjoining the residential district shall be completely enclosed with a fence having a

minimum height of six (6) feet and constructed with a material that ensures that the interior of the impound lot cannot be viewed from the residential district;

An impound lot may be used for the temporary storage of vehicles from which major parts have not been removed, and which are capable of being made fully operable;

An impound lot may be used for the storage of not more than nine (9) vehicles, as defined herein, at any one time;

Vehicle parts shall not be stored within an impound lot;

Vehicle parts shall not be taken or sold from vehicles stored within an impound lot;

Vehicles stored in an impound lot must be parked neatly in rows and meet or exceed all City, County, State and Federal laws governing the same;

Section 11-7.6.1
RIGHT OF INSPECTION

The City shall have the right of access and inspection during business hours and at all other reasonable times.

Section 11-7.7
LIABILITY LIMITED

Neither the City nor its employees or representatives shall be liable for any damage to such vehicles occasioned by removal authorized by this article other than damages occasioned by gross negligence or by willful or wanton acts or omissions.