

CHAPTER 51

JUNK, JUNK VEHICLES AND PARKED VEHICLES

51.01 Definitions

51.02 Junk and Junk Vehicles Prohibited

51.03 Junk and Junk Vehicles a Nuisance

51.04 Exceptions

51.05 Notice to Abate

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

1. “Junk” means plumbing items not limited to but including bathtubs, toilets and/or urinals no longer in use, regardless of use and stored or displayed outside; all old or scrap copper, brass, lead, or any other non-ferrous metal; old or discharged 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 rear yard is not considered junk.

(Ord. 1076 – Dec. 16 Supp.)

2. “Junk vehicle” means any vehicle which has 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 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. Inoperable. Any vehicle that is not licensed for the current year or which lacks an engine or two or more wheels or other structural parts, rendering said motor vehicle totally inoperable, or which cannot be moved under its own power or has not been used as an operating vehicle for a period of thirty (30) days or more.

(Ord. 1005 – Dec. 11 Supp.)

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

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, recreational vehicle, recreational trailer, trailer, tractor, buggy, wagon, farm machinery, or any combination thereof. *(Ord. 1076 – Dec. 16 Supp.)*

4. “Driveway” Means a short road leading to a house or garage and shall be limited to 30 feet or less in width. Upon application to the Planning and Zoning Commission, a driveway greater than 30 feet in width may be permitted.

(Ord. 1076 – Dec. 16 Supp.)

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.

1. Parking of vehicles shall be prohibited in the front yards of residential properties except upon that area which is used as a driveway.

(Ord. 1076 – Dec. 16 Supp.)

(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. A fully enclosed wood slat or slatted chain link fence or wall sufficient to prevent unauthorized entrance, access and visibility of the motor vehicle, which fence or wall is at least six (6) feet in height.
2. A garage or other enclosed structure.
3. An auto salvage yard or junk yard operated in a district properly zoned therefor, when necessary to the operation of said business enterprise, as authorized under the Zoning Ordinance of 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 (5) days initiate abatement procedures as outlined in Chapter 50 of this Code of Ordinances.

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