

## 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 within the corporate limits of the City which has any one or more of the following characteristics:

A. Any vehicle with a cracked or broken windshield, or cracked or broken window, or cracked or broken headlight, or any other cracked or broken glass.

B. Any vehicle with a broken, loose, or missing fender, door, bumper, hood, door handle, window handle, steering wheel, trunk top, trunk handle, radio aerial, or tail pipe.

C. Any vehicle which has become the habitat for rats, mice, or snakes, or any other vermin or insects.

D. Any inoperable vehicle which contains gasoline or any other flammable fuel. "Inoperable" means a vehicle which cannot be moved under its own power or has not been used as an operating vehicle for a period of more than 30 days.

E. Any vehicle not capable of being driven from the place of its location under its own power without the addition of parts or repairs, or any vehicle not equipped with four inflated tires.

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

G. Any vehicle which is not licensed or is not in storage with the County Treasurer.

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:

1. Any junk or a junk vehicle stored within an enclosed structure. An “enclosed structure” is a structure built for the enclosure of property and which structure contains a roof and exterior walls constructed in such a manner as to obscure the contents of the structure.
2. Any junk or a junk vehicle stored within an uninterrupted, solid, and continuous board fence in good condition and repair and having a height of eight feet or more.
3. A business enterprise lawfully involved in the repair, maintenance, sales, or salvage of vehicles, provided such enterprise complies with the requirements for location, screening, and storage, as required by the zoning regulations.
4. A vehicle under active repair, parked upon the driveway of a residentially zoned property which does not having a garage, provided that the owner has notified the peace officer in writing of the owner’s intent to actively repair the vehicle and the repairs are completed within 30 days of the notification.

**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. 364.12[3a])*

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