

**CITY OF ST. AUGUSTA
STEARNS COUNTY, MINNESOTA
ORDINANCE NO. 2006-03**

**AN ORDINANCE RELATING TO ABANDONED
OR JUNK VEHICLES**

THE CITY COUNCIL OF ST. AUGUSTA, MINNESOTA HEREBY ORDAINS:

The City Council of St. Augusta, Minnesota ordains:

Section 1. Definitions.

Subd. 1. Words and phrases: For the purpose of this ordinance, the following words and phrases have the meaning given to them in this section.

Subd. 2. Abandoned motor vehicle: Means a motor vehicle, as defined in Minnesota Statutes, Section 169.01, that has remained for a period of more than 48 hours on public property illegally or lacking vital component parts, or has remained for a period of more than 48 hours on private property without the consent of the person in control of such property or in an inoperable condition such that it has no substantial further use consistent with its usual functions unless it is kept in an enclosed garage or storage building. It shall also mean a motor vehicle voluntarily surrendered by its owner to and accepted by a unit of government or its agent. A classic car or pioneer car, as defined in Section 168.10, Minnesota Statutes, shall not be considered an abandoned motor vehicle within the meaning of this ordinance. Vehicles on the premises of junk yards and automobile graveyards, which are defined, maintained and licensed in accordance with Section 161.242, Minnesota Statutes, or which are licensed and maintained in accordance with local laws and zoning regulations shall not be considered abandoned motor vehicles within the meaning of this ordinance. A junk vehicle shall be considered to be an abandoned vehicle for the purpose of this ordinance.

Subd. 3. Junk vehicle: means a motor vehicle, including a trailer or other motor vehicle accessory which attaches to a motor vehicle which:

- (a) is not in operable condition, or
- (b) is partially dismantled, or
- (c) is used for sale of parts or as a source of repair or replacement parts for other vehicles, or
- (d) has expired license plates, or
- (e) is kept for scrapping, dismantling, or salvage of any kind, unless such vehicle is kept in an enclosed garage or storage building.

Subd. 4. Private property: means all property not defined as public property in Subdivision 5.

Subd. 5. Public property: means property in control of any government or its agencies, including that portion of the right of way between the traveled portion of a

street and the adjacent property line.

Subd. 6. Street: means any public street, avenue, road, alley, or highway located in the city limits and established for the use of vehicles.

Subd. 7. Unclaimed vehicle: means any impounded vehicle not claimed by, or for any reason not released to, the owner thereof within 15 days after notice is mailed to him or such notice is published as provided herein.

Subd. 8. Vital component parts: means those parts of a motor vehicle that are essential to the mechanical functioning of the vehicle, including, but not limited to, the motor, drive train, and wheels.

Section 2. Vehicles Constituting a Public Nuisance

Subd. 1 Abandoned and junk vehicles are declared to be an attractive nuisance creating a hazard to health and safety of the public because they invite plundering, create fire hazards, and attract vermin. The accumulation and outside storage of such vehicles is determined to be in the nature of rubbish, litter and unsightly debris, and a detriment to the environment and may be abated as provided herein or as provided under Ordinance 2002-03 of the City of St. Augusta or the statutes of the State of Minnesota.

Subd. 2 Any vehicle, whether occupied or not, that is found stopped, standing or parked in violation of any ordinance or Minnesota statute, or that is found impeding public safety efforts is declared to be public nuisance and may be removed from public property without prior notice or abated by removal from private property with the consent of the property owner or vehicle owner.

Section 3. Penalty

Any person who violates any provision of this ordinance shall be guilty of a misdemeanor which shall be punishable by a fine not to exceed \$1,000.00. Any person who violates any provision of this ordinance may also be subject to an administrative fine of \$_____ per violation pursuant to City ordinance No. 2005-12, titled An Ordinance To Provide For Administrative Enforcement Of Code Regulations. Every day that the offense occurs shall be deemed a separate violation of this ordinance.

Section 4. Effective Date

This ordinance becomes effective upon its passage and publication according to law.

ADOPTED this _____ day of _____ 2006.

CITY OF ST. AUGUSTA

By: _____
B. J. Kroll, Mayor

ATTEST:

By: _____
William R. McCabe, City Administrator