

Chapter 51 -- Junk Yards and Junk Autos

Subchapter A -- Junk Yards

**51.010. Health Protection.** The Board of Aldermen deem it essential for the protection of the health and welfare of the residents of this city to provide by ordinance, regulations governing the accumulation, storage, and stockpiling of junk, scrap metals, lumber, and other debris within the corporate limits of this city, to such an extent that such actions become public nuisances because of the inhabitation or possible inhabitation therein and thereon of rodents, insects, reptiles and other harmful creatures, and to provide penalties for the violations of the provisions of such ordinance.

**51.020. Accumulation, storage, etc. prohibited.** It shall be the duty of every tenant, occupant, owner or other person or persons managing the maintenance, occupancy, rental or use of any property for the owner thereof, to keep and maintain the said property within the limits of the City of Moscow Mills in such condition that junk, scrap metals, lumber, brush and other debris shall not accumulate, be stored or stockpiled thereon to such an extent that it becomes a public nuisance because of the reason that said actions endanger the health and welfare of the citizens of Moscow Mills.

**51.030. Procedure upon violation.** If, at any time, it is brought to the attention of the Mayor or the Board of Aldermen, either by the employees of the City or by a private citizen, that a situation exists which might violate this ordinance, the Mayor shall appoint a committee of two aldermen to investigate the situation, and this committee shall report back to the next regular meeting of the Board or Aldermen; and if, at the meeting in which the report is made, the reported conditions are such that the Board of Aldermen votes, by majority vote, that the situation creates a public nuisance and endangers the health and welfare of the citizens of this city, the situation shall be declared a public nuisance; and thereafter the City Attorney shall be instructed to notify the offender, in writing, and advise him that the situation must be corrected within the said fifteen (15) days, the ordinance shall be declared violated and the City Attorney shall proceed to issue a complaint for violation of this ordinance and proceed to prosecute the violator in accordance with the provisions of this and other ordinances relating to the violations of ordinances and the prosecution therefor.

**51.040. Penalties.** Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00); and each and every day any of the provisions hereof are violated, shall be a separate offense and such offender shall be subject to the penalty as herein provided for such offense.

Subchapter B -- Junk Automobiles

**51.500 Abandoned vehicles prohibited.** That no property owner or tenant of any property within the city limits of the City of Moscow Mills shall leave any motor vehicle, which has been dismantled, wrecked, junked, discarded, or abandoned on his premises, or premises that he is leasing, for longer than five (5) days, unless in a tightly enclosed building that makes the motor vehicle not visible.

**51.510. Motor vehicle defined.** A motor vehicle shall be defined for the purposes of this ordinance as any vehicle propelled by power, other than human power, and designed to travel along the ground and shall include with limitations, automobiles, trucks, motorcycles, tractors, trailers and wagons.

**51.520. Presumption of abandonment.** That any automobile or vehicle, above described, shall be presumed to have been abandoned if it is without proper vehicle license, not driveable without repair, or if the owner thereof does not reside on the said premises.

**51.530. Exception for certain businesses.** This chapter shall not pertain to business enterprises in which the keeping of such vehicles is necessary to the lawful operation of the business if said businesses keep vehicles in an orderly manner, free and clear of all debris therefrom.

**51.540 Automobiles abandoned-towed away.**

(a). In the event any automobile, truck, or other motor vehicle, or any other vehicle that is unlicensed and/or inoperable is allowed to stay on the streets or alleys in the City Limits of Moscow Mills without being moved for a period of five (5) days or more, said vehicle shall be deemed to have been abandoned and because of traffic hazard and/or other problems presented by abandoned vehicles the Board of Aldermen may, after the abandonment of such vehicles for five (5) days, instruct the City Police Officer to tow the said vehicles to a proper place to be held. The owner or holder of a valid security interest thereon may claim said vehicles by paying the cost of towing and storage within thirty (30) days. The vehicles may be disposed of by the City after thirty (30) days from towing.

(b). In the event any automobile, truck, or other motor vehicle, or any other vehicle that is unlicensed and/or inoperable is allowed to stay on private property in the City Limits of Moscow Mills without being moved for a period of five (5) days or more, said vehicle may be deemed to have been abandoned and because of traffic hazard and/or other problems presented by abandoned vehicles the Board of Aldermen may, after the abandonment of such vehicles for five (5) days, with the consent of the landowner or trustee, instruct the City Police Officer to tow the said vehicles to a proper place to be held. The owner or holder of a valid security interest thereon may claim said vehicles by paying the cost of towing and storage within thirty (30) days. The vehicle may be disposed of by the City after thirty (30) days from towing.

**51.550 Cost of Towing & Storage.**-All costs of towing away of said vehicles, including a \$10.00 per day or partial day storage fee, shall be paid by the owner or the holder of a valid security interest thereon before possession thereof shall be given to him.

**51.560.** Upon the towing of any vehicle under this section, the City shall make an inquiry with the National Crime Information Center and any statewide Missouri law enforcement computer system to determine if the vehicle has been reported stolen. The City Police Chief shall submit a report to the Director of Revenue within five working days of the towing of the vehicle. Such report shall include the following:

1. The year, model, make and vehicle identification number of the vehicle;
2. A description of any damage to the vehicle noted by the law enforcement officer;
3. The license number;
4. The storage location of the towed vehicle;

5. The name and address of the tower;
6. The date of the authorization to tow the vehicle;
7. The date of the inquiry of the national crime information center and any statewide Missouri law enforcement computer system to determine if the vehicle had been stolen.

**51.570.** The owner of such vehicle, or the holder of a valid security interest thereon which is in default, may reclaim it from the storage facility, upon proof of ownership or valid security interest which is in default and payment of all reasonable charges for the towing and storage of the vehicle.

**51.580.** After thirty days of possession of the vehicle, the City may transfer ownership of said vehicle by means of a Bill of Sale signed by the City Clerk and sealed with the official municipal seal. Such Bill of Sale shall contain the make and model of the vehicle, complete vehicle identification number and the odometer reading of the vehicle and shall be lawful proof of ownership.

**51.585.** The owner or lienholder may request a hearing if they feel that the vehicle was improperly towed.

**51.590.** A copy of this ordinance shall be mailed to the Missouri Department of Revenue.

*Adopted by Ordinance 6/14/93. Amended by: Ordinance #15, 11/13/95. Ordinance #35, 11/11/96. Ordinance #52, 5/12/97.*