

ORDINANCE NO. 13,839

AN ORDINANCE to amend the Municipal Code of Des Moines, Iowa, 2000, by repealing the definition of "Inoperable Vehicle" in Section 134-3, and paragraph (r) of Section 134-1276 thereof, and enacting new definitions for "Vehicle, Inoperable" and "Vehicle, Unsafe" in Section 134-3 and a new paragraph (r) to Section 134-1276, all for the purpose of making the definitions for junk, unsafe and inoperable vehicles in the Zoning Ordinance consistent with the definitions used in the Nuisance Regulations.

BE IT ORDAINED by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of Des Moines, Iowa, 2000, be and is hereby amended by repealing the definition of "Inoperable Vehicle" in Section 134-3, and paragraph (r) of Section 134-1276 thereof, and enacting new definitions for "Vehicle, Inoperable" and "Vehicle, Unsafe" in Section 134-3 and a new paragraph (r) to Section 134-1276, all for the purpose of making the definitions for junk, unsafe and inoperable vehicles in the Zoning Ordinance consistent with the definitions used in the Nuisance Regulations, as follows:

Sec. 134-3. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

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Junk: All old or scrap copper, brass, lead, or any other non-ferrous metal; old rope, rags, batteries, paper, trash, rubber

debris, waste, used lumber or salvaged wood; dismantled or inoperable vehicles, unsafe vehicles, machinery and appliances or parts of such vehicles, machinery or appliances; iron, steel, or other old or scrap ferrous material; old discarded glass, tinware, plastic, or old discarded household goods or hardware; cut brush, including dead or decaying plant material, except a contained compost pile or orderly stacked firewood if cut in lengths less than or equal to four (4) feet.

Junk Yard: Any place not fully enclosed in a building, excluding a salvage yard, which is used in whole or in part for the storage or deposit of junk encompassing either (a) an area of two hundred (200) square feet or more, or (b) two (2) or more inoperable motor vehicles, or used parts and materials thereof, which taken together equal the bulk of two (2) or more motor vehicles.

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Vehicle, Inoperable: Any motor vehicle, recreational vehicle, boat, trailer or semitrailer which lacks a current registration or component part which renders the vehicle unfit for legal use upon the public right-of-way.

Vehicle, Unsafe: Any motor vehicle, recreational vehicle, boat, trailer or semitrailer:

(1) with a missing, broken or shattered windshield or any exposed broken glass edges.

(2) with a missing fender, door, hood, steering wheel, trunk top, or trunk handle.

(3) which has become the habitat of rats, mice, snakes, or any other vermin or insects.

(4) left unattended on jacks, blocks, or elevated in any other way which constitutes a threat to the public health, safety or welfare.

(5) which because of its condition constitutes a threat to the public health, safety or welfare.

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Sec. 134-1276. General regulations.

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(r) *Miscellaneous parking and storage.* No person shall park, place, keep or store, or permit the parking or storage of a stock car, racing car, inoperable or unsafe vehicle, vehicular component parts, or miscellaneous junk and debris on any public or private property unless it shall be in a completely enclosed building. This subsection shall not apply to legitimate businesses operating in a lawful place and manner; provided, however, that such outside areas are screened from public view.

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Sec. 2. This ordinance shall be in full force and effect from and after its the later of July 1, 2000, or its passage and publication as provided by law.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

Christine Hensley, Mayor
Pro Tem

Attest:

I, Donna Boetel-Baker, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 00-2059), passed by the City Council of said City at a meeting held July 10, 2000, signed by the Mayor Pro Tem on July 10, 2000, and published as provided by law in the Business Record on July 24, 2000. Authorized by Publication Order No.2088.

Donna Boetel-Baker, CMC/AAE, City Clerk