

ORDINANCE NO. 442

AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE CITY OF WYOMING, IOWA, BY AMENDING PROVISIONS PERTAINING TO JUNK AND JUNK VEHICLES

BE IT ENACTED BY the City Council of the City of Wyoming, Iowa:

SECTION 1. SECTION MODIFIED. Section 51.02 (2) of the Code of Ordinances of the City of Wyoming, Iowa, 2002, is repealed and the following adopted in lieu thereof:

51.02. DEFINITIONS. For use in this chapter, the following terms are defined:

1. "Junk" means all old or scrap copper, brass, lead, or any other non-ferrous metal; old or discarded rope, rags, batteries, paper, trash, rubber, debris, waste or used lumber, or salvaged wood; dismantled vehicles, machinery and appliances or parts of such vehicles, machinery or appliances; iron, steel or other old or scrap ferrous materials; old or discarded glass, tinware, plastic or old or discarded household goods or hardware. Neatly stacked firewood located on a side yard or a rear yard is not considered junk.

2. "Junk vehicle" means any vehicle legally placed in storage with the County Treasurer or unlicensed or has any one of the following characteristics:

A. Broken Glass. Any vehicle with a broken or cracked windshield, window or headlight or any other cracked or broken glass.

B. Broken, Loose or Missing Part. Any vehicle with a broken, loose or missing fender, door, bumper, hood, or door handle or window handle or steering wheel, trunk top or trunk handle or tailpipe.

C. Habitat for Nuisance Animals or Insects. Any vehicle which has become the habitat for rats, mice, or snakes, or any other vermin or insects.

D. Flammable Fuel. Any vehicle which contains gasoline or any other flammable fuel.

E. Inoperable. Any motor vehicle if it lacks an engine or two or more wheels or other structural parts, rendering said motor vehicle totally inoperable.

F. Defective or Obsolete Condition. Any other vehicle which, because of its defective or obsolete condition, in any other way constitutes a threat to the public health and safety.

3. "Police authority" means the Jones County Sheriff's Department or the Mayor or Mayor's designee.

4. "Private property" means any real property within the City which is not public property as defined in this section.

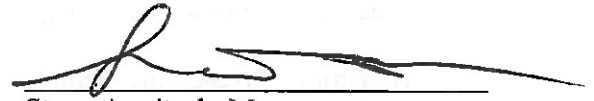
5. "Public property" means any public right-of-way open for the purposes of vehicular travel.

6. "Vehicle" means every device in, upon, or by which a person or property is or may be transported or drawn upon a highway or street, excepting devices moved by human power or used exclusively upon stationary rails or tracks, and includes without limitation a motor vehicle, automobile, truck, motorcycle, tractor, buggy, wagon, farm machinery, or any combination thereof.

SECTION 2. 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 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed by the Council the 14 day of February, 2023, and approved this 15 day of February 2023.




Steve Agnitsch, Mayor

Attest:



Sheri Tjaden, City Clerk

I certify that the foregoing was posted as Ordinance No.442 on the 16th day of February, 2023.



Sheri Tjaden, City Clerk