

A BILL FOR AN ORDINANCE RELATING TO WRECKED,  
JUNKED, DISMANTLED, ABANDONED, AND UNLICENSED  
MOTOR VEHICLES; PROHIBITING THE STORAGE,  
REPAIR, OR DISMANTLING THEREOF ON PUBLIC OR  
PRIVATE PROPERTY; DECLARING THE SAME TO BE A  
NUISANCE; PROVIDING FOR THE ABATEMENT OF SUCH  
NUISANCES; PROVIDING PENALTIES FOR THE  
VIOLATION OF THIS ORDINANCE; AND DECLARING  
AN EMERGENCY

) ORDINANCE BILL NO. 5  
) for 1968

) ORDINANCE NO. 1299  
)

WHEREAS, in the City of Lebanon, motor vehicles are or may in the future be dismantled, partially dismantled, wrecked, junked, nonoperating or discarded or left about the City, other than in junkyards or other appropriate places; and

WHEREAS such conditions tend to impede traffic in the streets or interfere with the enjoyment of and reduce the value of private property; invite plundering; create fire hazards and other safety and health hazards to children, as well as adults; interfere with the comfort and well-being of the public; and create, extend, and aggravate urban blight; and

WHEREAS adequate protection of the public health, safety, and welfare requires that such conditions be regulated, abated, or prohibited;

NOW THEREFORE,

THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:

Section 1. It shall be unlawful to park, store, or leave, or permit the parking or storing of any licensed or unlicensed motor vehicle of any kind for a period of time in excess of 30 days, which is in a rusted or wrecked or junked, or partially dismantled, or abandoned condition, whether attended or not, upon any public or private property within the City of Lebanon, unless the same is located or situated where it is not visible from a public street, or unless it is in connection with a business enterprise, and properly operated in the appropriate business zone, pursuant to the zoning laws of the City of Lebanon.



Section 2. The accumulation and storage of one or more of such vehicles, as hereinbefore defined, on public or private property shall constitute rubbish and unsightly debris and a nuisance, detrimental to the health, safety, and welfare of the inhabitants of the City of Lebanon, and it shall be the duty of the registered owner of such vehicle, and it shall also be the duty of the owner of the private property, or the lessee or other person in possession of the private property upon which such vehicle is located, to remove the same from the City, or to have the same located where it will not be visible from a public street.

Section 3. It shall be the duty of the Chief of Police of the City to give written notice to the registered owner of any motor vehicle which is in violation of this Ordinance, as described in Section 1, or to give such notice to the owner or lessee of the private land upon which such motor vehicle is situated, that said vehicle violates this Ordinance and demand that said motor vehicle be removed from the City within 72 hours, or that within 72 hours the same be located where it will not be visible from a public street. Said notice may be given by personal service or by certified or registered mail, with return receipt requested.

Section 4. If the vehicle is not removed or located as provided in the notice, those person who have received the notice shall be in violation of this Ordinance.

Section 5. If the vehicle is not moved or located in compliance with the direction contained in the aforesaid notice, the Chief of Police may cause the vehicle, or vehicles to be removed to a commercial garage, an automobile wrecking yard, or any other suitable place for storage of the vehicle, or vehicles, as may be designated by the Chief of Police; and within 48 hours after the removal and storage of such vehicle, or vehicles, in compliance with this Section, the Chief of Police shall give written notice, either personally or by certified or



registered mail, to the registered owner of such vehicle, and also to the owner, lessee, or person in possession of the land from which the vehicle was removed, that said vehicle, or vehicles, have been impounded and stored for violation of this Ordinance; and said notice shall include the location of the place where the vehicle, or vehicles, are stored, the costs incurred by the City for the removal or towing, and the storage charges accruing, and that, if said charges are not paid in full to the City Recorder within 10 days immediately following the giving of such notice said vehicle, or vehicles, shall be deemed to have been abandoned and will thereafter be discarded as junked or may, in the discretion of the Chief of Police, be sold as an abandoned vehicle in the manner prescribed by Ordinance No. 1174 which relates to the impounding and disposing of abandoned vehicles.

Section 6. If any vehicle is impounded and stored by the Chief of Police, under the provisions of this Ordinance or any other Ordinance of the City, or pursuant to any other lawful authority of the Police Department, said vehicle shall not be released by the appointed keeper thereof until all charges connected with the removal, towing, and storage of such vehicle have been fully paid, as evidenced by the City Recorder's paid receipt.

Section 7. It shall be unlawful to disassemble, construct, reconstruct, repair and/or service motor vehicles of any kind in or upon any street, road, alley, or public thoroughfare in the City of Lebanon, except for emergency service in which case said emergency service shall not extend over a period of two hours and shall not interfere with or impede the flow of traffic.

Section 8. PENALTY.

(a) Violation of this Ordinance shall constitute a misdemeanor.

(b) Each day's violation of this Ordinance shall constitute a separate offense.

(c) The abatement of a nuisance is not a penalty for violation of this Ordinance but is an additional remedy. The imposition of a penalty does not relieve a person of the duty to abate a nuisance.



Section 9. SEVERABILITY. The Sections and subsections of this Ordinance are severable. The invalidity of one Section or Subsection shall not affect the validity of the remaining Sections or subsections.

Section 10. That existing conditions are such that this Ordinance is necessary for the immediate preservation of the public peace, health, and safety, and an emergency is hereby declared and this Ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council and approved by the Mayor this 6th day of February, 1968.

*Kenneth B. Lawrence*  
Mayor

ATTEST:

*Wm R. Howz*  
Recorder