

132.00

PROHIBITING THE STORING OF JUNKED MOTOR VEHICLES ON PRIVATE PROPERTY

132.01 The following is declared to be a nuisance affecting community aesthetics, public peace, safety and general welfare.

132.02 It shall be unlawful for any person, firm, partnership or corporation to pile, store or keep for longer than a seven day period wrecked, junked or abandoned vehicles on private property within the City of Kerkhoven, without a special use permit granted by the City Council.

132.03 Any vehicle shall be deemed to be covered by Section 2 of this Ordinance if said vehicle does not have attached thereto a valid and current license plate issued by the proper state agency, or be covered by a valid dealer's license issued by the proper state agency. A vehicle shall be deemed to be a junked motor vehicle within the meaning of this Ordinance if for a period of thirty (30) days or more:

- A. It is not in an operable condition, or
- B. It is partly dismantled, or
- C. It is used for sale of parts or as a source of repairs or replacement parts for other vehicles, or
- D. It is kept for scraping, dismantling or salvaging of any kind.

That except as herein provided, said Ordinance shall continue in full force and effect.

This amendment shall be in full force and effect from and after the date of publication.

132.04 A special use permit may be issued only in accordance with the following provisions:

- A. The person desiring such permit shall make applications to the City Council of the City of Kerkhoven and shall pay a fee of One Dollar (\$1.00) at the time of application.
- B. The person desiring said permit shall be required to keep said vehicle OUT OF VIEW OF THE GENERAL PUBLIC ("out of view" shall be deemed by the City Council), or erect a seven foot high solid fence, with solid gate, constructed of either painted wood, prefinished metal, fiberglass, aluminum or such materials as shall be approved in advance by the City Council. If the fence is of wood, it is to [be] kept painted. The area surrounding shall be kept free of weeds and other unsightly objects and the entire area shall be property maintained.

132.05 It shall be the duty of the police department to investigate all written and signed complaints submitted to the City Council and if after investigation there appears to be a violation of this Ordinance, the investigating officer shall sign a complaint.

132.06 **Penalty.** Any person, firm, partnership or corporation violating any section of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$1,000.00 and/or up to 90 days in jail. (Amended by Ordinance adopted August 10, 2009)

132.07 This Ordinance shall be in full force and effect from and after its date of publication.

DERIVATION: February 24, 1981

/s/ Roy Krueger, Mayor

/s/ Mona Doering, Clerk-Treasurer