

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

THE CITY COUNCIL OF THE CITY OF OAK PARK HEIGHTS, WASHINGTON COUNTY, MINNESOTA, DOES ORDAIN:

1301.01 Definitions.

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

- A. “Junk Car” means 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 or salvage of any kind, or which is not properly licensed for operation within the State of Minnesota.
- B. “Person” means a natural person, firm, association, partnership, or corporation including any agent of any of the aforesaid.
- C. “Public Place” means any street, avenue, alley, road, highway, boulevard, parking lot or facility, park, or other public property or premises.
- D. “Unclaimed Vehicles” means any impounded vehicle not claimed by or, for any reason, not released to the owner thereof within twenty-four (24) hours after notice is either received by the owner or notice mailed to him as provided herein.

1301.02 Certain Vehicles Declared a Public Nuisance, Removal and Impounding Thereof.

Any vehicle, whether occupied or not, that is found stopped, standing, or parked in violation of the traffic regulations and provisions of the City of Oak Park Heights, or 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 vehicle is hereby deemed and declared to be a public nuisance and such nuisance may be abated in the manner hereinafter set forth. Any City police officer, fireman, or other duly authorized personnel, such as City employees in charge of roads 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 company only upon payment of the fees hereinafter provided which are declared to be the vehicle pound fees covering such vehicle.

- 1301.03 Parking, Storage, Repair of Maintenance on Junk Cars.
No person shall park, keep, place, store, or permit the parking or storage of, or repair or replace parts or to 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.
- 1301.04 Abandonment.
No person shall abandon any junk car, junk motor vehicle or any part thereof, or therefrom, on any public place in the City of Oak Park Heights.
- 1301.05 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 City of Oak Park Heights to allow any partially dismantled, non-operating, wrecked, junked or discarded vehicle, including any part thereof or therefrom, to remain on any private property unless within an enclosed building for any period longer than seventy-two (72) hours.
- 1301.06 Towing Contractor.
The City of Oak Park Heights may contract with one or more persons, firms, or corporations to provide to such City the towing services required to enforce this and other City ordinances and State laws.
- 1301.07 Impounding, Towing and Release.
The towing company 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 City of Oak Park Heights Police Department. The towing company shall, immediately after impounding any vehicle, notify the City Police Department of all such impounded vehicles including description, license number and other pertinent information.
- 1301.08 Notice to Owner.
The City Police Department shall give notice of the impounding of any such vehicle to the owner thereof as such owner is shown by the records of the State Registrar of Motor Vehicles. Such notice shall be by registered or certified mail and shall be addressed to the address as indicated on said records. Such notice shall include a description of such motor vehicle, notice of such possession, location of the motor vehicle impounded, and a statement of the intent of the City to dispose of such motor vehicle after thirty (30) days unless such motor vehicle is released.

- 1301.09 Storage of Impounded Vehicles.
The towing company 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 company 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 purpose for which such charges were made.
- 1301.10 Report of Police Officer.
Any police officer or other authorized person directing the impounding of any unoccupied or damaged vehicle shall prepare a written report of such vehicle which report shall, among other things, include the following: make of the car, license number, 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 company. The towing company shall receipt for and check such report and his signature thereon shall be considered a receipt for the vehicle and the property described therein.
- 1301.11 Sale of Vehicles.
Any motor vehicle which is impounded pursuant to this or any other ordinance or statute and which is not released within thirty (30) days of mailed notice to the owner, may be sold by such City 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, storing and sale of such vehicle. The net proceeds shall be placed in the General Fund. If within six (6) months of such sale, the former owner applies to the City Clerk for payment of such net proceeds, and if satisfactory proof of ownership is presented, the net proceeds shall be paid to such former owner.
- 1301.12 Sale of Vehicle Where Owner of Vehicle Cannot Be Identified.
If any such vehicle is found and removed under circumstances which do not give the Police Department or the towing company knowledge or means of inquiry as to the true owner thereof, such facts shall be immediately reported to the City Clerk. Any such vehicle, or any other vehicle or property unclaimed or abandoned by any owner for a period of thirty (30) days from and after such impounding, shall be sold by the City of Oak Park Heights at a public sale.
- 1301.13 Penalty.
Any person violating any provision of this Ordinance shall upon conviction thereof, be punished by a fine not exceeding Seven Hundred Dollars (\$700.00) or by imprisonment for not exceeding ninety (90) days, or both.