

ORDINANCE NO. 635

AN ORDINANCE OF THE CITY OF SEDGWICK, KANSAS, CONCERNING THE REGULATION OF THE STORAGE OF INOPERABLE VEHICLES AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF; AND REPEALING ORDINANCE NO. 485 AND 466A.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SEDGWICK, KANSAS:

SECTION 1. A vehicle shall be determined as inoperable when it does not have a current state license plate, or when it has a current state license plate, but is disassembled, partially dismantled, or wrecked in whole or in part, and it is unable to move under its own power and it is parked or stored on any private or public property within the city for a period in excess of (10) ten days.

SECTION 2. The definition of inoperable vehicle shall not apply when such vehicle is completely enclosed within a building or garage or in a district zoned to permit and regulate such an occurrence. A maximum of (2) two cars may be enclosed in a rear yard provided they are not visible from any public right-of-way.

SECTION 3. Any of the following conditions shall raise the presumption that a vehicle is inoperable:

- A. Absence of an effective registration plate upon such vehicle;
- B. Placement of the vehicle or parts thereof upon jacks, blocks, chains, or other supports;
- C. Absence of one or more parts of the vehicle necessary for the lawful operation of the vehicle upon the streets and highways.

SECTION 4. It shall be unlawful for any person, partnership, and corporation or their agent either as owner, leasee, tenant or occupant of any lot or land, except land zoned Industrial (I-1), within the city to park, store or deposit, or permit to be parked, stored or deposited thereon, or in the street, alley or public right-of-way adjacent thereto, an inoperable vehicle unless it is enclosed in a garage or other building.

SECTION 5. In any proceeding for the violation of this Ordinance, the license plate displayed upon the vehicle in violation shall constitute in evidence a prima facie presumption that the owner of such vehicle was the person who parked or stored such vehicle at the place where the violation occurred.

SECTION 6. Any person violating any of the provisions of this Ordinance, shall be guilty of a misdemeanor and shall be punished by a fine of not more then \$500.00, plus \$25.00 per day for each day the violation continues, and by a term of confinement in the county jail not to exceed one month.

SECTION 7. Ordinance No. 485 and 466A are repealed.

SECTION 8. This ordinance shall take effect and be in force from and after its once publication in THE HARVEY COUNTY INDEPENDANT, the official city newspaper.

PASSED AND ADOPTED this 18<sup>th</sup> day of April, 2000.

  
Donald K. DeHaven, Mayor

ATTEST:

  
Jaclyn I. Reimer, City Administrator/Clerk

(SEAL:)