

## **Proposed Ordinance: (53)**

The City of Felton does ordain as follows:

**Section 1: Prohibition of Junked Motor Vehicles** The parking of more than two junked motor vehicles shall be prohibited within the city limits, whether on public or private grounds. Parking of such vehicles within the City limits shall be deemed a parking nuisance.

## **Section 2: Definitions**

**Junk Vehicle:** A vehicle that constitutes any of the following criteria:

1. Is extensively damaged, with the damage including things such as broken or missing wheels, motor, drive train, or transmission;
2. Is apparently inoperable;
3. Does not have a valid, current registration plate; and
4. Has an approximate fair market value equal only to the approximate value of the scrap in it.

**Parking Nuisance:** A parked object that constitutes any of the following criteria:

1. Obstructs views on streets and private property;
2. Creates cluttered and otherwise unsightly areas;
3. Decreases adjoining landowners' and occupants' enjoyment of their property and neighborhood; and
4. Otherwise adversely affects property values and neighborhood patterns.

**Section 3: Enforcement and Penalties** Any resident found in violation of this ordinance will be served a notice of violation via mail. If the violation has not been remedied within 20 business days of the notice, all vehicles in violation are subject to removal by the order of City Council at the owner's expense in accordance with Minnesota Statutes, Section 429.101.

**Section 4: Fine Structure** In addition to the removal of vehicles, residents found in violation of this ordinance will be subject to the following fines:

1. First offense: \$100
2. Second offense: \$250

3. Subsequent offenses: \$500 per violation

Unpaid Costs: On or before November 1 of each year, the city clerk-treasurer shall list the total unpaid charges for each abatement against each separate lot or parcel to which they are attributable under this chapter. The council may then spread the charges or any portion thereof against the property involved as a special assessment under pertinent statutes, for certification to the county auditor and collection the following year along with current taxes. Such assessment shall be payable in no more than ten (10) equal annual installments, pursuant to Minnesota statutes section 429.061, subdivision 2. (2005 Code)

**Section 5: Exceptions** An exception to the above regulation is a wrecked vehicle awaiting repairs, provided proof of pending repairs is submitted and approved by the City Council.

**Section 6: Exclusions** This section does not apply to a motor vehicle enclosed in a building and/or kept out of view from any street, road, or alley, and which does not foster complaints from a resident of the city. A privacy fence is permissible.