

# ORDINANCE 99-10

## TITLE

### AN ORDINANCE REGULATING INOPERABLE MOTOR VEHICLES IN THE CITY OF LAKEVIEW, BAXTER COUNTY, ARKANSAS

Be it ordained by the City of Lakeview, Arkansas:

#### SEC I:

- A: It shall be unlawful for any person to maintain store or keep an inoperable motor vehicle on public property.
- B: It shall be unlawful for any person to maintain store or keep an inoperable motor vehicle on private property for more than 30 calendar days without a permit after a complaint has been filed with the City of Lakeview.

#### SEC II:

- A: Inoperable vehicles stored in an enclosure are not in violation of this ordinance. An enclosure is a building, wall, or fence that conceals a vehicle from all adjoining property at ground level.

#### SEC III: Exceptions:

- A: Nothing in this ordinance shall prevent a person from keeping in the open on private property (1) one inoperative motor vehicle for the purpose of making repairs, including antique motor vehicles, or modifying a vehicle for a race vehicle. In either of these situations the owner shall obtain a permit within 30 calendar days from the city's recorder/treasurer or their agent for the sum of \$5 issued for a period of 90 days. This permit can be renewed for an additional 90 day period for a sum of \$15 if necessary to complete repairs or construction.
- B: This ordinance does not apply to operable motor vehicles in front of a residence of the owner or a guest.
- C: This ordinance does not apply to motorcycles, motorbikes, or scooters.
- D: Nothing in this ordinance is to be interpreted as preventing a bona-fide business from dealing with any inoperable vehicle as long as that business is properly located in an appropriately zoned area.

#### SEC IV: Definitions:

- A: Antique motor vehicle is defined as a vehicle 25 years old or older that is being restored to the point that an antique license plate can be obtained.
- B: Inoperable motor vehicle is defined as any one or more of the following which may apply:
  1. Any vehicle placed on blocks
  2. Has one or more wheels removed

3. Is not in proper condition to be legally operated on public streets
4. Lacks an integral part of assembly such as engine, drive-line, windshield or body parts.
5. Is not capable of self locomotion

SEC V: Notice of violation - Removal of vehicle

- A: When a city official observes or finds an inoperable motor vehicle stored on open public property a notice shall be placed on the vehicle requiring the owner to remove the vehicle within 24 hours. If the vehicle is not removed the city is authorized to remove and impound the vehicle. The costs of such removal shall be reimbursed by the owner. In the event the motor vehicle obstructs movement of traffic or constitutes a traffic hazard the city shall immediately have the vehicle removed.
- B: When city officials receive a complaint of an inoperable motor vehicle being stored in the open on private property city officials shall make a reasonable attempt to locate the owner or the person responsible for placing the vehicle upon private property. City officials shall serve a written notice to that person that a complaint has been filed and that person has 30 calendar days to remove the vehicle, apply for a permit, or file an appeal with the Lakeview City Council. If the vehicle is not removed, a permit obtained, or an appeal filed within the 30 days, that person will be charged with a violation of this ordinance and scheduled to appear in city court.

SEC VI: Penalty

- A: Any person violating this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than \$25 nor more than \$100 per day. Each day that such violation occurs shall be considered a separate offence.

SEC VII:

- A: Any ordinances or parts of ordinances in conflict are hereby repealed.

Passed

*January 11, 2000*

ATTEST:

*Robert M. Mitchell*  
R.M. Mitchell, Recorder/Treasurer

APPROVED:

*Lloyd Travis*  
Lloyd Travis, Mayor