

ORDINANCE NO. 897

AN ORDINANCE AMENDING SECTION 8-303 OF ARTICLE 3 OF THE CITY CODE OF THE CITY OF CHETOPA, KANSAS RELATING TO JUNKED MOTOR VEHICLE NUISANCE WITH THE CITY.

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

Section 1. That the existing Section 8-303 of Article 3 of the City Code of the City of Chetopa, Kansas, should be and is hereby repealed.

Section 2. That Section 8-303 of Article 3 of the City Code of the City of Chetopa, Kansas, shall read as follows:

8-303. NUISANCES UNLAWFUL; DEFINED; EXCEPTIONS. It shall be unlawful for any person to maintain or permit any motor vehicle nuisance within the city.

- (a) A motor vehicle nuisance is any motor vehicle which is not currently registered or tagged pursuant to K.S.A. 8-126 to 8-149 inclusive, as amended; or parked in violation of city ordinance; or incapable of moving under its own power; or in a junked, wrecked or inoperable condition. Any one of the following conditions shall raise the presumption that a vehicle is junked, wrecked or inoperable;
- (1) Absence of a current registration plate upon the vehicle;
  - (2) Placement of the vehicle or parts thereof upon jacks, blocks or other supports;
  - (3) Absence of one or more parts of the vehicle necessary for the lawful operation of the vehicle upon street or highway.
- (b) The provisions of this ordinance shall not apply to :
- (1) Any motor vehicle which is enclosed in a garage or other building;
  - (2) To the parking or storage of a vehicle inoperable for a period of 30 consecutive days or less; or
  - (3) To any person who places such vehicles behind screening of sufficient size, strength and density to screen such vehicles from the view of the public and to prohibit ready access to stored vehicles by children. However, nothing in this subsection shall be construed to authorize the maintenance of a public nuisance.

Passed by the Governing Body of the City of Chetopa, Kansas, on the 7<sup>th</sup> day of March, 2017.

Terry G. Robison, Mayor

ATTEST:

Toni A. Crumrine, City Clerk