

ORDINANCE NO. 16

AN ORDINANCE REGULATING AND LIMITING THE STORAGE OF VEHICLES AND DECLARING CERTAIN VEHICLES TO BE A PUBLIC NUISANCE.

THE TOWN BOARD OF THE TOWN OF GREY CLOUD, WASHINGTON COUNTY, MINNESOTA, DOES ORDAIN:

Section I. Definitions.

The following words and terms for the purpose of this ordinance are defined as follows:

**JUNK CAR:** Any motor vehicle which is not in operable condition, partially dismantled, used for repair of parts or as a source of repair or replacement parts for other vehicles, kept for scrapping, dismantling, burning or salvage of any kind, or which is not properly licensed for operating within the State of Minnesota, provided, however, that no such vehicle or part thereof above described which is used in the operation or maintenance of farms or vehicles used in the operation of businesses in industrial or commercial excavation zones in said town shall be subject to this ordinance.

**PERSON:** A natural person, firm, association, partnership, or corporation including any agent of any of the aforesaid.

**PUBLIC PLACE:** Any street, avenue, alley, road, highway, boulevard, parking lot or facility, park or other public property or premises.

**UNCLAIMED VEHICLES:** Any impounded vehicle not claimed by or for any reason not released to the owner thereof within 24 hours after notice is either received by the owner or notice mailed to him as provided herein.

Section II. Certain vehicles declared a public nuisance; removal and impounding thereof. Any vehicle whether occupied or not that is found stopped, standing, or parking in violation of the traffic regulations and provisions of the Town of Grey Cloud that is reported stolen or that is found impeding fire fighting, snow removal or the orderly flow of traffic or any stock or junk car on any public place or on any private land or premises unless it shall be in a building, such private premises is hereby deemed and declared to be a public nuisance and such nuisance may be abated in the manner hereinafter set forth. Any town police officer, fireman or other duly authorized personnel such as town employees in charge of road and snow removal, may immediately order such nuisance vehicle to be removed and impounded in the manner hereinafter provided and it shall be surrendered to the duly identified owner thereof by the towing contractor only upon payment of the fees hereinafter provided which are declared to be the vehicle pound fees covering such vehicle.

Section III. Parking, storage, repair or maintenance on junk cars.

No person shall park, keep, place, store or permit the parking or storage of, or repair or replace parts or do maintenance work on any public place or on any private lands or premises unless

such vehicle shall be within a building on such private premises.

**Section IV. Abandonment.** No person shall abandon any junk car, junk motor vehicle or any part thereof or therefrom upon any public place in the Town of Grey Cloud.

**Section V. Partially dismantled, wrecked, junked, discarded or non-operating vehicles on private property.**

It shall be unlawful for any person in charge or in control of any property within the Town of Grey Cloud to allow any partially dismantled, non-operating, wrecked, junked or discarded vehicle including any parts thereof or therefrom to remain on any private property unless within an enclosed building for any period longer than 72 hours.

**Section VI. Towing contractor.**

The Town Board may contract with one or more persons, firms or corporations to provide such town the towing services required to enforce this and other Town Ordinances and State Law.

**Section VII. Impounding, towing and release.**

The Town towing contractor shall take immediate possession of any vehicle duly ordered impounded and ticketed for any traffic or parking violation and shall tow such vehicle to the car pound. No such vehicle shall thereafter be released without authorization by the Town Police. The towing contractor shall immediately after impounding any vehicle notify the Town Clerk or Town Police of all such impounded vehicles including description, license number and other pertinent information.

**Section VIII. Notification to owner.**

The Town Police shall give notice of the impounding of any such vehicle to the owner thereof as shown upon or in records of the State Registrar of Motor Vehicle. Such notice shall be by registered or certified mail and shall be sent to the address as indicated on said records. Such notice shall include a description of the motor vehicle impounded and a statement of the intent of the Town to dispose of any such motor vehicle after 30 days unless such motor vehicle is released.

**Section IX. Towing and impounding charges and towing and storage charges.**

The towing and storage charges in connection with impounding of any vehicle shall not exceed the amount agreed upon in the contract between the Town and the duly appointed towing contractor.

**Section X. Storage of impounded vehicles.**

The towing contractor during the time the vehicle is impounded shall not permit the vehicle to be removed or released to the owner until the impounding and storage fees hereinabove provided have been paid. At the time of the return of the vehicle the towing contractor shall release the same by a release in writing which will state the date of such release together with the charges enumerated thereon and the purposes for which such charges were made.

**Section XI. Report of town police.**

Any policeman or other authorized person directing the impounding of any unoccupied or

damaged vehicle shall prepare written report of such vehicle which report shall among other things include the following: make of the car, license number, motor number, number of tires, tools and other separate articles of personal property, general description of the car with regard to condition, damaged parts and other such information as may be necessary to describe adequately the vehicle and property delivered to the towing contractor. The towing contractor shall receipt for and check such report and his signature thereon shall be considered a receipt for the vehicle and the property described therein.

**Section XII. Sale of vehicles.**

Any motor vehicle which is impounded pursuant to this or any other ordinance or statute and which is not released within 30 days of mailed notice to the owner, may be sold by such Town to the highest bidder at public auction or sale following reasonable published notice thereof. The proceeds of any such sale shall first be applied toward the cost of handling, towing and sale of such vehicle. The net proceeds shall be placed in the general fund. If within six months of such sale the former owner applies to the Town Clerk for payment of such net proceeds and if satisfactory proof of ownership is presented, the net proceeds shall be paid to the former owner.

**Section XIII. Sale of vehicles, where owner of vehicle cannot be identified.**

If any such vehicle is found and removed under circumstance which do not give the Town Police or the towing contractor knowledge or means of inquiry as to the true owner thereof, the Town Police shall immediately report such facts to the Town Clerk. Any such vehicle or any other vehicle or property unclaimed or abandoned by any owner for a period of 30 days from and after such impounding shall be sold by the Town Clerk or the Town of Grey Cloud at public sale.

**Section XIV. Effective date.**

This ordinance shall be in full force and effect from and after its passage and publication according to law.

**Section XV. Penalty.**

Any person violating any provision of this ordinance shall upon conviction thereof be punished by a fine not exceeding \$300.00 and/or by imprisonment of not exceeding ninety (90) days.

Adopted this 25th day of January, 1971.

Donald J. Setterman, Chairman

Attest: Ruth Lacina, Clerk