

RES. 47-5
10-4-06

ORDINANCE NO. 777

AN ORDINANCE AMENDING SECTION 10.40.070, "INOPERABLE ABANDONED VEHICLES" IN THE LOWDEN, IOWA CODE OF ORDINANCES BY REPEALING THE EXISTING SECTION AND REPLACING IT WITH A NEW SECTION 10.40.070 ENTITLED INOPERABLE AND OBSOLETE VEHICLES

Be It Ordained by the City Council of the City of Lowden, Iowa:

SECTION 1. Purpose. Section 10.40.070 in the Lowden, Iowa Code of Ordinances, entitled "Inoperable Abandoned Vehicles" is repealed and replaced with a new section 10.40.070 entitled "Inoperable and Obsolete Vehicles":

10.40.070 Inoperable and Obsolete Vehicles. The storage, parking and or leaving of an inoperable vehicle upon private property in Lowden in excess of forty-eight (48) hours is prohibited. An inoperable or obsolete vehicle is defined as any vehicle which may be transported or drawn upon a public street and which exhibits any one of the following characteristics:

1. A broken windshield or any other broken glass.
2. A broken door, fender, bumper, steering wheel, hood, trunk, top or tail pipe.
3. Lacks an engine, transmission or one or more wheels or any other parts that renders the vehicle inoperable.
4. Is a habitat for rats, mice, snakes, or any other vermin or insects.
5. Is not capable of moving in both forward and reverse under its own power.
6. Is not licensed for the current year.

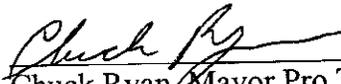
If the City receives a complaint about an inoperable or obsolete vehicle a City official will go out and verify the complaint. The City will post the vehicle and the property, which gives the property owner forty-eight (48) hours to move the vehicle. If the vehicle is still there after forty-eight (48) hours, it is then posted with a notice of abatement which informs the property owner that they have ten (10) days to move the vehicle or the City will tow the vehicle off the property at the owner's expense.

SECTION 2. Repealer. All ordinances or parts of ordinances, specifically but not exclusively Section 10.40.070 of the Lowden Code of Ordinance, in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. Severability clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. When Effective. This Ordinance shall be in full force and effect upon posting as required by Iowa law.

Ord. # 777
Passed by the City Council on the 2 day of October, 2006, and approved
This 2 day of October, 2006.



Chuck Ryan, Mayor Pro Tem

ATTEST:



Peggy Kedley, City Clerk