

repealed by 105

ORDINANCE NO. 13

AN ORDINANCE RELATING TO WRECKED, JUNKED, DICMANTLED, PARTILY DISMANTLED, ABANDONED, AND UNLICENSED MOTOR VEHICLES: PROHIBITING THE STORAGE, REPAIR OR DISMANTLING THEREOF ON PUBLIC OR PRIVATE PROPERTY: PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE AND DECLARING AN EMERGENCY.

DUNES CITY OREGON ORDAINS AS FOLLOWS:

Section 1. It shall be unlawful to park, store or leave, or permit the parking of storing of any licensed or unlicensed motor vehicle of any kind for a period of time in excess of seventy-two (72) hours, which is in a rusted or wrecked or junked or partially dismantled or inoperative or abandoned condition, whether attended or not, upon any public property within Dunes City, unless the same is completely enclosed within a building or unless it is in connection with a business enterprise, lawfully licensed by the City and properly operated in the appropriate business zone, pursuant to the zoning laws of Dunes City; and a violation of this Ordinance shall be a misdemeanor.

Section 2. The accumulation and storage of one or more of such vehilces, as hereinbefore defined, on public or private property shall constitue rubbish and unsightly debris and a nuisance, detrimental to the health, safety and welfare of the inhabitants of Dunes City, and it shall also be the duty of the owner of the private property, or the lease or other person in possession of the private property upon which such vehicle is located to remove the same from Dunes City or to have the same housed in a building where it will not be viewed from the street.

Section 3. It shall be the duty of the Chief of Police of Dunes City to give written notice to the registered owner of any motor vehicle which is in violation of this Ordinance, as dscribed in Section 1, or to give such notice to the owner or lessee of the private land upon which such motor vehicle is situated, giving notice that said vehicle be removed from Dunes City within seventy-two (72) hours, or that within seventy-two (72) hours the same be housed in a building where it will be visible from the street. Said notice may be given by personal service or by registered mail, with return receipt requested.

Section 4. If the notice is given, as provided in Section 3 and the person upon whom said notice and demand is made shall fail to remove said vehicle, or vehicles, as the care may be, or shall fail to cause the same to be housed in a building where it will not be visable from the street, then said person shall be in violation of this Ordinance, and upon conviction thereof, shall be punished by a fine not exceeding five hundred dollars (\$500.00), or by imprisonment in the City Jail for a term not exceeding six (6) months, or by both such fine and imprisonment.

Section 5. As an alternate procedure, the Chief of Police may, after giving the notice required by Section 3, and after waiting seventy-two (72) hours, cause the vehicle or vehilces to be removed by a

City truck or by a commercial tow truck to a commercial garage or an automobile wrecking yard, or any other suitable place for storage of the vehicle as may be designated by the Chief of Police, and within forty eight (48) hours after the removal and storage of such vehicle by the Chief of Police, he give notice in the manner prescribed in Section 3 of this Ordinance to the registered owner of such vehicle, and also to the owner, lessee or person in possession of the land from which the vehicle was removed, that said vehicle, or vehicles, has been impounded and stored for violation of this Ordinance, and said notice shall include the costs incurred by the City for the removal or towing and the storage charges accruing, which shall not exceed five dollars, (\$5.00) per day, and that if said charges are not paid in full to the City Recorder within the ten (10) days immediately following the giving of such notice, that said vehicle or vehicles, shall be deemed to have been abandoned, and will thereafter be discarded as junk or may, in the discretion of the Chief of Police be sold as an abandoned vehicle in the manner prescribed by Ordinance no _____, which relates to the impounding and disposing of abandoned vehicles.

Section 6. If any vehicle is impounded and stored by the Chief of Police, under the provisions of this Ordinance or any other Ordinance of the City or pursuant to any other lawful authority of the Police Department, said vehicle shall not be released by the appointed keeper thereof until all charges connected with the removal, towing and storage of such vehicle have been fully paid, as evidence by the City Recorder's paid receipt.

Section 7. It shall be unlawful to disassemble, construct, reconstruct, repair and/or service motore vehicles of any kind in or upon any street, road, alley or public thoroughfare in Dunes City or in the yard of any resident, except for emergency service; provided that said emergency service shall not exceed over a period of seventy-two (72) hours, except when required to be made in a street, road, alley, or public thoroughfare, in which case said emergency service shall not extend over a period of two (2) hours, and does not interfere with or impede the flow of traffic. The violation of this Section shall also constitute a public nuisance, and a misdemeanor, which shall be punishable upon conviction by a fine not exceeding two hundred (\$200.00) dollars, or by imprisonment in the City Jail for a term not exceeding thirty (30) days, or by both such fine and imprisonment.

Section 8. All Ordinances or parts of Ordinances in conflict herewith shall be and the same are hereby repealed.

Section 9. Inasmuch as the results to be obtained by this Ordinance will be of great benefit to the health and welfare of the people of Dunes City of Oregon, and there exists and is an urgent necessity that this Ordinance shall take effect as soon as possible so that the health and peace and safety of Dunes City Oregon, may be preserved, and emergency is declared to exist and this Ordinance shall be in full force and effect, immediately upon its passage by the Common Council and approval by the Mayor.

Section 9. Inasmuch as the results to be obtained by this Ordinance will be of **great** benefit to the health and welfare of the people of Dunes City of Oregon, and there exists and is an urgent necessity that this Ordinance shall take effect as soon as possible so that the health and peace and safety of Dunes City Oregon, may be preserved, and emergency is declared to exist and this Ordinance shall be in full force and effect immediately upon its passage by the Common Council and approval by the Mayor.

PASSED BY THE COMMON COUNCIL this 12th day of July, 1965.

APPROVED BY THE MAYOR this 12th day of July, 1965.

Philip H. Hanel
Philip Hanel, Mayor

Yvonne Suniga
Yvonne Suniga, City Recorder

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