

## Chapter 27, Article 1

### Sec. 27-13. - Junked or abandoned vehicles on private property.

(a)

In this section the term "dismantled, junked or abandoned vehicles" shall be deemed to include parts thereof including bodies, engines, transmissions, rear ends, etc. The term "vehicle legally or physically incapable of being operated" shall include one which does not have attached a current license plate, according to law, or which lacks the equipment in good operating condition as required by law to enable it to be operated.

(b)

No person shall deposit, store, keep or permit to be deposited, stored or kept in the open, upon property, a dismantled, unserviceable, junked or abandoned vehicle, or one legally or physically incapable of being operated under its own power.

(c)

The owner of any vehicle described in this section shall remove the vehicle within five days after being ordered so to do in writing by the owner, lessee or occupant of the premises where such vehicle shall be found. If the owner of any such vehicle is not known or cannot readily be ascertained, notice to remove may be given by attaching such notice to such vehicle. The police department, upon request, shall assist in ascertaining the name and address of the owner of any such vehicle. If the owner of such vehicle is also the owner, lessee or occupant of the premises, notice to remove shall be given by the police department. An unregistered vehicle on premises not owned or occupied by the owner of such vehicle may be deemed to be abandoned.

(d)

Upon failure to remove such vehicle, within the time limited in this section, such owner, lessee or occupant of the premises or the police department shall forthwith remove or cause such vehicle to be removed from the premises to a location to be provided for such purpose by the city.

(e)

The owner of any vehicle so removed may regain possession of it from the city by making application therefor within 90 days after its receipt by the city, upon paying to the city all reasonable costs of removal and storage, which shall be repaid to the person who paid or incurred such charges, plus an additional charge of \$25.00 for storage charges of such vehicle while in the possession of the city. If no claim for the vehicle is made within 90 days after receipt of such application, the city may sell such vehicle for the best price obtainable, as junk or otherwise, and the proceeds thereof shall be available to pay the reasonable charges of delivering the vehicle to the city. Any balance over and above expenses shall be paid into the general fund of the city.

(f)

Neither the owner, lessee or occupant of the premises from which a vehicle shall be removed, his servant or agent, or the city, shall be liable for any loss or damage to such vehicle while being removed, or while in the possession of the city, or as a result of any subsequent sale or other disposition.

*(Code 1980, § 25-7(a)—(g))*