

City of Aurora, MO
Thursday, August 13, 2015

Chapter 250. Junked, Wrecked, Abandoned Property

Article II. Abandoned Property

Section 250.160. Parking and Storing of Motor Vehicles Which Are Not in Operating Condition.

[Ord. No. 98-2363 §1, 12-10-1998; Ord. No. 2009-2833 §1, 7-14-2009]

A. *Findings.*

1. The parking or storing of motor vehicles which are not in an operating condition on driveways, tracts and lots within the City creates potential safety hazards and may limit access to emergency vehicles.
2. The storing or parking of motor vehicles which are not in an operating condition on driveways, tracts or lots in districts zoned for residential use damages the residential character of those districts and may adversely affect the property values of adjacent residences.

B. *Definitions.* For the purposes of this Section, the following terms, phrases, words and their derivation shall have the meanings given in this Section.

MOTOR VEHICLE

Every vehicle which is self-propelled.

MOTOR VEHICLE WHICH IS NOT IN AN OPERATING CONDITION OR NON-OPERATING CONDITION VEHICLE

1. Any vehicle missing any part vital to its operation, such as its engine, transmission, tires, wheels and required safety equipment;
2. Any vehicle missing any substantial portion of its exterior body parts including, but not limited to, its hood, trunk, and front and side body work;
3. Any van, truck or trailer box either connected or disconnected from the chassis and which is not connected to an engine; or
4. Any vehicle not displaying a currently effective license or registered number plate or plates, including any registration decal required by the laws of Missouri and/or the County and/or the City and issued to the owner of any such vehicle to be displayed on the vehicle registered.

OWNER OR PERSON IN POSSESSION

Any individual, partnership, joint venture, corporation or other business or legal entity that owns or is in temporary possession of a motor vehicle.

C. *Applicability — Severability Clause.*

1. Nothing in this Chapter shall be construed to abrogate or impair the powers of the courts or any department of the City to enforce any provisions of its ordinances or regulations; nor to prevent or punish violations thereof; and the powers conferred in this Chapter shall be in addition and supplemental to the powers conferred by any other ordinance.
2. In the event that any part or portion of this Section is declared invalid, the remainder of its provisions shall not be affected, but such remaining provisions shall continue in full force and effect.

D. *Parking And Storing Of Vehicles Which Are Not In An Operating Condition In Districts "R-1", "R-2", "R-3", "MHP" and "PRD".*

1. It is unlawful for the owner or person in possession of any motor vehicle to park or place said vehicle upon a driveway, lot, plot, tract or City right-of way within any district zoned "R-1", "R-2", "R-3", "MHP" or "PRD" (except in an enclosed structure or a weather-resistant fabric) while said vehicle is not in an operating condition. The provisions of this Section shall not apply to owners who have temporarily (not exceeding forty-eight (48) hours) placed their motor vehicles in a non-operating condition while working on said vehicles on their premises. In no event (except those listed in Subsection **(D)(3)**) shall an owner or person in possession maintain a motor vehicle on his/her premises in a non-operating condition for a period in excess of forty-eight (48) hours unless such vehicle is placed in an enclosed structure or within a weather-resistant fabric. Weather-resistant fabric may only be used in lieu of an enclosed structure when the vehicle is located to the side or the back of the house. The weather-resistant fabric must be opaque and cover the entire vehicle.
2. The Code Official or designee for the City shall serve notification, in accordance with the currently adopted International Property Maintenance Code, if he finds a violation of this Section.
3. When an inoperable vehicle that is for sale has been parked upon a parcel within the City limits, the vehicle must have a for sale sign placed on the front windshield stating the date it was placed on the parcel for sale. That vehicle cannot sit on the parcel in excess of thirty (30) days at which time the vehicle must be removed from the parcel and cannot again be replaced on this parcel in an inoperable condition for any purpose.

E. *Parking And Storing Of Vehicles Which Are Not In An Operating Condition In Districts Zoned "C-1", "C-2", "C-3".*

1. Subject to the exception of auto sales lots and repair garages lawfully operating in any district zoned "C-1", "C-2", "C-3", it is unlawful for the owner or person in possession of any motor vehicle to park or place said vehicle upon a driveway, lot, plot, tract or City right-of-way within any district zoned "C-1", "C-2", "C-3" (except in an enclosed structure or weather-resistant fabric) while said vehicle is not in an operating condition. The provisions of this Section shall not apply to owners who have temporarily (not exceeding forty-eight (48) hours) placed their motor vehicles in a non-operating

condition while working on said vehicles on their premises. In no event (except those listed in Subsection **(E)(3)**) shall an owner or person in possession maintain a motor vehicle on his premises in a non-operating condition for a period in excess of forty-eight (48) hours unless such vehicle is placed in an enclosed structure or within a weather-resistant fabric. Weather-resistant fabric may only be used in lieu of an enclosed structure when the vehicle is located to the side or the back of the house or business location. The weather-resistant fabric must be opaque and cover the entire vehicle.

2. The Code Official or designee for the City shall serve notification, in accordance with the currently adopted International Property Maintenance Code, if he finds a violation of this Section.
 3. When an inoperable vehicle that is for sale has been parked upon a parcel within the City limits, the vehicle must have a for sale sign placed on the front windshield stating the date it was placed on the parcel for sale. That vehicle cannot sit on the parcel in excess of thirty (30) days at which time the vehicle must be removed from the parcel and cannot again be replaced on this parcel in an inoperable condition for any purpose.
- F. *Parking And Storing Of Vehicles Which Are Not In An Operating Condition In Districts Zoned "M-1", "M-2".*
1. Subject to the exception of a licensed van, truck or trailer box connected to a chassis and auto sales lots and repair garages lawfully operating in any district zoned "M-1", "M-2", it is unlawful for the owner or person in possession of any motor vehicle to park or place said vehicle upon a driveway, lot, plot, tract or City right-of-way within any district zoned "M-1", "M-2" (except in an enclosed structure or weather-resistant fabric) while said vehicle is not in an operating condition. The provisions of this Section shall not apply to owners who have temporarily (not exceeding forty-eight (48) hours) placed their motor vehicles in a non-operating condition while working on said vehicles on their premises. In no event (except those listed in Subsection **(F)(3)**) shall an owner or person in possession maintain a motor vehicle on his premises in a non-operating condition for a period in excess of forty-eight (48) hours unless such vehicle is placed in an enclosed structure or within a weather-resistant fabric. Weather-resistant fabric may only be used in lieu of an enclosed structure when the vehicle is located to the side or the back of the house or business location. The weather-resistant fabric must be opaque and cover the entire vehicle.
 2. The Code Official or designee for the City shall serve notification, in accordance with the currently adopted International Property Maintenance Code, if he finds a violation of this Section.
 3. When an inoperable vehicle that is for sale has been parked upon a parcel within the City limits, the vehicle must have a for sale sign placed on the front windshield stating the date it was placed on the parcel for sale. That vehicle cannot sit on the parcel in excess of thirty (30) days at which time the vehicle must be removed from the parcel and cannot again be replaced on this parcel in an inoperable condition for any purpose.
- G. *Penalties.* Penalties for violation of this Section shall be in accordance with the BOCA Property Maintenance Code Section 106.4.