

## CHAPTER 51

# INOPERABLE VEHICLES AND JUNK

51.01 Definitions

51.02 Parking and Storage of Inoperable Vehicles  
or Junk

51.03 Inoperable Vehicles and Junk a Nuisance

51.04 Auction Sale

51.05 Lot Parking

51.06 Lot Parking Duration

51.07 Lot Defined

**51.01 DEFINITIONS.** For use in this chapter, the following terms are defined:

1. "Inoperable" means incapable of being put into use or operation.
2. "Inoperable vehicle" means any motor vehicle that is required to be licensed by law, recreational vehicle, boat, trailer or semi-trailer which lacks (a) current registration or (b) one or more wheels (exclusive of the spare) or an engine transmission, differential, drive shaft, axle or any other component part thereof, the absences or removal of which renders the vehicle inoperable by its own power. *(Ord. 585)*
3. "Junk" means all old or scrap copper, brass, lead, or any other non-ferrous metal; old or discarded rope, rags, batteries, paper, trash, rubber, debris, waste or used lumber, or salvaged wood; dismantled or inoperable vehicles, machinery and appliances or parts of such vehicles, machinery or appliances; iron, steel or other old or scrap ferrous materials; old or discarded glass, tinware, plastic or old or discarded household goods or hardware. Neatly stacked firewood located on a side yard or a rear yard is not considered to be junk.
4. "Vehicle" means any motor vehicle required to be licensed by law, recreational vehicle, boat, trailer or semi-trailer.

*(Ord. 749 - Nov. 04 Supp.)*

**51.02 PARKING AND STORAGE OF INOPERABLE VEHICLES OR JUNK.** No person shall park, place, keep or store or permit the parking, placing, keeping or storage of an inoperable vehicle, vehicular component parts or miscellaneous junk and debris on any public or private property within corporate limits of the City unless it is within a completely enclosed building. This section does not apply to short term emergency repairs on licensed vehicles. The definition of "short term" shall be determined by the Police Chief and the Public Works Director at their discretion. This section does not apply to auto salvage yards lawfully operated within the City and enclosed by a fence or wall at least eight (8) feet in height and so constructed as to prevent unauthorized entrance and access. If a violation of this section occurs upon

private property, the owner or person in control of said property shall be prima facie liable for said violation.

*(Ord. 749 - Nov. 04 Supp)*

**51.03 INOPERABLE VEHICLES AND JUNK A NUISANCE.** It is hereby declared that any inoperable vehicle or junk located upon private property, unless excepted by Section 51.02, 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. Upon discovery of any inoperable vehicle or junk located upon private property in violation of this chapter, the City shall initiate abatement procedures as outlined in Chapter 50 of this Code of Ordinances.

*(Code of Iowa, Sec. 364.12[3a])*

**51.04 AUCTION SALE.** All inoperable vehicles removed and impounded shall be sold to the highest bidder at a public auction, the time and place of which shall be duly published in a newspaper of general circulation within the City not less than seven (7) days before said auction. All revenues derived from such sale shall accrue to the City for the purpose of recovering its costs of removal and sale. Any excess revenue from such sale shall be paid to the owner of the vehicle. Any unrecovered costs shall be the responsibility of the owner of the vehicle.

**51.05 LOT PARKING.** No property owner or person in possession thereof shall allow more than two (2) vehicles, whether operable or inoperable, to be parked upon any lot exclusive of vehicles parked entirely on driveways or in garages or carports.

*(Ord. 749 - Nov. 04 Supp.)*

**51.06 LOT PARKING DURATION.** No property owner or person in possession thereof shall knowingly or unknowingly allow the parking or placement of any vehicles upon any lots, exclusive of driveways, garages or carports for more than seven (7) days.

*(Ord. 749 - Nov. 04 Supp.)*

**51.07 LOT DEFINED.** The term "lot" as used in this chapter shall mean a lot as defined in Section 166.15(4) of the City Code of Ordinances.

*(Ord. 749 - Nov. 04 Supp.)*

[The next page is 245]

ORDINANCE NO.#585

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF GLENWOOD, IOWA, 1993, BY AMENDING PROVISIONS PERTAINING TO INOPERABLE VEHICLES AND JUNK

Be It Enacted By The City Council of The City of Glenwood, Iowa:

SECTION 1. SECTIONS MODIFIED. Chapter 51, Section 01 (2) and Section 02 of the Code of Ordinance of the City of Glenwood, Iowa, 1993, are repealed and the following adopted in lieu thereof:

CHAPTER 51  
INOPERABLE VEHICLES AND JUNK

51.01(2). "Inoperable Vehicle" means any motor vehicle, recreational vehicle, boat, trailer or semi-trailer which lacks (a) current registration or (b) one or more wheels (exclusive of the spare) or an engine, transmission, differential, drive shaft, axle or any other component part thereof, the absences or removal of which renders the vehicle inoperable by its own power.

51.02 PARKING AND STORAGE. No person shall park, place, keep or store or permit the parking, placing, keeping or storage of a stock car, racing car, inoperable vehicle, vehicular component parts or miscellaneous junk and debris on any public or private property within corporate limits of the City unless it is within a completely enclosed building. This section does not apply to short term emergency repairs on licensed vehicles. The definition of short term shall be determined by the Chief of Police and the Public Works Director at their discretion. This section does not apply to auto salvage yards lawfully operated within the City and enclosed by a fence or wall at least eight (8) feet in height and so constructed as to prevent unauthorized entrance and access. If a violation of this section occurs upon private property, the owner or person in control of said property shall be prima facie liable for said violation.

Passed by the Council the \_\_\_ day of \_\_\_\_\_, 1995, and approved this \_\_\_ day of \_\_\_\_\_, 1995.

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C. Lyle Mayberry, Jr.  
Mayor

