

ORDINANCE NO. 695

AN ORDINANCE RELATING TO WRECKED, JUNKED, DISMANTLED, INOPERATIVE, ABANDONED, AND UNLICENSED MOTOR VEHICLES; PROHIBITING THE STORAGE, OR DISMANTLING THEREOF ON PUBLIC OR PRIVATE PROPERTY; DECLARING THE SAME TO BE A NUISANCE; PROVIDING FOR THE ABATEMENT OF SUCH NUISANCES; AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

WHEREAS, in the City of Prineville motor vehicles are or may in the future be dismantled, partially dismantled, wrecked, junked, nonoperating or discarded, or left about the City other than in places under the ordinances of the City of Prineville where any such motor vehicles may be kept or dismantled; and

WHEREAS, such conditions tend to reduce the value of private property, invite plundering, create fire hazards and other safety and health hazards to children as well as adults, interfere with the comfort and well-being of the public and create, extend, and aggravate urban blight;

WHEREAS, adequate protection of the public health, safety, and welfare requires that such conditions be regulated, abated, or prohibited;

NOW THEREFORE, The People of the City of Prineville ordain as follows:

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

Section 2. The accumulation and storage of one or more of such vehicles, as hereinbefore defined, on public or private property shall constitute rubbish and unsightly debris and is hereby declared to be a nuisance, detrimental to the health, safety, and welfare of the inhabitants of the city of Prineville, and it shall be the duty of the registered owner of such vehicle, and it shall also be the duty of the owner of the private property or the lessee or other person in possession of the private property upon which said vehicle is located to remove the same from the city of Prineville or to have the same housed in a building where it will not be visible from the street.

Section 3. It shall be the duty of the Chief of Police of the City of Prineville to give written notice to the registered owner of any motor vehicle which is in violation of this ordinance as described in Section 2 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 violates this ordinance and demanding that said motor vehicle be removed from the City of Prineville within 72 hours, or that within 72 hours the same be housed in a building where it will not be visible from the street. Said notice may be given by personal service or by registered mail or by certified mail.

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 case may be, or shall fail to cause the same to be housed in a building where it will not be visible from the street, then any such person shall be in violation of this ordinance and, upon conviction thereof, shall be punished by a fine of not exceeding \$500.00, or by imprisonment in the City Jail for a term not exceeding 60 days, or by both such fine and imprisonment.

Section 5. In addition the provision for fine and/or imprisonment for a violation of this ordinance, the Chief of Police may, after giving the notice required by Section 3, and after waiting 72 hours, cause the vehicle or vehicles to be removed to an automobile wrecking yard or any other similar place for storage of the vehicle as may be designated by the Chief of Police, and, within 48 hours after the removal and storage of such vehicle by the Chief of Police, he shall give notice in the manner prescribed in Section 3 of this ordinance to the registered owner of such vehicle and also to the lessee or person in possession of the land from which the vehicle or vehicles had been impounded and stored for

violation of this ordinance, and such notice shall include the location where the vehicle or vehicles are stored, the cost incurred by the city for the removal or towing, and the storage charges accruing, and, if said charges are not paid in full to the City Recorder of the City of Prineville within ten days immediately following the giving of such notice, 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 same manner prescribed by Ordinance No. 554 of the City of Prineville, providing for removing and disposing of vehicles left unattended on the streets of the City of Prineville.

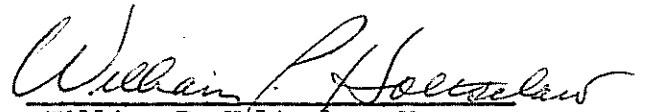
If the Chief of Police is unable to ascertain the name of the registered owner of any such vehicle and no person in actual physical possession of the property upon which any such vehicle is located, then the Chief of Police shall not be required to give any notice to the registered owner of any such vehicle; and it shall suffice so far as notice is concerned as provided for in this ordinance to post a copy of said notice upon the motor vehicle.

Section 6. If any vehicle is impounded and stored by the Chief of Police under the provisions of this ordinance of the City of Prineville, or pursuant to any other lawful authority of the police department, said vehicle shall not be released by the person to whom possession thereof is delivered until all charges connected with the removal, towing, and storage of such vehicle have been fully paid as evidenced by the City Recorder's paid receipt.

Section 7. All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.

Passed by the City Council this 11th day of JULY, 1972.

Approved by the Mayor this 12th day of JULY, 1972.


William P. Holtscclaw, Mayor


Jim Watson, City Recorder