

CHAPTER 51

JUNK AND JUNK VEHICLES

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

1. “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 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 junk.

2. “Junk motor vehicle” means any motor vehicle stored outside or parked within the corporate limits of the City, whether on public or private property, and whether currently licensed or not, which because of any one or more of the following characteristics constitutes a threat to the public health, welfare, and/or safety:

A. Broken Glass. Any vehicle with a broken, shattered or missing windshield, window, or any other cracked or broken, shattered or missing glass.

B. Broken, Loose or Missing Part. Any vehicle with a broken, loose or missing fender, door, hood, steering wheel or trunk lid.

C. Habitat for Nuisance Animals or Insects. Any vehicle which has become or threatens to become the habitat of rats, mice, snakes, vermin, insects or other wild or domestic animals.

D. Inoperable. Any vehicle which is rendered inoperable by the lack of one or more wheels (exclusive of the “spare”), or the lack of an engine, transmission, differential, drive shaft, axle or any component part thereof, which by its absence or removal makes the vehicle or machine inoperable by its own power, or

because of its inoperable condition has not been used as an operating vehicle for a period of thirty (30) days or more.

E. Defective Condition. Any other vehicle which, because of its defective condition, in any way constitutes a threat to the public health or safety.

(Ord. 854 – Mar. 07 Supp.)

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.

51.02 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.

51.03 JUNK AND JUNK VEHICLES A NUISANCE. It is hereby declared that any junk or junk vehicle located upon private property, unless excepted by Section 51.04, 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.

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

51.04 EXCEPTIONS. The provisions of this chapter do not apply to any junk or a junk vehicle stored within:

1. Structure. A garage or other enclosed structure; or
2. Salvage Yard. An auto salvage yard or junk yard lawfully operated within the City.

51.05 NOTICE TO ABATE. Upon discovery of any junk or junk vehicle located upon private property in violation of Section 51.03, the City shall initiate abatement procedures as outlined in Chapter 50 of this Code of Ordinances.

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