

ORDINANCE NO. 300

AN ORDINANCE PROVIDING FOR THE REMOVAL OF ABANDONED AND INOPERATIVE VEHICLES ON PRIVATE PROPERTY, AND DECLARING AN EMERGENCY.

BE IT ORDAINED, by the Mayor and Council of the City of Stilwell, Oklahoma

SECTION 1. PURPOSE OF ORDINANCE:

The impoundment of vehicles under the authority of the provisions of this chapter shall be construed as an enforcement procedure for the protection of public peace, safety and welfare, and the safeguarding of property; and shall be used generally for the prevention and abatement of public nuisances, prevention of health and/or safety hazards arising from inoperative or abandoned vehicles, protection of public rights in the use of streets and thoroughfares from obstructions laced and left in derogation of these rights.

SECTION 2. VEHICLES COVERED BY THIS ORDINANCE:

Any vehicle(s) left in public view in an inoperative and/or not properly licensed condition for a period of not less than thirty (30) days. This shall also apply to partial vehicles, including, but not limited to frames, engines, etc.

SECTION 3. EXCLUSIONS TO THIS ORDINANCE:

This ordinance shall not apply to any vehicle enclosed within a building on private property, or to any vehicle held in connection with a business enterprise operating in concurrence with existing city ordinances, or to a motor vehicle inoperable condition specifically designed or modified for operation on a motor raceway.

SECTION 4. PLACE OF IMPOUNDMENT:

Every vehicle that is impounded under the provisions of this ordinance shall be removed to the nearest place of impoundment agreed upon by the governing body of the City of Stilwell and to no other place.

SECTION 5. VIOLATIONS:

- Violations of this ordinance shall be proceeded against as follows;
- A. The owner of any vehicle(s) in violation of this ordinance shall be served by registered mail, a notice that the vehicle(s) in violation must be removed from the premises or the violation otherwise stopped within ten (10) days from the service of notice. If the vehicle(s) are still in violation, subject will be dealt with in the following manner.
 - B. Any motor vehicle(s) in violation of this ordinance shall be towed and impounded at the expense of the owner of subject vehicle(s).

SECTION 6. RECLAMATION:

Any motor vehicle(s) towed and impounded as a result of a violation of this ordinance, may be reclaimed by the owner of the vehicle(s) or an authorized representative of the owner upon payment of towing and storage charges. If any vehicle(s) remain unclaimed after seven (7) days, the owner of the impound facility may, at their sole discretion, deal with subject vehicle(s) pursuant to then current Oklahoma laws.

SECTION 7. RESPONSIBILITY FOR ENFORCEMENT:

The responsibility for enforcement of this ordinance shall be the City of Stilwell Police Department, which shall make investigations, serve notices, arrange for towing and impoundment, and perform such other duties as are necessary or incidental.

SECTION 8. EXCLUSIONS AND EXTENSIONS OF TIME LIMITS:

There shall be no exclusions to this ordinance other than specifically named herein, there shall, in like manner, be no extensions granted to the time limits provided in this ordinance, unless approved by the governing body of the City of Stilwell.

SECTION 9. EMERGENCY CLAUSE:

That an immediate necessity exists therefor for the preservation of the public peace, health and safety, an emergency is hereby declared to exist by reason whereof this ordinance should be in full force and effective from and after its passage and approval.

PASSED by the City Council this 2nd day of August, 1999.

APPROVED by the Mayor this 2nd day of August, 1999.

Marilyn Hill-Russell
Mayor

(Seal)

ATTEST: DEAN WATT
City Clerk

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