

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 vehicle" means any vehicle legally placed in storage with the County Treasurer or unlicensed and having any of the following characteristics:

A. Broken Glass. Any vehicle with a broken or cracked windshield, window, headlight or tail light, 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 that has become the habitat for rats, mice, snakes, or any other vermin or insects.

D. Flammable Fuel. Any vehicle that contains gasoline or any other flammable fuel.

E. Inoperable. Any motor vehicle that lacks an engine or two or more wheels or other structural parts, rendering said motor vehicle totally inoperable, or that cannot be moved under its own power or has not been used as an operating vehicle for a period of 30 days or more.

F. Defective or Obsolete Condition. Any other vehicle that, because of its defective or obsolete condition, in any other way constitutes a threat to the public health and safety.

Mere licensing of such vehicle shall not constitute a defense to the finding that the vehicle is a junk vehicle.

3. "Trailer" means every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle. This also includes non-motorized campers,

4. "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, except 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 within five days initiate abatement procedures as outlined in Chapter 50 of this Code of Ordinances.

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

51.06 TRAILERS.

1. Licensing. All trailers shall be licensed and registered. Mere licensing of trailer shall not constitute a defense to the finding that the trailer does not constitute a nuisance.
2. Trailers as a Nuisance. It is hereby declared that any trailer located upon private property in violation of any of the provisions contained in paragraphs A through G below, unless excepted by subsection 4 below, shall constitute 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 trailer is kept upon private property in violation thereof, the owner of or person occupying the property upon which it is located shall be prima facie liable for said violation.
 - A. Broken Glass. Any trailer with a broken or cracked window or tail light, or any other cracked or broken glass.
 - B. Broken, Loose or Missing Part. Any trailer with a broken, loose, or missing fender, door, bumper, hood.
 - 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. Grass and Weeds. Any trailer must be clear of overgrown grass, weeds, shrubbery, tree, and bushes. Tires may not be buried up to the rims or embedded in dirt.

- F. Inoperable. Any trailer which lacks one or more wheels or other structural parts, rendering the trailer totally inoperable, or which cannot be used in the manner for which it is designed.
 - G. Defective or Obsolete Condition. Any other trailer which, because of its defective or obsolete condition, in any other way constitutes a threat to the public health and safety.
3. Exceptions. The provisions of this chapter do not apply to any trailer stored within:
- A. Structure. A garage or other enclosed structure; or
 - B. Salvage Yard. An auto salvage yard or junk yard lawfully operated within the City.
4. Notice to Abate. Upon discovery of any trailer located upon private property in violation of this section, the City shall within five days initiate abatement procedures as outlined in Chapter 50 of this Code of Ordinances.

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