

**GENEVA TOWNSHIP Junk Vehicle ORDINANCE #11
Amendment April 10, 2001**

An Ordinance to protect and promote the health, safety and general welfare of the people of the Township of Geneva by establishing methods of impounding, removing and disposing of abandoned, wrecked or junked, non-operating, un-registered vehicles and by setting penalties for violation of this ordinance.

The General Law Township of Geneva Ordains:

1. TITLE

This Ordinance shall be known and may be cited and referred to as the Junk Vehicle Ordinance and is herein referred to as "the Ordinance".

2. ABANDONED VEHICLES

Definitions: The following definitions shall apply to the interpretation and enforcement of this section.

"Person" shall mean any person, firm, partnership, association, corporation, company or organization of any kind.

"Vehicle" shall mean a machine propelled by power other than human power designed to travel along the ground by use of wheels, treads, or runners and transport persons or property or pull machinery and shall include, without limitation, automobile, truck, trailer, motorcycle, tractor, buggy, wagon, bus, house car and snowmobiles.

"Street or Highway" shall mean the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

"Property" shall mean any real property within the Township which is not a street or highway.

3. ABANDONMENT OF VEHICLES. No person shall abandoned any vehicle within the Township and no person shall leave any vehicle at any place within the Township for such time and under such circumstances as to cause such vehicle reasonably to appear to have been abandoned.

4. LEAVING OF WRECKED, NON-OPERATING VEHICLE ON STREET. No person shall leave any partially dismantled non-operating, wrecked, junked or un-registered vehicle on any street or highway within the Township for more than 48 hours.

5. DISPOSITION OF WRECKED OR DISCARDED VEHICLES. No person in charge or control of any property within the Township, whether as owner, tenant, occupant, lessee, or otherwise, shall allow any partially dismantled, non-operating, wrecked, junked, discarded or un-registered vehicle to remain on such property longer than 48 hours, and no person shall leave any such vehicle on any property within the township for a longer time than 48 hours, except that this section shall not apply with regard to a vehicle in any enclosed building, a vehicle on the premises of a business enterprise operated in a lawful place and manner, when necessary to the operation of such business enterprise, or a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the Township. Any vehicle on the premises of a business enterprise that is in-operable, unlicensed, must be removed within 15 days unless authorized by the Code Enforcement Officer.

6. IMPOUNDING. The Code Enforcement Officer or any other appropriate official, or any member of his department designated by him, is hereby authorized to remove or have removed any vehicle left at any place within the Township which reasonably appears to be in violation of this section or lost, stolen or unclaimed. Such vehicle shall be impounded until lawfully claimed or disposed of, provided, however, that before any vehicle is removed from private property, a written notice of violation shall be given 10 days before such removal by posting same on the vehicle to be removed or by delivering same to the owner of the vehicle, if known.

- 7. PENALTY Any person, firm, corporation, or organization which violates or fails to comply with the provision of this Ordinance shall be deemed guilty of a misdemeanor and shall, upon conviction, be punished by a fine not to exceed \$500 and costs of prosecution or by imprisonment in the County Jail for a term not exceeding ninety (90) days, or by both fine and imprisonment in the discretion of the Court. Each day that a violation of this Ordinance exists shall constitute a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the provisions of this Ordinance.
- 8. If any section, sub-section, paragraph, sentence, clause or phrase of this ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portion of this ordinance which shall remain in force and effect, and to this end the provisions of this ordinance are hereby declared to be severable.
- 9. Amended Ordinance Adopted this 10th day of April, 2001. This amendment wording shall replace and supersede contents of Ordinance #11 adopted March 12, 1994. Ordinance as amended Effective April 10, 2001.

Motion to adopt Ordinance #11 amendment, Nancy Ann Whaley, seconded by Bridgette Gumpert.

Yes: <u>4</u>	<u>Yes: Funk, Primmer, Gumpert, Whaley.</u>
No: <u>0</u>	<u>No: None</u>
Absent: <u>1</u>	<u>Absent: Trowbridge</u>

Adopted this 10th day of April, 2001.

Bridgette Gumpert
Bridgette Gumpert, Clerk

Ordinance #11 adopted March 12, 1984
Amended April 10, 2001.