

Athena Ordinances

ORDINANCE NO. 620

AN ORDINANCE RELATING TO WRECKED, JUNKED, DISMANTLED, ABANDONED AND UNLICENSED MOTOR VEHICLES; PROHIBITING THE STORAGE, REPAIRING OR DISMANTLING THEREOF ON PUBLIC OR CERTAIN PRIVATE PROPERTIES; DECLARING THE SAME TO BE A NUISANCE; PROVIDING FOR THE ABATEMENT OF SUCH NUISANCES; PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

The City of Athena, Oregon ordains as follows:

Section 1. It shall be unlawful to park, store or leave or permit the parking, storing or leaving of any licensed or unlicensed motor vehicle of any kind for a period of time in excess of 72 hours, which is in a wrecked, junked or partially dismantled or in an inoperative or abandoned condition, whether attended or not, upon any public or private property within the city of Athena, Umatilla county, Oregon, unless the same is completely enclosed within a building or unless it is placed in connection with a business enterprise property operated in the appropriate business zone pursuant to the zoning laws of said city.

Section 2. Any motor vehicle parked, stored, left or permitted to be parked, left or stored in violation of the provisions of Section 1, hereof, shall constitute a nuisance detrimental to the health, safety and welfare of the inhabitants of the city of Athena; and it shall be the duty of the registered or other owner of such vehicle, and it shall also be the duty of the owner of the private property or of the lessee or other person in possession of the private property upon which such vehicle is located, either to remove the same from the City of Athena or to have the same housed in a building where it will not be visible from the street or other private property.

Section 3. It shall be the duty of the police for the City of Athena to give written notices to the registered or other owner of any motor vehicle which is in violation of this ordinance, or in the alternative to give notice to the owner or lessee of the private property upon which such motor vehicle is situated, to the effect that parking, storing or leaving or permitting of the parking; storing or leaving of such vehicle is in violation of this ordinance, and also demanding that said vehicle be removed from the City of Athena within 72 hours, or that within 72 hours the same be housed in a building where it will not be visible from the street or adjoining private property. Said notice shall be given by personal service or by certified mail. If personal service or service by certified mail cannot be made within 10 days, then such notice shall be posted on the windshield of said vehicle, and a copy of said notice posted at the front door of the dwelling or building, if any, upon which or abutting the street upon which said vehicle is parked.

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Section 4. If notice is given as provided in Section 3 hereof, and the person upon whom said notice and demand is made shall fail to meet the requirements of said notice, then said person shall be in violation of this ordinance.

Section 5. Notwithstanding the provisions of Section 4, and regardless of whether or not the person or persons mentioned therein have been charged with a violation of this ordinance, the police, after giving the notice required by Section 3, and if the requirements of such notice have not been complied with upon the expiration of the 72-hour period, may cause the vehicle or vehicles to be removed to such suitable place for storage and may be designated by the police. Within 48 hours after the removal and storage of such vehicle or vehicles, the police shall give notice in the manner prescribed in Section 3 to the registered owner or other owner of such vehicle or vehicles, if known, or also the owner, lessee or person or persons in possession of the land from which the vehicle has been impounded and stored for violation of this ordinance. The notice shall include the location of the place where the vehicle is stored, shall state the costs incurred by the City of Athena for removal or towing and the storage costs accrued, and shall advise that if said charges are not paid in full to the city recorder within a period of 10 days immediately following the giving of such notice, said vehicle shall be deemed to have been abandoned and thereafter will be discarded as junk, or may, in the discretion of the police, be sold as an abandoned vehicle in the manner prescribed by ORS 483.388 to 483.396, relating to abandoned vehicles. [Amended by ORD. 357, passed Aug. 12, 1974.]

Section 6. After any vehicle is impounded and stored as aforesaid, the same shall not be released by the appointed keeper thereof until all charges connected with the removal, towing and storage of such vehicle have been fully paid as evidenced by the city recorder's paid receipt.

Section 7. It shall be unlawful to disassemble, construct, reconstruct, repair and/or service motor vehicles of any kind in or upon any street, road, alley or other public thoroughfare in the City of Athena, except for emergency service; provided, however, that said emergency service shall not extend over a period of two hours, and the same does not interfere with or impede the flow of traffic.

Section 8. Any person who shall be in violation of this ordinance and convicted thereof shall be punished by a fine as set by the fine schedule.

Passed by the council and approved by the mayor April 14, 1969.

Passed by the council and approved by the mayor November 15, 2007.