

AMENDMENT TO ORDINANCE 83:
REGULATING MAINTENANCE OF JUNK VEHICLES AND ABANDONED PROPERTY

The Town Board for the Town of LeSauk HEREBY ORDAINS that Ordinance 83.1 is hereby repealed and the following enacted in its place:

ORDINANCE 1998-2

REGULATION OF JUNK VEHICLES, AND JUNK OR ABANDONED PROPERTY

Section 1: PURPOSE. The Town Board finds that abandoned property constitutes a hazard to the health and welfare of the people of LeSauk Township in that such property can harbor noxious diseases, furnish shelter and breeding places for vermin, and present physical danger to the safety and well-being of children and other citizens. Abandoned property also constitutes a blight on the landscape, depreciates property values and damages the environment.

Section 2: DEFINITIONS. The following terms and words, whenever, they occur in this ordinance are defined as follows:

Subd. 1: Person. Person means a natural person, firm, association, partnership or corporation, and any agent of any of the aforesaid.

Subd. 2: Junk Car. "Junk Car" means any motor vehicle which is not in operable condition, or which is partially dismantled, which is used for the sale of parts or as a source of repair or replacement parts for other vehicles, which is kept for scrapping, dismantling or salvage of any kind, or which is not properly licensed for operation within the State of Minnesota.

Subd. 3: Abandoned Property. "Abandoned Property" means trailers, boats, machinery, appliances, plumbing fixtures, furniture, scrap metal, packing material, mattresses, motorized vehicles, construction debris, farm machinery, motors, engines, lawn mowers, inoperable, dissembled or otherwise deteriorated to such a condition that it can no longer be properly used and other mechanical property which is for the purpose it was originally produced, or has no value other than scrap or junk value.

Section 3: PARKING AND STORAGE. No person shall park, keep, place or store, or permit the parking or storage of a junk car on a public street or alley, or on any private lands or premises which he owns, occupies, or controls of another unless it shall be within a building on such private premises. This section shall not prohibit a person in the business of repairing motor vehicles from storing vehicles in the process of being repaired in a parking lot on private property at the business premises, but no such vehicle shall be so stored for a period of more than twenty (20) days awaiting repairs.

Section 4: REPAIR, SERVICE, OR MAINTAINING. No person shall service, repair, replace parts or do maintenance work on a junk car on a public street nor on any private lands or premises unless it shall be within a building on such private premises. Minor service or repairs shall not be prohibited by this ordinance, if completed in less than forty-eight (48) hours.

Section 5: MAINTENANCE OF ABANDONED PROPERTY.

Subd. 1: Prohibition. No person shall keep, place, store or permit abandoned property on any real property which s/he owns or is under that person's control, unless stored within a building.

Subd. 2: Exception - Agricultural. Equipment being used for parts and repairs incidental to the operation and maintenance of a farming operation on property zoned agricultural is excepted from the provisions of this Ordinance if the equipment is located at least 300 feet from abutting property zoned residential.

Subd. 3: Exception - Commercial. This Ordinance does not prohibit a person in the business of servicing or repairing property from storing the property under repair at a business premises zoned commercial or industrial for a period not to exceed twenty (20) days while awaiting repair.

Subd. 4: Exception - Awaiting Removal. This Ordinance does not prohibit a person from keeping abandoned property outside of a building for a period not to exceed 48 hours while awaiting removal of the abandoned property for lawful disposal, or within a rental container which is designed and manufactured for rubbish disposal for up to seven (7) days while awaiting removal and lawful disposal.

Section 6: PENALTY. Any person violating the provisions of this ordinance shall be guilty of a misdemeanor.

This Ordinance shall be effective upon its adoption and publication. This Ordinance was adopted by the LeSauk Town Board the 27th day of February, 1998.

Karen Kelly
Town Chair

ATTEST: Marlyce N. Biante
Town Clerk

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Marlyce N. Biante
Town Clerk

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