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ORDINANCE NO. 1206

AN ORDINANCE RELATING TO WRECKED, JUNKED, DISMANTLED, ABANDONED AND UNLICENSED MOTOR VEHICLES AND MOTOR VEHICLE TRAILERS; PROHIBITING THE STORAGE, REPAIR, 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 Hood River, motor vehicles and motor vehicle trailers are or may in the future be partially dismantled, wrecked, junked, discarded, or left non-operating about the City other than in licensed wrecking yards or other appropriate places; and

WHEREAS such conditions tend to impede traffic in the streets or interfere with the enjoyment of and 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; and

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

NOW, THEREFORE, THE CITY OF HOOD RIVER DOES 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 or of any motor vehicle trailer, either licensed or unlicensed of any kind, for a period of time in excess of seventy-two (72) hours, which is in a rusted or wrecked or junked or partially dismantled or inoperative or abandoned condition, whether attended or not, upon any public or private property within the City of Hood River, unless the same is completely within an enclosure where it would not be visible

the street
from or adjacent property or unless it is in connection with a business enterprise lawfully licensed by the City and properly operated in the appropriate business zone pursuant to the zoning laws of the City of Hood River and a 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 a nuisance, detrimental to the health, safety and welfare of the inhabitants of the City of Hood River, and it shall be the duty of the registered owner of any such vehicle or vehicles 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 such vehicle is located to remove the same from the City of Hood River or to have the same housed in an enclosure where it will not be visible from a street or adjacent property.

Section 3: It shall be the duty of the Chief of Police of the City of Hood River to give written notice to the registered owner of any motor vehicle or motor vehicle trailer which is in violation of this ordinance as described in Section 1 and to further give such notice to the owner or lessee of the private land upon which such motor vehicle or motor vehicle trailer is situated, giving notice that said vehicle violates this ordinance and demanding that said motor vehicle or motor vehicles be removed from the City of Hood River within seventy-two (72) hours, or that within 72 hours the same is to be housed within an enclosure where it will not be visible from a street or adjacent property. Said notice may be given by personal service or by registered mail with return receipt requested.

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 as required by the notice said vehicle or vehicles, as the case may be, or shall fail to cause the same to

be placed in an enclosure where it will not be visible from the street, then said person shall be in violation of this ordinance and upon conviction thereon shall be punished by a fine not exceeding \$200.00 or by imprisonment in the City Jail for a term not exceeding 60 days, or by both such fine and imprisonment.

Section 5: As an alternate procedure the Chief of Police may, after giving the notice required by Section 3, and after waiting seventy-two (72) hours, cause the vehicle or vehicles to be removed by a City truck or by a commercial tow truck to a commercial garage or an automobile wrecking yard or any other suitable place for storage of the vehicle as may be designated by the Chief of Police, and within forty-eight (48) hours after removal and storage of such vehicle by the Chief of Police he shall give the notice in the manner prescribed in Section 3 of this ordinance to the registered owner of such vehicle and also to the owner, lessee or person in possession of land from which the vehicle was, or vehicles were, removed and that said vehicle, or vehicles, have been impounded and stored for violation of this ordinance, and notice shall include the location of place for the vehicle or vehicles are stored, the costs incurred by the City for the removal or towing and the storage charges accruing, which shall not exceed \$1.00 per day, and that if said charges are not paid in full to the City Recorder within ten (10) days immediately following the giving of such notice, that said vehicle, or vehicles, shall be deemed to have been abandoned and will thereafter be discarded as junk, or may, at the discretion of the Chief of Police, be sold as an abandoned vehicle in the manner hereinafter prescribed after giving not less than thirty (30) days notice by a registered letter addressed to the registered owner of the vehicle at his latest address shown on the records in the office in the Department of Motor Vehicles of the State of Oregon with the owner given the right to reclaim such vehicle within said 30 days by paying all the costs and

expenses incurred in the removal, preservation and custody of the vehicle for a period not in excess of ninety (90) days and if not so reclaimed, then to be sold with the Chief of Police to execute a certificate of sale in duplicate with a copy of the certificate of sale to be delivered to the purchaser and the original to be retained by the Chief of Police and the money so received from the sale thereof to be applied first to the payment of the costs and expenses incurred in the removal, preservation and custody of the vehicle and the remainder to be retained by the City for a period of one year, and if not claimed by then to be turned over to the State of Oregon as in the case of property to escheat to the State of Oregon.

Section 6: If any vehicle is impounded or stored by the Chief of Police under the provisions of this ordinance or any other ordinance of this city or pursuant to any other lawful authority of the Police Department said vehicle or vehicles or other personal property shall not be released by the appointed keeper thereof until all charges connected with the removal, towing, storage of such vehicle, vehicles or personal property has been fully paid as evidenced by the City Recorder's paid receipt.

Section 7: It shall be unlawful to disassemble, construct, reconstruct, repair and/or service motor vehicles or motor vehicle trailers of any kind in or upon any street, road, alley or public thoroughfare in the City of Hood River or upon private property where visible from a street or the property of adjoining owners except for emergency service provided that said emergency service shall not extend over a period of 72 hours, except when required to be made in a street, road, alley or other public thoroughfare, in which case an emergency service shall not extend over a period of two (2) hours, and does not interfere with or impede the flow of traffic. The violation of this section shall also constitute a public nuisance


and a misdemeanor and at which shall be punishable upon conviction by a fine not exceeding \$200.00 or by imprisonment in the City Jail for a period not exceeding 60 days or by both such fine and imprisonment.

Section 8: All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.

Read for the first time: November 21, 1966

Read for the second time: December 5, 1966.

PASSED by the Common Council of the City of Hood River this 5th day of December, 1966.



City Recorder

APPROVED by the Mayor of the City of Hood River
this _____ day of _____, 1966.



Mayor