

46 (c) A motor vehicle which is in an inoperable condition, including motor vehicles
47 with pioneer, classic car, collector or street rod license;

48
49 (d) A motor vehicle which has remained for a period of more than 48 hours on
50 public property without the consent of the person in control of such property; or

51
52 (e) A motor vehicle voluntarily surrendered by its owner and accepted by the city.

53
54 **JUNKED APPLIANCE.** A household appliance lacking vital component parts or in an
55 inoperable condition.

56
57 **DISCARDED FURNITURE.** An item of furniture originally intended for use within
58 the interior of a building but left or stored out-of-doors.

59
60 **VITAL COMPONENT PARTS.** Those parts of a motor vehicle or appliance that are
61 essential to its mechanical functioning.

62
63 **PRIVATE PROPERTY.** Any real property within the city which is privately owned
64 and which is not public property as defined in this section.

65
66 **PUBLIC PROPERTY.** Any street, alley or highway which shall include the entire
67 width between the boundary lines of every way publicly maintained for the purposes of
68 vehicular travel, and also means any other publicly owned property or facility.

69
70 **OFFICER CHARGED WITH ENFORCEMENT.** The individual authorized by the
71 City Council to enforce the terms of this chapter as defined in § 95.05.

72
73 **§ 94.03 EXEMPTIONS.**

74
75 (A) A vehicle shall not be a junked motor vehicle and an appliance shall not be a
76 junked appliance, as defined in this section, when kept:

77
78 (1) In an enclosed garage or storage building;

79
80 (2) On the premises of a junkyard or a motor vehicle or appliance repair business
81 when such junkyard or business is maintained and/or licensed in accordance with
82 Minnesota Statutes or with local ordinances and zoning regulations and, in the case of a
83 repair business, each such motor vehicle or appliance is being actively and consistently
84 worked on and is being maintained or stored in an area screened from public view by an
85 appropriate fence; or

86
87 (3) In an appropriate storage place or depository maintained in a lawful place and
88 manner by the city or authorized by the city.

89
90
91

92 **§ 94.04 NUISANCE.**
93

94 The presence of any junked motor vehicle, junked appliance, discarded furniture, or
95 parts thereof on private or public property is a public nuisance which may be abated as
96 such in accordance with the provisions of Chapter 95.
97

98 **§ 94.05 PUBLIC PROPERTY.**
99

100 No person shall park, store, leave, or permit the parking, storing, or leaving of any
101 junked motor vehicle, junked appliance, or discarded furniture of any kind, whether
102 attended or not, upon any public property within the city.
103

104 (A) Whenever any officer charged with enforcement of the Stacy City Code finds any
105 junked motor vehicle, junked appliance, or discarded furniture on public property within
106 the city, such officer is authorized to provide for the removal thereof to a place of safety.
107

108 (B) Any junked motor vehicle, junked appliance, or discarded furniture which causes
109 an obstruction and hazard to traffic may be removed by the city.
110

111 **§ 94.06 PRIVATE PROPERTY.**
112

113 No person owning, in charge of, or in control of any real property within the city,
114 whether as owner, tenant, occupant, lessee, or otherwise, shall allow any junked motor
115 vehicle, junked appliance, or discarded furniture of any kind to remain on the property
116 longer than 96 hours. The only exception is in the Agricultural District where partially
117 dismantled, inoperative, wrecked, or junked motor vehicles or goods may remain on the
118 property if enclosed in a building or if located within an area not visible to the public or
119 neighboring property.
120

121 (A) *Notice of violation.* Whenever it comes to the attention of the officer charged with
122 enforcement that any person has any junked motor vehicle, junked appliance, or
123 discarded furniture on such private property, a written notice of violation shall be served
124 upon the person by the officer charged with enforcement or other city official requesting
125 the removal thereof in the time specified in this chapter.
126

127 (B) *Responsibility for removal.* Upon proper notice, an owner of the junked motor
128 vehicle, junked appliance, or discarded furniture, and the owner or occupant of the
129 private property on which the same is located, shall be responsible for its removal, jointly
130 and severally.
131

132 (C) *Notice procedure.* The notice of violation to the owner or occupant of the private
133 property where the nuisance is located shall be served as provided under Ch. 95.
134

135 (D) *Additional content of notice of violation.* Any notice of violation served pursuant
136 to this chapter shall, in addition to other requirements, contain a request for removal

137 within 10 days after the mailing of such notice. The notice of violation shall further
138 advise that failure to comply with such notice shall be a violation of this chapter.

139
140 **§ 94.98 VIOLATION.**

141
142 Any person who violates the provisions of this chapter shall be subject to the penalty
143 provision in § 10.99. Each day shall constitute a separate and distinct violation.

144
145 **SECTION 2.** This ordinance shall take effect immediately upon its passage and publication.

146
147 **ADOPTED** this ____ day of _____, 2021 by the City Council for the
148 City of Stacy.

149
150 **CITY OF STACY**

151
152 BY: _____
153 Mark Utecht, Mayor

154
155 **ATTEST:**
156
157 _____
158 Sharon Payne, City Clerk-Treasurer