

CITY OF MENLO

ORDINANCE NO. 2020-01

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MENLO, IOWA, BY AMENDING SECTION 3-8-2, SUBSECTION 4, PERTAINING TO JUNK VEHICLES.

Be it enacted by the City Council of the City of Menlo, Iowa:

Section 1. SUBSECTION MODIFIED. Section 3-8-2, Subsection 4 of the Code of Ordinances of the City of Menlo, Iowa is repealed, and the following adopted in lieu thereof:

A “junk vehicle” means any vehicle without current license plates and which has any one of the following characteristics:

- a. Any vehicle with a broken or cracked windshield, or window or headlight or any other cracked or broken glass.
- b. Any vehicle with a broken or loose fender, door or bumper or hood or door handle or window handle or steering wheel, trunk top or trunk handle or tail pipe.
- c. Any vehicle which has become the habitat of rats, mice, or snakes, or any other vermin or insects.
- d. Any other vehicle if it lacks an engine or two or more wheels or other structural parts which render said motor vehicle totally inoperable.
- e. Any other vehicle which, because of its defective or obsolete condition, in any other way constitutes a threat to the public health and safety.
(Cedar Falls v. Flett 330 N.W.2nd 251, 253 Iowa 1983)
- f. Has become a point of collection for stagnant water or has heavy growth of weeds or other noxious vegetation of eighteen (18) inches in height.
- g. Has become a source of danger for children through entrapment in areas of confinement that cannot be opened from inside, through a danger of the vehicle falling or turning over, or through possible injury from exposed surfaces of metal glass or other rigid materials.
- h. Has become a potential source of contamination of the soil from petroleum products or other toxic liquids being discharge from the vehicle.

Section 2. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

Section 3. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

The first reading of Ordinance 2020-01 was approved on November 4, 2020.

Motion by Korradi and second by Jacobson to suspend the 2nd and 3rd readings of Ordinance 2020-01, and to vote on Ordinance 2020-01. Roll call vote:

COUNCIL ACTION:

DOUG O'BRIEN AYE

LARRY JACOBSON AYE

PAUL JONES AYE

TROY MILLER AYE

DOROTHY KORRADI AYE

Motion by Jacobson and second by Korradi to adopt Ordinance 2020-01. Roll call vote:

COUNCIL ACTION:

DOUG O'BRIEN AYE

LARRY JACOBSON AYE

PAUL JONES AYE

TROY MILLER AYE

DOROTHY KORRADI AYE

Passed, approved, and adopted by the City Council on this 4th day of November, 2020.

Lyle Griswold
MAYOR

Attest: Polly Saxton
CITY CLERK

ATTEST;

I, Polly Saxton, City Clerk of the City of Menlo, hereby certify that the above and foregoing is a true copy of Ordinance 2020-01, passed by the City Council of said City at the meeting held on November 4, 2020, and published as provided by law in The Stuart Herald on November 19, 2020.

Polly Saxton
CITY CLERK