

**AN ORDINANCE PROHIBITING ANY DAMAGED OR DISABLED MOTOR VEHICLE OR OTHER JUNK FROM BEING LEFT OR PERMITTED TO REMAIN UPON ANY STREET OR PRIVATE PROPERTY; DECLARING THE ABOVE TO BE A NUISANCE; PROVIDING FOR THE ABATEMENT OF SUCH NUISANCE AND PROVIDING A PENALTY.**

SECTION 1. Definitions:

- (a) "*Person*": Any person, firm, partnership, association, corporation, or other organization of any kind.
- (b) "*Vehicle*." For the purpose of this section, a vehicle is any machine propelled by power other than human power designed to travel along the ground by use of wheels, treads runners or slides, including but not limited to automobiles, trucks, trailers, motorcycles, tractors, buggies and wagons, or any part thereof.
- (c) "*Inoperable vehicle*" defined. For the purposes of this section, an inoperable, non-operable, or non-operating vehicle, is any vehicle which is incapable of traveling upon the public streets because of mechanical, structural, or other similar failures or defects, or which does not display a valid license. If any vehicle (including trailers) is designed for travel upon public streets, the license requirement applies for purposes of this section whether or not the vehicle is actually being used solely on private property.
- (d) "Junk" defined. Any metal, glass, paper, rags, wood, machinery parts, cloth or other waste or discarded material of any nature or substance whatsoever, or scrap or salvage materials.
- (e) "*Street or Highway*." The entire area between the boundary lines of every publicly maintained way when any part thereof is open to the use of the public for purposes of vehicular travel.
- (f) "Property." Any land owned by the city or located within the city limits, not including streets and highways.

SECTION 2: *Leaving on streets or other property.*

- (a) No person shall leave any partially dismantled, non-operable, wrecked, junked vehicle or junk upon any property in the city unless such property is devoted to the parking or storage of motor vehicles or junk; and no person shall leave any partially dismantled, non-operable, wrecked, junked vehicle or junk upon any street within the city or upon any property of the city devoted to the parking or storing of automobiles, except in an emergency and then for no longer than one hour; except that this subsection shall not apply to property held by the city and utilized for the purpose of storage of such vehicles. Any vehicle left upon the streets or upon the public property of the city in violation of this section is hereby declared to constitute a nuisance.
- (b) Inoperable or non-operable vehicles as defined in this section parked or left upon any portion of any city or public streets, thoroughfares, or roads, or upon any portion of any city or public right-of-way area, sidewalks, or other public ways for a continuous period of 48 hours or more without being moved may be subject to being towed on order of the police department and impounded.
- (1) *Removal required.* No person in charge or control of any property within the city, whether as owner, tenant, occupant, lessee or otherwise, shall allow any partially dismantled, non-operating, wrecked, junked or discarded vehicle, or junk to remain on such property longer than seven days; and no person shall leave any such vehicle, or other junk on any property within the city for a longer time than seven days; and any vehicle, or junk which remains on such property, either public or private, in violation of this provision is hereby declared to constitute a nuisance, except that this subsection shall not apply with regard to a vehicle in an enclosed building, or, the ground level view of the area where such vehicle or junk is stored is obstructed from the public right-of-way and adjacent property.

(2) *Storage at business location.* Any vehicle that is not registered or is improperly registered with the state of Missouri: Or, any vehicle that has been inoperable for more than 72 hours or is in such a state of repair as to be inoperable, except any vehicle on the premises of a duly licensed automotive repair or sales business; or a duly licensed automotive junking business.

SECTION 3: "Penalty".

(1) Any person violating any provisions of this ordinance shall be punished by a fine not to exceed \$500.00, or by incarceration in jail for a time not to exceed 90 days, or by both fine and incarceration. Each day of any violation of this ordinance shall be deemed a separate offense. If such order is not complied with, such vehicle may be impounded and disposed of.

Section 4: "Effective Date"

(1) This ordinance shall be effective immediately upon passage and approval.

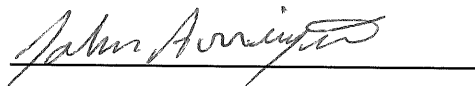
PASSED AND APPROVED this 16<sup>th</sup> day of August, 2022, with the following council members voting "AYE":

Tarena Hill. Fred Barela

And the Following council members voting "NAY":

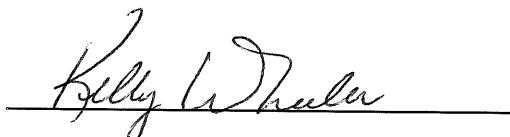
Vonda Barela

The City of GALENA, MISSOURI



John Arrington Mayor

Attest:



Kelly Wheeler City Clerk