

## CHAPTER 72: ABANDONED, WRECKED OR INOPERATIVE VEHICLES

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### § 72.01 NUISANCE.

The City Council of the city, determines and declares that vehicles that are or may in the future be abandoned in the streets and other places within the city; and are or may in the future be dismantled, partially dismantled, wrecked, junked, non-operating or discarded in and about the city other than in junk yards or other appropriate places; and the conditions tend to impede traffic in the streets or interfere with the enjoyment of and reduce the value of private property, invite plundering, create fire hazards and other safety and health hazards to children, as well as adults, interfere with the comfort and well-being of the public and creates extends and aggravate area blight; and adequate protection of the public health, safety and welfare requires that the conditions shall be regulated, abated or prohibited.  
(Prior Code, § 620.01)

### § 72.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ABANDONED VEHICLE.** The definition as given in M.S. § 168B.011, subdivision 2, as it may be amended from time to time.

**JUNK VEHICLE.** The definition given in M.S. § 168B.011, subdivision 3, as it may be amended from time to time.

**PERSON.** Any person, firm, partnership, association's corporation, company or organization of any kind.

**PRIVATE PROPERTY.** Any real property which is not a duly dedicated street or highway.

**STREET or HIGHWAY.** The dedicated traveled portion of any public way between the boundaries of private property, whenever the same is open to the use of the public for the purpose of travel.

**UNAUTHORIZED VEHICLE.** The definition given in M.S. § 168B.011, subdivision 4, as it may be amended from time to time.

**VEHICLE.** Any device or machine designed to travel along the ground by use of wheels, treads, runners, or slides and transport persons or property, and shall include without limitation, automobiles, trucks, trailers, wagons, tractors and motorcycles.  
(Prior Code, § 620.02)

### **§ 72.03 ABANDONMENT OF VEHICLES.**

No person shall abandon any vehicle within the city, and no person shall leave any vehicle at any place within the city for the time or under the circumstances as to cause the vehicle reasonably to appear to have been abandoned or so as to become unauthorized as set forth in M.S. § 168B.04, subdivision 2, as it may be amended from time to time.  
(Prior Code, § 620.03) Penalty, see § 72.99

### **§ 72.04 LEAVING OF WRECKED, NON-OPERATING VEHICLES ON STREET.**

No person shall leave on any street or highway within the city, any partially dismantled, non-operating, wrecked or junked vehicle or any vehicle not properly and currently licensed by the State of Minnesota for operation within the State of Minnesota. This section shall not apply to a vehicle left due to an emergency or accident provided that the vehicle shall not be allowed to remain for more than 24 hours or in a manner that unduly interferes with the flow of traffic or otherwise endangers the health, safety or welfare of the public.  
(Prior Code, § 620.04) Penalty, see § 72.99

### **§ 72.05 WRECKED OR DISCARDED VEHICLES – PRIVATE PROPERTY.**

No person in charge or control of any property within the city whether as owner, tenant, occupant, lessee or otherwise, shall permit or allow any partially dismantled, non-operating, wrecked, junked, discarded or abandoned vehicle, or any vehicle not properly licensed for operation within the State of Minnesota by the State of Minnesota to remain on the property longer than 24 hours; and no person shall leave the vehicle on any property within the city for a longer period than 24 hours, except that this section shall not apply to vehicles within a closed building or to a vehicle on the premises of a business or enterprise operated in a lawful place and manner when necessary to the operation of the business or enterprise, and except that a vehicle may be considered unauthorized after the time limits set forth in M.S. § 168B.04, subdivision 2, as it may be amended from time to time.  
(Prior Code, § 620.05) Penalty, see § 72.99

**§ 72.06 AUTHORITY TO REMOVE.**

Any vehicle parked or stored in violation of any provision of this code or any ordinance of the city, or of the law of the State of Minnesota, shall be declared to be a public nuisance and the same may be abated by removing the vehicle by or under the direction of any police officer of the city by means of towing or otherwise as authorized by state law, and provided that notice that the vehicle has been impounded shall be given in compliance with M.S. § 168B.06, as it may be amended from time to time, and any other applicable statute.

(Prior Code, § 620.06) Penalty, see § 72.99

**§ 72.07 PROSECUTION.**

The impounding of any vehicle shall not prevent or preclude the institution or prosecution of any criminal proceedings against the owner or operator of the impounded vehicle.

(Prior Code, § 620.07) Penalty, see § 72.99

**§ 72.08 CLAIMING VEHICLE.**

Before the owner or his or her agent shall be permitted to remove a vehicle from the possession of the city, he or she shall:

(A) Furnish satisfactory evidence to the city of his or her identity and ownership of the vehicle; and

(B) Pay the expenses of towing and storage.  
(Prior Code, § 620.08) Penalty, see § 72.99

**§ 72.09 DISPOSITION OF THE VEHICLE.**

Vehicles impounded under this chapter may be disposed of as provided in § 92.01.  
(Prior Code, § 620.09)

**§ 72.10 PROCEEDS OF SALE.**

The proceeds of the sale shall be distributed as provided in § 92.01.  
(Prior Code, § 620.10)

**§ 72.11 RECORDS.**

The city shall keep a record of all vehicles impounded by manufacturer's trade name, motor vehicle license number, motor number and the names and addresses of the owner and of all persons claiming the vehicle and the nature and circumstances of the impounding thereof together with the violation on account of which the vehicle was impounded.

(Prior Code, § 620.11)

**§ 72.99 PENALTY.**

Any person violating any of the provisions of this chapter shall be adjudged guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed \$1,000 or by confinement in jail for a period not to exceed 90 days, or both, and in either case the costs of prosecution may be added as authorized by state law, the Rules of Court, and the Rules of Civil and Criminal Procedure. Each day a violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as that hereunder.  
(Prior Code, § 620.12)