

ORDINANCE NO. 269

An ordinance defining and declaring certain vehicles a public nuisance; regulating the operating, parking, storing, repairing, and servicing and maintaining of junk cars and providing for the abatement thereof by towing; providing for removal and impounding of illegally parked, abandoned, or stolen vehicles; providing for repeal of all ordinances in conflict prescribing the time when this ordinance shall be in full force and effect; and

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GOTHENBURG:

Section 1. DEFINITIONS: The following words and terms for the purpose of this ordinance are defined as follows:

JUNK CAR: Any motor vehicle which is not in operable condition, partially dismantled, used for sale of parts or as a source of repair or replacement parts for other vehicles, kept for scrapping, dismantling, or salvage of any kind, or which is not properly licensed for operation within the State of Nebraska.

PERSON: A natural person, firm, association, partnership, or corporation, including any agent of any of the aforesaid and includes both singular and plural.

PUBLIC PLACE: Any street, avenue, alley, road, highway, boulevard, parking lot, or facility, park or other public property or premises.

UNCLAIMED VEHICLES: Any impounded vehicle not claimed by, or for any reason not released to, the owner thereof within 72 hours after notice is either received by owner or notice mailed to him, as provided in Section 7, herein.

Section 2. CERTAIN VEHICLES DECLARED A PUBLIC NUISANCE: REMOVAL AND IMPOUNDING THEREOF: Any vehicle, whether occupied or not, that is found stopped, standing, or parked in violation of the traffic regulations and provisions of the City of Gothenburg, or that is reported stolen, or that is found impeding fire fighting, snow removal, or the orderly flow of traffic, or any stock or junk car on any public place, or on any private land or premises unless it shall be in a building on such private premises, or located behind a wall or fence so as to hide such vehicle from view of passersby, is hereby deemed and declared to be a public nuisance and such nuisance may be abated

in the manner hereinafter set forth. The Administrative Assistant to the Mayor, any Police officer, firemen, or other duly authorized personnel, may immediately order it to be removed and impounded in the manner hereinafter provided, and it shall be surrendered to the duly identified owner thereof only upon payment of the fees for towing and storage.

Section 3. PARKING, STORAGE, REPAIR OR MAINTENANCE ON STOCK, RACING OR JUNK CARS, EXCEPT EMERGENCY ON PUBLIC ROAD: No person, shall park, keep, place, store, or permit the parking or storage of, or repair, replace parts or do maintenance work on any public place nor on any private lands or premises unless such vehicle shall be within a building on such private premises or located behind a wall or fence so as to hide such vehicle from view of passers-by, or unless an emergency exists.

Section 4. ABANDONMENT: No person shall abandon any junk car, junk motor vehicle, or any part thereof or therefrom upon any public place in the City of Gothenburg.

Section 5. SERVICE AND REPAIR ON PUBLIC PLACE: No person shall service, repair, paint, dismantle, overhaul, or otherwise maintain or do work upon any motor vehicle on, or in any public place, unless an emergency exists.

Section 6. PARTIALLY DISMANTLE, WRECK, JUNKED, DISCARDED, OR NON OPERATING VEHICLES ON PRIVATE PROPERTY: It shall be unlawful for any person in charge or in control of any property within the City of Gothenburg to allow any partially dismantled, wrecked, junked, or discarded vehicle, including any parts thereof or thereon, to remain on any private property unless within an enclosed building or located behind a wall or fence so as to hide such vehicle from view of passers-by for any period longer than 72 hours.

Section 7. PERSONS TO NOTIFY OWNER: The Administrative Assistant to the Mayor or authorized persons acting under him, shall give notice of the impounding of any such vehicle to the owner thereof, within 72 hours after receipt of notice of such impounding.

Section 8. REPORT OF POLICE OFFICER: Any police officer or other authorized person directing the impounding of any unoccupied or damaged vehicle shall prepare a written report of such vehicle, which report shall, among

other things, include the following: Make of car; license number; identification number; number of tires; tools and other separate articles of personal property; general description of the car with regard to condition, damaged parts; and such other information as may be necessary to describe adequately the vehicle and property. The original of said report shall be filed in the Police Department.

Section 9. SALE OF VEHICLE WHERE OWNER OF VEHICLE CANNOT BE IDENTIFIED: If any such vehicle is found and removed under circumstances which do not give the Police Department knowledge or means of inquiry as to the true owner thereof, the Police Department shall immediately report such facts to the Administrative Assistant to the Mayor. Any such vehicle or any other vehicle or property unclaimed, or abandoned by any owner shall be sold, as provided by Ordinance No. 206.

Section 10. PENALTY: Any person violating any provisions of this ordinance shall upon conviction thereof be punished by a fine of not more than \$100.00 and shall stand committed to the City Jail until such fine and costs are paid or they be otherwise released by proper authority.

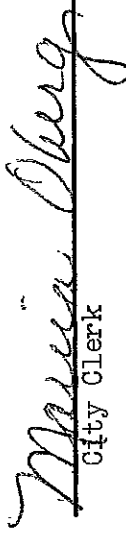
Section 11. REPEAL OF ALL ORDINANCES IN CONFLICT: ALL ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 12. EFFECTIVE DATE: This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed and approved this 16th day of April, 1974.


Mayor

ATTEST:


City Clerk