

## CHAPTER 51

### JUNK AND JUNK VEHICLES

51.01	Definitions	51.04	Exceptions
51.02	Junk and Junk Vehicles Prohibited	51.05	Notice to Abate
51.03	Junk and Junk Vehicles a Nuisance		

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, licensed or unlicensed, placed in storage within the corporate limits of the City and which has any of the following characteristics:

A. Inoperable. Any vehicle which lacks an engine, one or more wheels or other part, rendering said motor vehicle incapable of being driven under its own motor power.

B. Habitat for Nuisance Animals or Insects. Any vehicle which has become the habitat for rats, mice, or snakes, or any other vermin or insects.

C. Defective or Obsolete Condition. Any other vehicle which, because of its defective or obsolete condition, in any way constitutes a threat to the public health and safety. Such defective or obsolete condition may include any vehicle with a broken or cracked windshield, window, headlight, taillight, or any other cracked or broken glass, or a broken or loose part, including a fender, door, bumper, hood, radio aerial, tail pipe or a decorative pipe.

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

(Ord. 453 - Apr-98 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, See. 364.12[3a])*

51.04 EXCEPTIONS.

1. Structures. The provisions of this chapter do not apply to any junk or junk vehicles stored in a garage or other enclosed structure.
2. Salvage Yard. The provisions of this chapter do not apply to any junk or junk vehicles stored with a lawfully operated auto salvage yard or junk yard within the City.
3. Restoration of Antique or Classic Vehicles. A person may restore one antique or classic vehicle which would otherwise constitute a "junk vehicle" on any lot under the following conditions:
  - A. The owner of said vehicle shall register said vehicle with the City Clerk by obtaining a "Vehicle Restoration Permit" from the City Clerk; the City Clerk is authorized to issue said Vehicle Restoration Permit only if the owner of an antique or classic vehicle meets the following conditions:
    - (1) Submits a completed and signed application form containing the name and address of the owner of the vehicle and the lot on which the vehicle is to be restored and the model, year and description of the vehicle, including its vehicle identification number.

(2) Provides proof of insurance with comprehensive coverage for said vehicle;

(3) Pays a fee of twenty-five dollars (\$25.00).

A Vehicle Restoration Permit shall be valid for a period of one year and be renewable for a second one year period upon meeting the conditions as provided herein. Only one permit may be issued per vehicle; the maximum period permitted by the City for restoring an antique or classic vehicle which would otherwise constitute a junk vehicle is two years.

B. Only one antique or classic vehicle may be restored on any lot at any one time.

C. The outdoor storage of any antique or classic vehicle undergoing restoration shall be limited to a period of four consecutive months, said period commencing at the date of issuance of said Vehicle Restoration Permit or a later date as indicated by the owner on the application form for said permit. The owner shall cover completely a vehicle when it is being stored outside.

4. A person may store outdoors a motor sports vehicle used in sanctioned racing events, hereafter "race car," that would otherwise constitute a "junk vehicle" under the following conditions:

A. Such "race car" shall be operable and used in sanctioned racing events.

B. Only one "race car" shall be stored outdoors on any one lot at any one time.

C. The owner shall cover completely such "race car" when it is being stored outdoors.

D. A "race car" shall not include any motor vehicle used in any demolition racing event, whether sanctioned or unsanctioned.

5. As used in this chapter, a "junk vehicle" shall not include a motor vehicle which has been rendered temporarily incapable (a period of less than two days) of being driven under its own motor power in order to perform ordinary service or repair operations.

*(Ord. 453 - Apr-98*

*Supp.)*

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 (5) days initiate abatement procedures as outlined in Chapter 50 of this Code of Ordinances.

*(Code of Iowa, Sec. 3 64.12[3a])*

[The next page is 211]