

CHAPTER 3

ABANDONED OR JUNK VEHICLES

SECTION

- 13-301. Definitions.
13-302. Abandoned motor vehicles declared a public nuisance.
13-303. Removal of abandoned motor vehicles required.
13-304. Notification and authority.
13-305. Violations.

13-301. Definitions. The following definitions shall apply in the interpretation and enforcement of this chapter:

- (1) "Person." Any person, firm, organization, partnership, association, corporation or company of any kind.
(2) "Vehicle." Any machine propelled by other than human power designed to travel along the ground by use of wheels, treads, runners, or slides and transport persons or property or pull machinery, and shall include, without limitation, automobile, truck/trailer, motorcycle, tractor, mobile home, or motor home.
(3) "Property." Any real property within the City of Maryville which is not a street or highway.
(4) "Shall." The word "shall" is always mandatory and not merely directory.
(5) "Antique." Any vehicle over 25 years old.

Exceptions

- (a) Any motor vehicle in operable condition specifically adapted or constructed for racing or operation on privately owned dragstrips or raceways.
(b) Any antique retained and maintained by the owner for collection purposes rather than for salvage or for transportation. Such vehicles shall be maintained in operable condition and at the discretion of the authority having jurisdiction be required to comply with subsection (c) below.
(c) Any junked vehicle kept within a building where it will not be visible from the street.
(d) Any junked motor vehicle on the premises of a business enterprise operated in strict compliance with all state or local zoning ordinances and when necessary to the operation of such business enterprise.
(e) Any junked motor vehicle in an appropriate storage place or depository maintained at a location officially designated and in a manner approved by the City of Maryville. (1985 Code, § 9-601)

13-302. Abandoned motor vehicles declared a public nuisance. In enacting this chapter, the Council of the City of Maryville finds and declares that the accumulation and storage of abandoned, wrecked, junked, partially dismantled or inoperative motor vehicles on public or private property in the City of Maryville are in the nature of rubbish and unsightly debris, violates, in many instances, the zoning regulations of the city and constitutes a nuisance detrimental to the health, safety and welfare of the community in that, such conditions tend to interfere with the enjoyment of and reduce the value of public and private property and create fire hazards and other safety and health hazards to the citizens of the City of Maryville. (1985 Code, § 9-602)

13-303. Removal of abandoned motor vehicles required. The accumulation and storage of one or more such motor vehicles in violation of the provisions of this chapter shall constitute rubbish and unsightly debris and a nuisance detrimental to the health, safety, and general welfare of the inhabitants of the City of Maryville, and it shall be the duty of the registered owner of such motor vehicle and it shall also be the duty of the person in charge or control of the property upon which such motor vehicle is located whether owner, tenant, occupant, lessee, or otherwise, to remove the same to a place of lawful storage or to have the vehicle housed within a building where it will not be visible from the street. (1985 Code, § 9-603)

13-304. Notification and authority. Whenever any such public nuisance exists on occupied or unoccupied commercial or residential, private or public, property within the City of Maryville, the owner or owners of said property shall be notified by the chief of the department of inspection or his authorized agent to abate or remove the same. Such order shall:

- (1) Be in writing;
- (2) Specify the public nuisance and its location;
- (3) Specify the corrective measures required; and
- (4) Provide for compliance within five (5) days from the date of notification.

The notification shall be served upon the owner or owners of said premises by serving them personally or by sending said notice by certified mail, return receipt requested, to their address as shown on the current tax rolls of the City of Maryville. If the owner or owners of the premises fail or refuse to comply with the order of the chief of the department of inspection or his duly authorized agent within a five (5) day period after notification thereof, as provided herein, such failure or refusal shall be deemed a violation of the provisions of this chapter and said owner or owners shall be subject to the penalties herein provided. If the owner or owners of the premises fail or refuse to comply with the order of the chief of the department of inspection or his duly authorized agent within a five (5) day period after notification thereof, as provided herein, the chief of the department of inspection or his authorized

agent may enter upon said property, take possession of such junk vehicle or vehicles, remove the same from said property, dispose of same, and cause such unlawful condition to be remedied. Upon completion of such removal and disposition, the reasonable costs thereof, plus 15% for inspection and other incidental costs in connection therewith, shall be paid by the owner or owners of said property to the City of Maryville and said costs shall be billed to the owner or owners of said property. If the bill is not fully paid within sixty (60) days after the mailing of said bill a 10% penalty shall be added, and said costs and penalties shall be placed on the tax roll of the City of Maryville as a lien upon the property and collected in the same manner as other city taxes are collected. (1985 Code, § 9-604, as amended by Ord. #2001-35, Nov. 2001)

13-305. Violations. Any person violating or interfering with the enforcement of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined under the general penalty clause for this municipal code. (1985 Code, § 9-605)