

ORDINANCE NO. 665

**AN ORDINANCE PROHIBITING STORAGE AND KEEPING OR MAINTAINING JUNK AND JUNK MOTOR VEHICLES, AND PROHIBITING THE GROWTH OF WEEDS AND OBNOXIOUS GROWTHS OF VEGETATION ON LOTS OR PIECES OF LAND WITHIN THE CITY OF HAVEN, KANSAS,**

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.

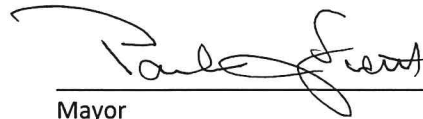
**SECTION 4.** The rank growth of weeds and obnoxious growths of vegetation are hereby declared to be a nuisance, and it shall be unlawful for any occupant, owner or person in charge of lots or pieces of land within the City to fail to cut and destroy all weeds, vegetation, or plant growth in excess of twelve (12) inches on such lots or pieces of land and in the streets and alleys in front of and abutting such lots or pieces of land occupied or owned by them or under their charge. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

**SECTION 5.** That any person violating the provisions of this Ordinance shall be guilty of an infraction. Any person convicted of a violation of the provisions of this Ordinance shall be fined in any sum not less than \$50 nor more than \$500, plus court costs.


**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.** This ordinance shall be in full force and effect from its passage and after its publication once in the official City newspaper.

PASSED AND APPROVED BY THE GOVERNING BODY this 6<sup>th</sup> day of March, 2017.

  
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Mayor

ATTEST:

  
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City Clerk