

CHAPTER 51

JUNK AND JUNK VEHICLES

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

1. "All-weather surface" means an asphalt, Portland cement concrete, turf block, brick pavers or gravel surface of sufficient thickness to adequately support a motor vehicle.
2. "Building" means a structure for the shelter or enclosure of persons, animals, or chattel.

3. "Inoperable condition" means a vehicle that (1) has a missing or defective part that is necessary for normal operation, or (2) is on blocks, jacks or other supports, or (3) does not have a current license for operation on a public roadway.

4. "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, tin ware, plastic or old or discarded household goods or hardware. Neatly stacked firewood located on a side yard or rear yard is not considered junk.

5. "Junk vehicle" means any vehicle, trailer or semitrailer, whether currently licensed or not, which because of anyone of the following characteristics constitutes a threat to the public health, welfare, and/or safety:

(a) Any vehicle, trailer, or semi trailer which is rendered inoperable, or may not be lawfully operated on a public street or highway, because of a missing or broken windshield or window glass, fender, door, bumper, hood, steering wheel, driver's seat, trunk, fuel tank, wheel, engine, drive shaft, differential, battery, generator or alternator or other component part of an electrical system, or any component or structural part;

(b) Any vehicle, trailer or semi trailer which has become the habitat of rats, mice, snakes or any other vermin or insects;

(c) Any vehicle, trailer or semi trailer which contains stored gasoline or other fuel, paper, cardboard, wood or other combustible materials, garbage, refuse, solid waste, debris, etc.;

(d) Any vehicle, trailer or semi trailer used for storage purposes or harborage, cage or dwelling for animals of any kind;

(e) Any other vehicle, trailer or semi trailer which because of its defective or obsolete condition in any other way constitutes a threat to the public health or safety of the citizens of Washington, Iowa;

(f) Any inoperable vehicle which contains gasoline or any flammable fuel.

(Ord. 882 - Jan. 2005 Supp.)

6. "Lot" means a parcel of land whose area, in addition to the parts thereof occupied by a building or accessory structure, is sufficient to provide front, side and rear yards as specified in the zoning regulations.

7. "Motor vehicle" means a vehicle which is self-propelled and not operated upon rails.
(Code of Iowa, Sec. 321.42(a))

8. "Nuisance" means whatever is injurious to health, indecent, offensive to the senses, or an obstruction to the free use of property so as to interfere essentially with the comfortable enjoyment of life or property.

(Code of Iowa, Sec. 657.1)

9. "Outside" means to be not within an enclosed storage facility or structure and to be visible from other property, including public right-of-way.

10. "Residential area" means an area which is either classified as a residential district for zoning purposes or is regularly used by its occupants as a permanent place of abode or dwelling, which is made one's home as opposed to one's place of business and which has housekeeping and cooking facilities.

11. "Restoration" means to bring back to a former condition.

12. "Undeveloped area" means a parcel of land which has no buildings or structures and which is not a park, playground, athletic field, parking area, or place used for vehicular traffic.

13. "Vital component parts" means those parts and elements of a motor vehicle that are essential to the mechanical functioning of the vehicle on a public roadway in a lawful manner, including but not limited to the motor drive train and wheels.

14. "Yard, front" means an open space extending the full width of the lot between the building and the front lot line, unoccupied and unobstructed from the ground upward, except as otherwise specified in the zoning regulations.

51.02 JUNK AND JUNK VEHICLES - STORAGE. No junk shall be stored outside on public or private property. No junk vehicles shall be parked or stored outside in a residential area for a period of more than seven (7) calendar days. In addition, no junk vehicles shall be parked outside on display for sale, lease, or other commercial purpose, by itself or with other motor vehicles for sale, lease or other commercial purpose in any area or district of the City. The provisions of this section 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 junkyard lawfully operated within the City.
3. Automotive Towing/Repair Business: Persons engaged in the business of towing motor vehicles, temporary storage of motor vehicles, general motor vehicle repair, and motor vehicle body repair that are lawfully operated within the City. These businesses must be located within a commercial, or industrial zoned area within the City. Furthermore, these businesses must be in full compliance with all other ordinances of the City and the laws of the State of Iowa.
4. Permit: A permit may be obtained from the City for the purpose of restoring an automobile and light truck only. This permit will be valid for one (1) year from date of issue. Permits may be obtained from City Hall at a cost of \$25.00. Permit holders must store the vehicle on an all weather surface, or in an inconspicuous place on their property. If the vehicle is stored outside, it must be covered with a secured non-transparent covering that covers the entire vehicle.

51.03 OPERABLE VEHICLES. Except as provided by Section 50.12 of this Code of Ordinances, outside storage of operable vehicles is deemed to be a public nuisance.

(Ord. 1011 - 2013 Supp.)

51.04 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.

51.05 JUNK AND JUNK VEHICLES A NUISANCE. It is hereby declared that any junk or junk vehicle located upon private property, unless exempted 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. 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. **(Ord. 1011 - 2013 Supp.)**

51.06 NOTICE TO ABATE. Upon discovery of any junk or junk vehicle located upon private property in violation of Section 51.05, the City may within seven (7) days initiate abatement procedures as outlined in Chapter 50 of this Code of Ordinances. **(Ord. 1011 - 2013 Supp.)**

51.07 RELEASE OF IMPOUNDED VEHICLES – PROCEDURE. Vehicle owners that seek release of their vehicle from impound, the following procedure will be followed:

1. Full payment of all associated costs of towing, impoundment, administrative fees and any municipal infraction fines must be made in full to the City Clerk.
2. Presentation of paid receipt from the City of Washington must be presented to the contractor where the vehicle is impounded to have the vehicle released to the owner.
3. If the amount expended to abate the nuisance or condition exceeds one hundred dollars (\$100), the City shall permit the assessment to be paid in up to ten (10) annual installments, to be paid in the same manner and with the same interest rates provided for assessments against benefited property under State law in accordance with Chapter 50.20 of this Code of Ordinances

51.08 SURRENDER/RELEASE OF TITLE. A vehicle owner may voluntarily surrender the title/proof of ownership to the City of Washington for (one) \$1.00 dollar on a vehicle that has been declared a nuisance. If the vehicle owner chooses to surrender the title/proof of ownership of the vehicle, they must do so within the 7 (seven) day Notice to Abate. If the vehicle owner chooses not to surrender the title/ownership of the vehicle, all associated costs of abatement will apply if abatement is carried out by The City of Washington. This includes any towing, impoundment, administrative fees and municipal infraction fines.