

## **ARTICLE II. ABANDONED, WRECKED, JUNK OR DERELICT PERSONAL PROPERTY**

### **Sec. 15-21. Definitions.**

For the purposes of this article:

*Abandoned property* shall be other than junk, derelict or wrecked property and shall encompass tangible personal property of all kinds, and types, without limitation, which has some use for its intended purpose, and has value other than solely for salvage. Such property shall be prima facie presumed to be abandoned:

- (1) When such shall have remained continuously upon public lands for a period in excess of seventy-two (72) hours; or,
- (2) If the same shall be found or shall remain upon private lands without the consent of the owner, or other party which may lawfully be in possession of such lands.

*Private land* shall consist of all land privately owned, and not owned, leased or possessed by any governmental authority.

*Public land* shall be all land other than private land, but including public roadways, easements, alleys and rights-of-way, or other public access routes.

*Vehicle* shall mean a machine designed to be propelled by power other than human power, designed to travel along the ground by the use of wheels, treads, runners, slides, and to transport persons, animals or property, or pull machinery, and shall include, without limitation, automobiles, trucks, trailers, motorcycles, tractors, buggies, wagons, mobile homes, fifth wheelers and motor homes. A vehicle shall be prima facie considered to be a wrecked, junk or derelict vehicle:

- (1) Where subject to licensing, it has no current license plate or tag; or,
- (2) If it is worn out, discarded, or of no usable value for its intended purpose or is of no value excepting for salvage; or,
- (3) Which has had either its wheels, engine, or a substantial portion of its body parts removed.

*Wrecked, junk or derelict personal property* shall mean property which has been left unprotected and which is wrecked, inoperable and/or partially dismantled or disabled, and which, in its present state appears to be unsightly and not usable for its intended purpose, or; which may be offensive to public view. Such property shall include, but not be limited to, vehicles, boats, machinery, refrigerators, bicycles, washing machines, freezers, dryers, plumbing fixtures, furniture, along with other objects of tangible personal property, of whatsoever kind and manufacture. (Ord. No. 85-1, § 1, 2-5-85)

### **Sec. 15-22. What constitutes violation.**

(a) It shall be unlawful for any party, either the owner or one lawfully in possession, to leave, deposit, keep, maintain or otherwise permit or cause any abandoned or junk property to be placed, or to remain upon any public or private lands except where the same shall be not visible to public view, or unless the same shall be maintained in an enclosed or fenced area, upon the premises of a business wherein the maintenance of such property is reasonable and necessary to the conduct of the business, or excepting within or upon such areas maintained by governmental authority as a repository for such property.