

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

50.10 Parking of Junk Vehicles

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 or motor vehicle located within the corporate limits of the City, whether licensed or unlicensed, which has any of the following characteristics:
 - A. Broken Glass. Any vehicle with a broken windshield, window, or other 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. Inoperable. Any motor vehicle which lacks an engine or one 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.
 - E. 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, tractor, buggy, wagon, farmmachinery, 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 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 junk yard lawfully operated within the City.
3. Vehicle Repair. A vehicle under active repair parked upon the driveway of a residentially zoned property not having a garage, provided the owner has notified the Police Department in writing of the owner’s intent to actively repair the vehicle and the repairs are completed within thirty (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])

51.06 PARKING OF JUNK VEHICLES. Parking of junk vehicles shall be prohibited unless excepted under Section 51.04.

Parking of junk vehicles violations shall be punishable by a scheduled fine as listed in Chapter 4.01 Scheduled Fines:

31. Section 51.06 – Parking of Junk Vehicles	
First Offense	\$50.00
Second Offense	\$100.00
Third or subsequent Offense...	\$500.00

For purposes of enhancement in this section, any guilty plea or conviction occurring within two (2) years of a subsequent offense may be used to enhance the level of offense.