

First Published: 6-23-77

ORDINANCE NO. 381

AN ORDINANCE PROHIBITING THE STORAGE AND KEEPING OR MAINTAINING JUNK, AND JUNK MOTOR VEHICLES WITHIN THE CITY LIMITS OF HAVEN, KANSAS, AND REPEALING ORDINANCE NO. 348, SECTION 3, PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY OF HAVEN, KANSAS, ON THE 3RD DAY OF JUNE, 1974.

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

SECTION 1. It shall be unlawful for any person to cause, permit or maintain the existence of any nuisance on any property under his control, lease or ownership by the storing, keeping or maintaining outside of a closed building, any junk, parts, machinery or equipment not in an operable condition, a motor vehicle not in operable condition, provided, however, that this Ordinance shall not apply to a properly licensed junk yard or salvage yard which is in full compliance with all the Ordinances of the City of Haven, Kansas governing the same.

SECTION 2. As used in this Ordinance "Junk" means old iron, chain, brass, copper, tin, lead or other base materials, old rope, old bags, rags, waste paper, paper clippings, scraps of baggins, rubber and glass and empty bottles of different kinds and all articles discarded or no longer used as a manufactured article which may however, be treated or prepared so as to be used again in some form. The term "Junk Motor Vehicle" as contained herein, shall include any automobile, truck, trailer, or other vehicle which is unused or stripped, or junked, or not in good and safe operating condition, or not capable of moving under its own power.

SECTION 3. That there shall be a rebuttable presumption that any vehicle which does not have a current year license number plate displayed thereon shall be a "Junk Motor Vehicle" within the meaning of the ordinance.

SECTION 4. That the keeping or storing of any junk motor vehicle in violation of this ordinance shall be deemed a criminal violation, and in the case of the failure, neglect or refusal of the owner of such vehicle to remove the same from the Corporate limits of the City of Haven, Kansas, within fourteen (14) days after the owner has been sent written notice to do so by the City, a complaint shall be filed against the owner.

SECTION 5. Any person violating the provisions of this Ordinance shall, upon conviction thereof, be fined in any sum not less than \$25.00 nor more than \$500.00.

SECTION 6. That if any section, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 7. That ordinance No. 348, Section 3, passed and approved by the Governing Body of the City of Haven, Kansas, on the 3rd day of June, 1974, and all other ordinances or parts thereof in conflict with these provisions are hereby repealed.

SECTION 8. That this ordinance shall be in full force and effect from and after its publication once in the official city paper.

PASSED AND APPROVED this 20th day of June, 1977.

Arthur Peitsch
Mayor

ATTEST: SEAL
Vera R. Hiatt
City Clerk